

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BERMAN. Mr. Speaker, I was unable to vote today on H. Con. Res. 341 because I was traveling on official business to a Middle East regional security conference in Athens, Greece, and then on to Egypt and Israel for meetings with top government officials. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Ms. CARSON. Mr. Speaker, I was unavoidably detained and unable to record my vote for rollcall vote 12. Had I been present I would have voted "yea."

PERSONAL EXPLANATION

Mr. CAPUANO. Mr. Speaker, I was prepared today to vote for this resolution but a late language change has made that impossible.

The phrase "and take action" was added to paragraph three which now reads: "calls on all members of the United Nations Security Council . . . to expeditiously consider *and take action* . . . to respond to and *deal with* situations bearing on the maintenance of international peace and security" (emphasis added). Because of that change, I cannot support this resolution. However, since I do believe that Iran poses a serious threat to the world and demands the attention of the world, I could not vote against the proposal. Therefore, I voted "present."

I strongly agree that Iran poses a real security threat to the world and I encourage continued vigilance. However, I have real concerns that the wording of this resolution might be interpreted by the Bush administration as all that is necessary to take military action. Although the day may come when I do support such action, today is not that day. I do not trust the Bush administration to come back to Congress if they wish to pursue military action. My lack of trust is, unfortunately, based on past actions. I voted to support military action against Afghanistan but the President is insisting today that Congress in so voting also granted him the legal authority to intercept telephone calls and other forms of communication without a warrant. I completely reject that assertion and I am concerned with future interpretations of H. Con. Res. 341. I regret that I cannot trust the President of the United States to use military force prudently and when all non-violent means have been exhausted. I regret that I cannot support this resolution.

PRIVILEGES OF THE HOUSE—PRIVILEGED RESOLUTION REGARDING CULTURE OF CORRUPTION SURROUNDING BUDGET RECONCILIATION

Ms. PELOSI. Mr. Speaker, pursuant to rule IX, I rise in regard to a question of the privileges of the House, and I offer a privileged resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 687

Whereas the Republican Leadership has engaged in a continuing pattern of withholding accurate information vital for Members of the House of Representatives to have before voting on legislation, and has inserted numerous controversial provisions into completed conference reports in the dead of night without notifying Democratic Members of the House, the press, or the public;

Whereas on February 1, 2006 the Republican Leadership permitted a vote on House Resolution 653 to concur in a Senate amendment to the conference agreement on Budget Reconciliation, despite the inclusion of inaccurate numbers in provisions that cost the Medicare program an additional \$2 billion dollars;

Whereas although the Senate Enrolling Clerk had mistakenly changed critical numbers which had a major financial significance for Medicare, and had notified the House of those errors two weeks prior to the vote on February 1, the Republican Leadership deliberately chose to ignore that notification and instead allowed the House to vote on an incorrect version of this legislation;

Whereas the conference agreement on Budget Reconciliation passed the House by the narrowest of margins, 216-214, with every Democrat voting in opposition, and knowledge of this mistake may have influenced the outcome of this vote, which is why the Republican Leadership chose not to pursue the proper course in correcting this legislation;

Whereas as a result of the concealment of these errors in the enrollment of the bill, the law signed by the President of the United States on February 8, 2006 is not the same as the text cleared by the House on February 1, 2006;

Whereas the effect of these actions raises serious constitutional questions and jeopardizes the legal status of this legislation and The Washington Post has reported: "Now there are questions about the legality of signing a bill the House technically did not pass" (The Washington Post, February 9, 2006);

Whereas Republican incompetence led to numerous errors in this legislation, and two additional errors in the Senate amendment that was agreed to by House Resolution 653 were found by the Congressional Budget Office in a report dated January 27, 2006, five days BEFORE the House voted on the final conference report: "The (conference report on Budget Reconciliation) contains two apparent errors in legislative language: one in section 8006 regarding direct loans to parents of postsecondary students, and one in section 10002 regarding bankruptcy fees." (CBO Report on S. 1932, January 27, 2006);

Whereas in this ongoing pattern of abuse of power, the Republican Leadership on December 17, 2005 deliberately misled Members of the House by inserting into a completed conference report without debate or notification a provision granting liability protection for drug companies from cases involving consumers injured by avian flu vaccine; (HR 2863, the Defense Appropriations Conference Report);

Whereas the Republican Leadership inserted this liability vaccine provision at midnight, AFTER conferees signed what they understood to be the final document seven hours earlier, thereby breaking their

word and assurances that "Avian Flu shall be funded at the House level, and will not include either indemnity or compensation provisions." (House Appropriations Committee Summary, December 17, 2005, 4:40 PM);

Whereas during passage of the Prescription Drug bill in 2003, the Republican Leadership and the committees of jurisdiction ignored the warnings from knowledgeable experts that the true cost of the legislation was potentially hundreds of billions of dollars higher than the official estimate, and intentionally misled Members of the House by withholding information for the sole purpose of winning passage of this extremely controversial bill by a single vote in the middle of the night; and

Whereas the Republican Leadership's culture of corruption and its repeated efforts to thwart the normal legislative process by cutting corners, inserting hand-written provisions into completed conference reports in the dead of night, and rushing through legislation with major errors, forces Members to vote on controversial legislation without thorough time for review and must be denounced: Now, therefore, be it

Resolved, That the Committee on Standards of Official Conduct shall begin an immediate investigation into the abuse of power surrounding the inaccuracies in the process and enrollment of the Budget Reconciliation legislation cleared for the President on February 1, 2006.

The SPEAKER pro tempore. The resolution qualifies.

MOTION TO TABLE OFFERED BY MR. BOEHNER

Mr. BOEHNER. Mr. Speaker, I move to table the resolution.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. PELOSI. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 219, noes 187, answered "present" 6, not voting 20, as follows:

[Roll No. 13]

AYES—219

Aderholt	Calvert	English (PA)
Akin	Camp (MI)	Everett
Alexander	Cannon	Feeney
Bachus	Cantor	Ferguson
Baker	Capito	Fitzpatrick (PA)
Barrett (SC)	Carter	Flake
Bartlett (MD)	Castle	Foley
Barton (TX)	Chabot	Forbes
Bass	Chocola	Fortenberry
Beauprez	Coble	Fossella
Biggert	Cole (OK)	Fox
Bilirakis	Conaway	Franks (AZ)
Blackburn	Crenshaw	Frelinghuysen
Blunt	Cubin	Galleghy
Boehler	Culberson	Garrett (NJ)
Boehner	Davis (KY)	Gerlach
Bonilla	Davis, Jo Ann	Gibbons
Bonner	Davis, Tom	Gilchrest
Bono	Deal (GA)	Gillmor
Boozman	DeLay	Gingrey
Boustany	Dent	Gohmert
Bradley (NH)	Diaz-Balart, L.	Goode
Brady (TX)	Diaz-Balart, M.	Goodlatte
Brown (SC)	Doolittle	Granger
Brown-Waite,	Drake	Graves
Ginny	Dreier	Green (WI)
Burgess	Duncan	Gutknecht
Burton (IN)	Ehlers	Hall
Buyer	Emerson	Harris