

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

88.7 FLAG CONSTITUTIONAL AMENDMENT

Mr. CANADY, pursuant to House Resolution 173, called up the joint resolution (H.J. Res. 79) proposing an amendment to the Constitution of the United States authorizing the Congress and the States to prohibit the physical desecration of the flag of the United States.

After debate, By unanimous consent, the time for debate was extended by ten minutes, equally divided between and controlled by Mr. KOLBE and Mr. MONTGOMERY.

After further debate, Pursuant to House Resolution 173 the previous question was considered as ordered.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

Mr. BRYANT moved to recommit the joint resolution to the Committee on the Judiciary with instructions to report the joint resolution back to the House forthwith with the following amendment:

Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

ARTICLE-

SECTION 1. The Congress and the States shall have power to prohibit the burning, trampling, soiling, or rending of the flag of the United States.

SECTION 2. For the purpose of this article of amendment, the Congress shall determine by law what constitutes the flag of the United States, and shall prescribe procedures for the proper disposal of a flag.

After debate, By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce, Will the House recommit said joint resolution with instructions?

The SPEAKER pro tempore, Mr. OXLEY, announced that the nays had it.

Mr. BRYANT objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present, The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared Yeas 63 Nays 369

88.8 [Roll No. 430] YEAS-63

- Abercrombie Borski Coleman Ackerman Brown (CA) Collins (MI) Bentsen Bryant (TX) Coyne Bonior Clay Doggett

- Edwards Levin Lowey Owens Myrick Nethercutt Neumann Royce Sabo Salmon Sanders Sanford Sawyer Saxton Scarborough Schaefer Schiff Seastrand Sensenbrenner Serrano Shadegg Shaw Shays Shuster Pickett Sisisky Sken Skelton Slaughter Smith (MI) Smith (NJ) Smith (TX) Smith (WA) Solomon Souder Spence Spratt Stark Stearns Stenholm Stockman Stokes Studts Stump Stupak Talant Tanner Tate

NAYS-369

- Allard DeLauro Hoekstra Andrews DeLay Hoke Archer Dellums Holden Arney Deutsch Horn Bachus Diaz-Balart Hostettler Baesler Dickey Houghton Baker (CA) Dicks Hoyer Baker (LA) Dingell Hunter Baldacci Dixon Hutchinson Ballenger Dooley Hyde Barcia Doolittle Ingris Barr Dornan Istook Barrett (NE) Doyle Jacobs Barrett (WI) Dreier Jefferson Bartlett Duncan Johnson (CT) Barton Dunn Johnson (SD) Bass Durbin Johnson, Sam Bateman Ehlers Johnston Becerra Ehrlich Jones Beilenson Emerson Kanjorski Bereuter English Kaptur Berman Ensign Kasich Bevill Eshoo Kelly Bilbray Evans Kennelly Bilirakis Everett Kim Bishop Ewing King Bliley Farr Kingston Blute Fattah Kleczka Boehlert Fawell Klink Boehner Fazio Klug Bonilla Fields (TX) Knollenberg Bono Filner Kolbe Boucher Flake LaHood Brewster Flanagan Lantos Browder Foglietta Largent Brown (FL) Foley Latham Brown (OH) Forbes LaTourette Brownback Ford Laughlin Bryant (TN) Fowler Lazio Bunn Fox Lewis (CA) Bunning Franks (CT) Lewis (GA) Burr Franks (NJ) Lewis (KY) Burton Frelinghuysen Lightfoot Buyer Frisa Lincoln Callahan Funderburk Linder Calvert Furse Linder Camp Gallegly Lipinski Canady Ganske Livingston Cardin Ganske LoBiondo Castle Gejdenson Lofgren Chabot Geren Longley Chambliss Gibbons Lucas Chapman Gilchrest Manton Chapman Gillmor Manzullo Chenoweth Gillmor Martini Christensen Gilman Mascara Chrysler Gonzalez Matsui Goodlatte Goodlatte McCollum McCrery Goodling Goodling Goodling McDade Gordon Goss McDermott Goss McHale Graham Green McHugh McInnis Greenwood McIntosh Gutknecht McKeon Hall (TX) McNulty Hamilton Menendez Hancock Metcalf Hansen Meyers Hastert Mfume Hastings (WA) Hayes Miller (CA) Hayworth Miller (FL) Hefley Mineta Hefner Molinari Heinenman Mollohan Hergert Montgomery Hilliard Moorhead Hilliard Morella Hilliard Murtha Hinchey Myers Hobson

- Roukema Taylor (MS) Taylor (NC) Tejada Thomas Thompson Thornberry Thurman Tiahrt Torkildsen Torres Towns Traficant Upton Velazquez Volkmer Vucanovich Waldholz Walker Walsh Wamp Ward Watt (NC) Watts (OK) Waxman Weldon (FL) Weldon (PA) Weller White Whitfield Wickert Wilson Wise Wolf Woolsey Wyden Wynn Yates Young (AK) Young (FL) Zeff Ziff Zimmer

NOT VOTING-2

- Moakley Reynolds

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce, Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. OXLEY, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SOLOMON demanded a recorded vote on passage of said joint resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative Yeas 312 Nays 120

88.9 [Roll No. 431] AYES-312

- Allard Bono Collins (GA) Andrews Brewster Combest Archer Browder Condit Arney Brown (FL) Cooley Bachus Brown (OH) Costello Baesler Brownback Cox Baker (CA) Bryant (TN) Cramer Baker (LA) Bunn Crane Baldacci Bunning Crapo Ballenger Burr Cremeans Barcia Burton Cubin Barr Buyer Cunningham Barrett (NE) Callahan Danner Bartlett Calvert Davis Camp Calvert de la Garza Bass Canady Deal Bateman Castle DeLay Bentsen Chabot Deutsch Bereuter Chambliss Diaz-Balart Bevil Chapman Dickey Bilbray Chenoweth Dooley Bilirakis Christensen Doolittle Bishop Chrysler Dornan Bliley Clayton Doyle Blute Clement Dreier Boehlert Clyburn Duncan Boehner Coble Dunn Bonilla Coburn Edwards