

conditions of service in the competitive service.

(b) DETAIL OF FEDERAL EMPLOYEES.—Upon request of the chairman, any Federal employee who is subject to such laws, rules, and regulations, may be detailed to the Commission to assist it in carrying out its functions under this title, and such detail shall be without interruption or loss of civil service status or privilege.

(c) EXPERTS AND CONSULTANTS.—The Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of 120 percent of the maximum annual rate of basic pay payable for GS-15 of the General Schedule.

SEC. 15345. AUTHORITY OF COMMISSION.

(a) HEARINGS AND SESSIONS.—The Commission may, for the purpose of carrying out this title, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate. The Commission may administer oaths or affirmations to witnesses appearing before it.

(b) OBTAINING OFFICIAL DATA.—

(1) IN GENERAL.—The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this title. Upon request of the chairman of the Commission, the head of that department or agency shall furnish that information to the Commission.

(2) ACCESS TO INFORMATION.—Information obtained by the Commission is available to the public in the same manner in which information may be made available under sections 552 and 552a of title 5, United States Code.

(c) GIFTS, BEQUESTS, AND DEVISES.—The Commission may accept, use, and dispose of gifts, bequests, or devises of services or property for the purpose of aiding or facilitating the work of the Commission.

(d) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(e) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this title.

(f) SUBPOENA POWER.—

(1) IN GENERAL.—The Commission may issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence relating to any matter which the Commission is authorized to investigate under this title. The attendance of witnesses and the production of evidence may be required from any place within the United States at any designated place of hearing within the United States.

(2) FAILURE TO OBEY A SUBPOENA.—If a person refuses to obey a subpoena issued under paragraph (1), the Commission may apply to a United States district court for an order requiring that person to appear before the Commission to give testimony, produce evidence, or both, relating to the matter under investigation. The application may be made within the judicial district where the hearing is conducted or where that person is found, resides, or transacts business. Any failure to obey the order of the court may be punished by the court as civil contempt.

(3) SERVICE OF SUBPOENAS.—The subpoenas of the Commission shall be served in the manner provided for subpoenas issued by a United States district court under the Federal Rules of Civil Procedure for the United States district courts.

(4) SERVICE OF PROCESS.—All process of any court to which application is to be made

under paragraph (2) may be served in the judicial district in which the person required to be served resides or may be found.

SEC. 15346. TERMINATION.

The Commission shall terminate 90 days after the date the report is submitted under section 15342(c).

SEC. 15347. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Commission such sums as are necessary to carry out its functions, to remain available until expended.

It was decided in the { Yeas 149 negative } Nays 283

131.13

[Roll No. 729]

AYES—149

- Abercrombie, Ackerman, Andrews, Baldacci, Barcia, Barrett (WI), Becerra, Beilenson, Bentsen, Berman, Bishop, Bonior, Borski, Brown (CA), Brown (FL), Cardin, Clay, Clayton, Clement, Clyburn, Collins (IL), Collins (MI), Conyers, Costello, Coyne, Danner, de la Garza, DeLauro, Dellums, Dicks, Dingell, Dixon, Doggett, Dooley, Doyle, Durbin, Edwards, Engel, Eshoo, Evans, Farr, Fattah, Fazio, Fields (LA), Flake, Foglietta, Ford, Frank (MA), Frost, Furse, Gejdenson, Gibbons, Gonzalez, Gordon, Green, Gutierrez, Hall (OH), Hall (TX), Hamilton, Harman, Hastings (FL), Hefner, Hinchey, Holden, Hoyer, Jackson-Lee, Jacobs, Jefferson, Johnson (SD), Johnson, E. B., Johnston, Kaptur, Kennedy (MA), Kennelly, Kleczka, LaFalce, Lantos, Levin, Lewis (GA), Lincoln, Lipinski, Lofgren, Lowey, Luther, Maloney, Manton, Markey, Martinez, Matsui, McCarthy, McDermott, McHale, McKinney, McNulty, Meehan, Meek, Menendez, Mfume, Miller (CA), Moakley, Montgomery, Moran, Murtha, Nadler, Neal, Oberstar, Obey, Olver, Ortiz, Owens, Pallone, Payne (NJ), Payne (VA), Pelosi, Peterson (FL), Pomeroy, Poshard, Rangel, Reed, Richardson, Rivers, Rose, Roybal-Allard, Sabo, Sawyer, Schroeder, Schumer, Scott, Skaggs, Spratt, Stark, Stokes, Studds, Tejada, Thornton, Torricelli, Towns, Traficant, Velazquez, Vento, Ward, Watt (NC), Waxman, Williams, Wilson, Wise, Woolsey, Wynn, Yates, Abercrombie, Ackerman, Andrews, Baldacci, Barcia, Barrett (WI), Becerra, Beilenson, Bentsen, Berman, Bishop, Bonior, Borski, Brown (CA), Brown (FL), Cardin, Clay, Clayton, Clement, Clyburn, Collins (IL), Collins (MI), Conyers, Costello, Coyne, Danner, de la Garza, DeLauro, Dellums, Dicks, Dingell, Dixon, Doggett, Dooley, Doyle, Durbin, Edwards, Engel, Eshoo, Evans, Farr, Fattah, Fazio, Fields (LA), Flake, Foglietta, Ford, Frank (MA), Frost, Furse, Allard, Archer, Arney, Bachus, Baesler, Baker (CA), Baker (LA), Ballenger, Barr, Barrett (NE), Bartlett, Barton, Bass, Bateman, Bereuter, Bevil, Bilbray, Bilirakis, Bliley, Blute, Boehlert, Boehner, Bonilla, Bono, Boucher, Brewster, Browder, Brown (OH), Brownback, Bryant (TN), Bryant (TX), Bunn, Bunning, Burr, Burton, Buyer, Callahan, Calvert, Camp, Canady, Castle, Chabot, Chambliss, Chapman, Chenoweth, Christensen, Chrysler, Clinger, Coble, Coburn, Coleman, Collins (GA), Combust, Condit, Cooley, Cox, Cramer, Crane, Crapo, Cremeans, Cubin, Cunningham, Davis, Deal, DeFazio, DeLay, Deutsch, Diaz-Balart, Dickey, Doolittle, Dornan, Dreier, Duncan, Dunn, Ehlers, Ehrlich, Emerson, English, Ensign, Everett, Ewing, Fawell, Fields (TX), Filner, Flanagan, Foley, Forbes, Fowler, Fox, Franks (CT), Franks (NJ), Frelinghuysen, Frisa, Funderburk, Gallegly, Ganske, Gekas, Gephardt, Geren, Gilchrist, Gillmor, Gilman, Gingrich, Goodlatte, Goodling, Goss, Graham, Greenwood, Gunderson, Gutknecht, Hancock, Hansen, Hastert, Hastings (WA), Hayes, Hayworth, Hefley, Heineman, Herger, Hilleary, Hilliard, Hobson, Hoekstra, Hoke, Horn, Hostettler, Houghton, Hunter, Hutchinson, Hyde, Inglis, Istook, Johnson (CT), Johnson, Sam, Jones, Kanjorski, Kasich, Kelly, Kennedy (RI), Kildee, Kim, King, Kingston, Klink, Klug, Knollenberg, Kolbe, LaHood, Largent, Latham, LaTourette, Laughlin, Lazio, Leach, Lewis (CA), Lewis (KY), Lightfoot, Linder, Livingston, LoBiondo, Longley, Lucas, Manzullo, Martini, Mascara, McCollum, McCrery, McDade, McHugh, McInnis, McIntosh, McKeon, Metcalf, Meyers, Mica, Miller (FL), Minge, Mink, Molinari, Mollohan, Moorhead, Morella, Myers, Myrick, Nethercutt, Neumann, Ney, Norwood, Nussle, Orton, Oxley, Packard, Parker, Pastor, Paxon, Peterson (MN), Petri, Pickett, Pombo, Porter, Portman, Pryce, Quillen, Quinn, Radanovich, Rahall, Ramstad, Regula, Riggs, Roberts, Roemer, Rogers, Rohrabacher, Ros-Lehtinen, Roth, Roukema, Royce, Rush, Salmon, Sanders, Sanford, Saxton, Scarborough, Schaefer, Schiff, Seastrand, Sensenbrenner, Serrano, Shadegg, Shaw, Shays, Shuster, Sisisky, Skeen, Skelton, Slaughter, Smith (MI), Smith (NJ), Smith (TX), Smith (WA), Solomon, Souder, Spence, Stearns, Stenholm, Stockman, Stump, Stupak, Talent, Tanner, Tate, Tauzin, Taylor (MS), Taylor (NC), Thomas, Thompson, Thornberry, Thurman, Tiahrt, Torkildsen, Torres, Upton, Visclosky, Volkmer, Vucanovich, Waldholtz, Walker, Walsh, Wamp, Waters, Watts (OK), Weldon (FL), Weldon (PA), Weller, White, Whitfield, Wicker, Wolf, Wyden, Young (AK), Young (FL), Zeliff, Zimmer, NOT VOTING—1 Tucker

NOES—283

- Allard, Archer, Arney, Bachus, Baesler, Baker (CA), Baker (LA), Ballenger, Barr, Barrett (NE), Bartlett, Barton, Bass, Bateman, Bereuter, Bevil, Bilbray, Bilirakis, Bliley, Blute, Boehlert, Boehner, Bonilla, Bono, Boucher, Brewster, Browder, Brown (OH), Brownback, Bryant (TN), Bryant (TX), Bunn, Bunning, Burr, Burton, Buyer, Callahan, Calvert, Camp, Canady, Castle, Chabot, Chambliss, Chapman, Chenoweth, Christensen, Chrysler, Clinger, Coble, Coburn, Coleman, Collins (GA), Combust, Condit, Cooley, Cox, Cramer, Crane, Crapo, Cremeans, Cubin, Cunningham, Davis, Deal, DeFazio, DeLay, Deutsch, Diaz-Balart, Dickey, Doolittle, Dornan, Dreier, Duncan, Dunn, Ehlers, Ehrlich, Emerson, English, Ensign, Everett, Ewing, Fawell, Fields (TX), Filner, Flanagan, Foley, Forbes, Fowler, Fox, Franks (CT), Franks (NJ), Frelinghuysen, Frisa, Funderburk, Gallegly, Ganske, Gekas, Gephardt, Geren, Gilchrist, Gillmor, Gilman, Gingrich, Goodlatte, Goodling, Goss, Graham, Greenwood, Gunderson, Gutknecht, Hancock, Hansen, Hastert, Hastings (WA), Hayes, Hayworth, Hefley, Heineman, Herger, Hilleary, Hilliard, Hobson, Hoekstra, Hoke, Horn, Hostettler, Houghton, Hunter, Hutchinson, Hyde, Inglis, Istook, Johnson (CT), Johnson, Sam, Jones, Kanjorski, Kasich, Kelly, Kennedy (RI), Kildee, Kim, King, Kingston, Klink, Klug, Knollenberg, Kolbe, LaHood, Largent, Latham, LaTourette, Laughlin, Lazio, Leach, Lewis (CA), Lewis (KY), Lightfoot, Linder, Livingston, LoBiondo, Longley, Lucas, Manzullo, Martini, Mascara, McCollum, McCrery, McDade, McHugh, McInnis, McIntosh, McKeon, Metcalf, Meyers, Mica, Miller (FL), Minge, Mink, Molinari, Mollohan, Moorhead, Morella, Myers, Myrick, Nethercutt, Neumann, Ney, Norwood, Nussle, Orton, Oxley, Packard, Parker, Pastor, Paxon, Peterson (MN), Petri, Pickett, Pombo, Porter, Portman, Pryce, Quillen, Quinn, Radanovich, Rahall, Ramstad, Regula, Riggs, Roberts, Roemer, Rogers, Rohrabacher, Ros-Lehtinen, Roth, Roukema, Royce, Rush, Salmon, Sanders, Sanford, Saxton, Scarborough, Schaefer, Schiff, Seastrand, Sensenbrenner, Serrano, Shadegg, Shaw, Shays, Shuster, Sisisky, Skeen, Skelton, Slaughter, Smith (MI), Smith (NJ), Smith (TX), Smith (WA), Solomon, Souder, Spence, Stearns, Stenholm, Stockman, Stump, Stupak, Talent, Tanner, Tate, Tauzin, Taylor (MS), Taylor (NC), Thomas, Thompson, Thornberry, Thurman, Tiahrt, Torkildsen, Torres, Upton, Visclosky, Volkmer, Vucanovich, Waldholtz, Walker, Walsh, Wamp, Waters, Watts (OK), Weldon (FL), Weldon (PA), Weller, White, Whitfield, Wicker, Wolf, Wyden, Young (AK), Young (FL), Zeliff, Zimmer, NOT VOTING—1 Tucker

So the amendment in the nature of a substitute was not agreed to.

The SPEAKER pro tempore, Mr. LAHOOD, assumed the Chair.

When Mr. LINDER, Chairman, pursuant to House Resolution 238, reported the bill, as amended, back to the House.

The previous question having been ordered by said resolution.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. GEPHARDT moved to recommit the bill to the Committee on Ways and Means and the Committee on Commerce with instructions to report the bill back to the House forthwith with the following amendment:

Strike section 15611 (and redesignate the succeeding provisions and conform the table of contents accordingly)

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 bill with instructions?

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

Mr. GEPHARDT demanded a recorded vote on agreeing to said motion, 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 { Yeas 183
negative } Nays 249

131.14

[Roll No. 730]

AYES—183

Abercrombie	Gejdenson	Neal
Ackerman	Gephardt	Oberstar
Andrews	Gibbons	Obey
Baldacci	Gonzalez	Olver
Barcia	Gordon	Ortiz
Barrett (WI)	Green	Owens
Becerra	Gutierrez	Pallone
Beilenson	Hall (OH)	Pastor
Bentsen	Harman	Payne (NJ)
Berman	Hastings (FL)	Payne (VA)
Bevill	Hefner	Pelosi
Bishop	Hilliard	Peterson (FL)
Bonior	Hinchey	Pomeroy
Borski	Holden	Poshard
Boucher	Hoyer	Rahall
Browder	Jackson-Lee	Rangel
Brown (CA)	Jacobs	Reed
Brown (FL)	Jefferson	Richardson
Brown (OH)	Johnson (SD)	Rivers
Bryant (TX)	Johnson, E. B.	Rose
Cardin	Johnston	Roybal-Allard
Chapman	Kanjorski	Rush
Clay	Kaptur	Sabo
Clayton	Kennedy (MA)	Sanders
Clement	Kennedy (RI)	Sawyer
Clyburn	Kennelly	Schroeder
Coleman	Kildee	Schumer
Collins (IL)	Kleczka	Scott
Collins (MI)	Klink	Serrano
Conyers	LaFalce	Sisisky
Costello	Lantos	Skaggs
Coyne	Levin	Skelton
Cramer	Lewis (GA)	Slaughter
Danner	Lincoln	Spratt
de la Garza	Lipinski	Stark
DeFazio	Lofgren	Stokes
DeLauro	Lowe	Studds
Dellums	Luther	Stupak
Deutsch	Maloney	Tanner
Dicks	Manton	Tejeda
Dingell	Markey	Thompson
Dixon	Martinez	Thornton
Doggett	Mascara	Thurman
Dooley	Matsui	Torres
Doyle	McCarthy	Torricelli
Durbin	McDermott	Towns
Edwards	McHale	Traficant
Engel	McKinney	Velazquez
Eshoo	McNulty	Vento
Evans	Meehan	Volkmer
Farr	Meek	Ward
Fattah	Menendez	Waters
Fazio	Mfume	Watt (NC)
Fields (LA)	Miller (CA)	Waxman
Filner	Mink	Williams
Flake	Moakley	Wilson
Foglietta	Mollohan	Wise
Ford	Montgomery	Woolsey
Frank (MA)	Moran	Wyden
Frost	Murtha	Wynn
Furse	Nadler	Yates

NOES—249

Allard	Barrett (NE)	Blute
Archer	Bartlett	Boehrlert
Armey	Barton	Boehner
Bachus	Bass	Bonilla
Baesler	Bateman	Bono
Baker (CA)	Bereuter	Brewster
Baker (LA)	Bilbray	Brownback
Ballenger	Bilirakis	Bryant (TN)
Barr	Bliley	Bunn

Bunning	Hansen	Paxon
Burr	Hastert	Peterson (MN)
Burton	Hastings (WA)	Petri
Buyer	Hayes	Pickett
Callahan	Hayworth	Pombo
Calvert	Hefley	Porter
Camp	Heineman	Portman
Canady	Herger	Pryce
Castle	Hilleary	Quillen
Chabot	Hobson	Quinn
Chambliss	Hoekstra	Radanovich
Chenoweth	Hoke	Ramstad
Christensen	Horn	Regula
Chrysler	Hostettler	Riggs
Clinger	Houghton	Roberts
Coble	Hunter	Roemer
Coburn	Hutchinson	Rogers
Collins (GA)	Hyde	Rohrabacher
Combest	Inglis	Ros-Lehtinen
Condit	Istook	Roth
Cooley	Johnson (CT)	Roukema
Cox	Johnson, Sam	Royce
Crane	Jones	Salmon
Crapo	Kasich	Sanford
Creameans	Kelly	Saxton
Cubin	Kim	Scarborough
Cunningham	King	Schaefer
Davis	Kingston	Schiff
Deal	Klug	Seastrand
DeLay	Knollenberg	Sensenbrenner
Diaz-Balart	Kolbe	Shadegg
Dickey	LaHood	Shaw
Doolittle	Largent	Shays
Dornan	Latham	Shuster
Dreier	LaTourette	Skeen
Duncan	Laughlin	Smith (MI)
Dunn	Lazio	Smith (NJ)
Ehlers	Leach	Smith (TX)
Ehrlich	Lewis (CA)	Smith (WA)
Emerson	Lewis (KY)	Solomon
English	Lightfoot	Souder
Ensign	Linder	Spence
Everett	Livingston	Stearns
Ewing	LoBiondo	Stenholm
Fawell	Longley	Stockman
Fields (TX)	Lucas	Stump
Flanagan	Manzullo	Talent
Foley	Martini	Tate
Forbes	McCollum	Tauzin
Fowler	McCrery	Taylor (MS)
Fox	McDade	Taylor (NC)
Franks (CT)	McHugh	Thomas
Franks (NJ)	McInnis	Thornberry
Frelinghuysen	McIntosh	Tiahrt
Frisa	McKeon	Torkildsen
Funderburk	Metcalf	Upton
Galleghy	Meyers	Visclosky
Ganley	Ganske	Vucanovich
Ganske	Mica	Waldholtz
Gekas	Miller (FL)	Waldholtz
Geren	Minge	Walker
Gilchrest	Molinari	Walsh
Gillmor	Moorhead	Wamp
Gilman	Morella	Watts (OK)
Gingrich	Myers	Weldon (FL)
Goodlatte	Myrick	Weldon (PA)
Goodling	Nethercutt	Weller
Goss	Neumann	White
Graham	Ney	Whitfield
Greenwood	Norwood	Whitfield
Gunderson	Nussle	Wicker
Gutknecht	Orton	Wolf
Hall (TX)	Oxley	Young (AK)
Hamilton	Packard	Young (FL)
Hancock	Parker	Zeliff
		Zimmer

NOT VOTING—1

Tucker

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

The question being put,
Will the House pass said bill?

The SPEAKER pro tempore, Mr. LAHOOD, announced that pursuant to House Resolution 238 the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the { Yeas 231
affirmative } Nays 201

131.15

[Roll No. 731]

YEAS—231

Allard	Baker (LA)	Barton
Archer	Ballenger	Bass
Armey	Barr	Bateman
Bachus	Barrett (NE)	Bereuter
Baker (CA)	Bartlett	Bilbray

Bilirakis	Gingrich	Nethercutt
Bliley	Goodlatte	Neumann
Blye	Goodling	Ney
Boehrlert	Goss	Norwood
Boehner	Graham	Nussle
Bonilla	Greenwood	Oxley
Bono	Gunderson	Packard
Brownback	Gutknecht	Parker
Bryant (TN)	Hall (TX)	Paxon
Bunn	Hancock	Petri
Bunning	Hansen	Pombo
Burr	Hastert	Porter
Burton	Hastings (WA)	Portman
Buyer	Hayworth	Pryce
Callahan	Hefley	Quillen
Calvert	Heineman	Quinn
Camp	Herger	Radanovich
Canady	Hilleary	Ramstad
Castle	Hobson	Regula
Chabot	Hoekstra	Riggs
Chambliss	Hoke	Roberts
Chenoweth	Horn	Rogers
Christensen	Hostettler	Rohrabacher
Chrysler	Houghton	Ros-Lehtinen
Clinger	Hunter	Roth
Coble	Hutchinson	Roukema
Coburn	Hyde	Royce
Collins (GA)	Inglis	Salmon
Combest	Istook	Sanford
Cooley	Johnson (CT)	Scarborough
Cox	Johnson, Sam	Schaefer
Crane	Jones	Schiff
Crapo	Kasich	Seastrand
Creameans	Kelly	Sensenbrenner
Cubin	Kim	Shadegg
Cunningham	King	Shaw
Davis	Kingston	Shays
Deal	Klug	Shuster
DeLay	Knollenberg	Skeen
Diaz-Balart	Kolbe	Smith (MI)
Dickey	LaHood	Smith (TX)
Doolittle	Largent	Smith (WA)
Dornan	Latham	Solomon
Dreier	LaTourette	Souder
Duncan	Laughlin	Spence
Dunn	Lazio	Stearns
Ehlers	Leach	Stockman
Ehrlich	Lewis (CA)	Stump
Emerson	Lewis (KY)	Talent
English	Linder	Tate
Ensign	Livingston	Tauzin
Everett	Longley	Taylor (NC)
Ewing	Lucas	Thomas
Fawell	Manzullo	Thornberry
Fields (TX)	Martini	Tiahrt
Flanagan	McCollum	Upton
Foley	McCrery	Vucanovich
Forbes	McDade	Waldholtz
Fowler	McHugh	Walker
Fox	McInnis	Walsh
Franks (CT)	McIntosh	Wamp
Franks (NJ)	McKeon	Watts (OK)
Frelinghuysen	Metcalf	Weldon (FL)
Frisa	Meyers	Weldon (PA)
Funderburk	Mica	Weller
Galleghy	Miller (FL)	White
Ganley	Molinari	Whitfield
Ganske	Montgomery	Wicker
Gekas	Moorhead	Wolf
Geren	Morella	Young (AK)
Gilchrest	Myers	Young (FL)
Gillmor	Myrick	Zeliff
Gilman		

NAYS—201

Abercrombie	Clement	Evans
Ackerman	Clyburn	Farr
Andrews	Coleman	Fattah
Baesler	Collins (IL)	Fazio
Baldacci	Collins (MI)	Fields (LA)
Barcia	Condit	Filner
Barrett (WI)	Conyers	Flake
Becerra	Costello	Foglietta
Beilenson	Coyne	Ford
Bentsen	Cramer	Frank (MA)
Berman	Danner	Frost
Bevill	de la Garza	Furse
Bishop	DeFazio	Gejdenson
Bonior	DeLauro	Gephardt
Borski	Dellums	Gibbons
Boucher	Deutsch	Gonzalez
Brewster	Dicks	Gordon
Browder	Dingell	Green
Brown (CA)	Dixon	Gutierrez
Brown (FL)	Doggett	Hall (OH)
Brown (OH)	Dooley	Hamilton
Bryant (TX)	Doyle	Harman
Cardin	Durbin	Hastings (FL)
Chapman	Edwards	Hayes
Clay	Engel	Hefner
Clayton	Eshoo	Hilliard