

Pallone	Scott	Visclosky
Payne (NJ)	Skaggs	Volkmer
Peterson (FL)	Stockman	Waters
Pickett	Stokes	Watt (NC)
Pomeroy	Tanner	Wise
Poshard	Taylor (MS)	Wolf
Roybal-Allard	Thompson	Woolsey
Rush	Velazquez	Wynn
Sabo	Vento	Zimmer

It was decided in the affirmative Yeas 380
 Nays 11
 Answered present 1

Pryce	Shadegg	Thornton
Radanovich	Shaw	Thurman
Rahall	Shays	Tiahrt
Ramstad	Shuster	Torkildsen
Rangel	Sisisky	Torres
Reed	Skaggs	Torricelli
Regula	Skeen	Traficant
Richardson	Skelton	Upton
Riggs	Slaughter	Velazquez
Rivers	Smith (MI)	Vento
Roberts	Smith (NJ)	Visclosky
Roemer	Smith (TX)	Volkmer
Rogers	Smith (WA)	Vucanovich
Rohrabacher	Solomon	Waldholtz
Rose	Souder	Walker
Roth	Spence	Walsh
Roukema	Spratt	Wamp
Roybal-Allard	Stark	Ward
Royce	Stearns	Watts (OK)
Rush	Stenholm	Weldon (FL)
Sabo	Stockman	Weldon (PA)
Salmon	Stokes	Weller
Sanders	Studds	White
Sanford	Stump	Whitfield
Sawyer	Stupak	Wicker
Saxton	Talent	Williams
Scarborough	Tanner	Wilson
Schaefer	Tate	Wise
Schiff	Tauzin	Wolf
Schroeder	Taylor (MS)	Woolsey
Schumer	Taylor (NC)	Wynn
Scott	Tejeda	Yates
Seastrand	Thomas	Young (FL)
Sensenbrenner	Thompson	Zeliff
Serrano	Thornberry	Zimmer

167.7 [Roll No. 881]
 YEAS—380

NOT VOTING—75

Ackerman	Graham	Myers
Baker (LA)	Green	Oberstar
Bentsen	Hall (OH)	Owens
Brewster	Harman	Parker
Bryant (TX)	Hayes	Pombo
Callahan	Herger	Porter
Calvert	Houghton	Quillen
Chambliss	Jacobs	Quinn
Chapman	Jefferson	Riggs
Chenoweth	Johnson, Sam	Ros-Lehtinen
Collins (MI)	Kaptur	Rose
Conyers	Kasich	Schaefer
Cramer	LaFalce	Schroeder
Crane	Lantos	Serrano
Cubin	LaTourette	Smith (TX)
DeFazio	Laughlin	Stark
Doolittle	Lincoln	Tauzin
Dornan	Lipinski	Torricelli
Edwards	Lofgren	Towns
Fattah	Manton	Waxman
Fazio	Manzullo	Weller
Fields (TX)	McCollum	Williams
Filner	McCerry	Wilson
Ford	Meek	Wyden
Gibbons	Mfume	Young (AK)

Abercrombie	Doyle	Kim
Allard	Dreier	King
Andrews	Duncan	Kingston
Archer	Dunn	Kleccka
Armey	Durbin	Klug
Bachus	Ehlers	Knollenberg
Baker (CA)	Ehrlich	Kolbe
Baldacci	Emerson	LaHood
Ballenger	Engel	Largent
Barcia	English	Latham
Barr	Ensign	LaTourette
Barrett (NE)	Eshoo	Laughlin
Barrett (WI)	Evans	Lazio
Bartlett	Everett	Leach
Barton	Ewing	Levin
Bass	Farr	Lewis (CA)
Bateman	Fawell	Lewis (GA)
Bielson	Fazio	Lewis (KY)
Bentsen	Fields (LA)	Lightfoot
Bereuter	Flake	Linder
Bilbray	Flanagan	Livingston
Bilirakis	Foglietta	LoBiondo
Bishop	Fogly	Longley
Bliley	Forbes	Lowey
Blute	Fowler	Lucas
Boehlert	Fox	Luther
Boehner	Frank (MA)	Maloney
Bonilla	Franks (CT)	Manton
Bonior	Franks (NJ)	Markey
Bono	Frelinghuysen	Martinez
Borski	Frisa	Martini
Boucher	Frost	Mascara
Brewster	Funderburk	Matsui
Browder	Furse	McCarthy
Brown (FL)	Ganske	McCollum
Brown (OH)	Gejdenson	McCrery
Brownback	Gekas	McDade
Bryant (TN)	Gephardt	McDermott
Bryant (TX)	Geren	McHale
Bunn	Gilchrest	McHugh
Bunning	Gillmor	McInnis
Burr	Gonzalez	McIntosh
Burton	Goodlatte	McKeon
Buyer	Goodling	McKinney
Camp	Gordon	McNulty
Campbell	Goss	Meehan
Canady	Graham	Menendez
Cardin	Greenwood	Metcalf
Castle	Gutknecht	Meyers
Chabot	Hall (OH)	Mfume
Chambliss	Hall (TX)	Mica
Chapman	Hamilton	Miller (FL)
Chenoweth	Hancock	Minge
Christensen	Hansen	Mink
Chrysler	Hastert	Moakley
Clayton	Hastings (WA)	Molinari
Clement	Hayworth	Mollohan
Clinger	Hefley	Montgomery
Clyburn	Hefner	Moorhead
Coble	Heineman	Moran
Coburn	Herger	Morella
Coleman	Hilleary	Murtha
Collins (GA)	Hilliard	Myrick
Collins (IL)	Hobson	Nadler
Combest	Hoekstra	Nethercutt
Condit	Hoke	Neumann
Cooley	Holden	Ney
Cox	Horn	Norwood
Coyne	Hostettler	Nussle
Crane	Houghton	Oberstar
Crapo	Hoyer	Obeys
Creameans	Hunter	Olver
Cubin	Hutchinson	Ortiz
Cunningham	Hyde	Orton
Danner	Inglis	Oxley
Davis	Istook	Packard
de la Garza	Jackson (IL)	Pallone
Deal	Jackson-Lee	Parker
DeFazio	(TX)	Pastor
DeLauro	Johnson (CT)	Paxon
DeLay	Johnson (SD)	Payne (NJ)
Dellums	Johnson, E.B.	Payne (VA)
Deutsch	Johnson, Sam	Pelosi
Diaz-Balart	Johnston	Peterson (FL)
Dickey	Jones	Peterson (MN)
Dicks	Kaptur	Petri
Dingell	Kasich	Pickett
Dixon	Kelly	Pombo
Doggett	Kennedy (MA)	Pomeroy
Dooley	Kennedy (RI)	Porter
Doolittle	Kennelly	Portman
Dornan	Kildee	Poshard

NAYS—11

Baesler	Hastings (FL)	Miller (CA)
Brown (CA)	Hinchev	Waters
Clay	Kanjorski	Watt (NC)
Costello	Klink	

ANSWERED "PRESENT"—1

Gunderson
 NOT VOTING—41

Ackerman	Ford	Lofgren
Baker (LA)	Gallegly	Manzullo
Becerra	Gibbons	Meek
Berman	Gilman	Myers
Bevill	Green	Neal
Callahan	Gutierrez	Owens
Calvert	Harman	Quillen
Collins (MI)	Hayes	Quinn
Conyers	Jacobs	Ros-Lehtinen
Cramer	Jefferson	Towns
Edwards	LaFalce	Waxman
Fattah	Lantos	Wyden
Fields (TX)	Lincoln	Young (AK)
Filner	Lipinski	

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

167.8 BOOK ROYALTIES

Mr. SOLOMON, pursuant to House Resolution 322, called up the following resolution (H. Res. 299):

Resolved,
SECTION 1. AMENDMENT TO HOUSE RULES.

(a) Clause 3(e) of rule XLVII of the Rules of the House of Representatives is amended to read as follows:

"(e) The term 'outside earned income' means, with respect to a Member, officer, or employee, wages, salaries, fees, and copyright royalties earned while a Member, officer or employee of the House, and other amounts received or to be received as compensation for personal services actually rendered but does not include—

"(1) the salary of such individual as a Member, officer, or employee;

"(2) any compensation derived by such individual for personal services actually rendered prior to the effective date of this rule or becoming such a Member, officer, or employee, whichever occurs later;

"(3) any amount paid by, or on behalf of, a Member, officer, or employee, to a tax-qualified pension, profit-sharing, or stock bonus

So the Journal was approved.

167.6 PROVIDING FOR THE CONSIDERATION OF H. RES. 299

Mr. SOLOMON, by direction of the Committee on Rules, called up the following resolution (H. Res. 322):

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the resolution (H. Res. 299) to amend the Rules of the House of Representatives regarding outside earned income. It shall be in order without intervention of any point of order to consider the motion to amend printed in the report of the Committee on Rules accompanying this resolution only if offered by the chairman of the Committee on Rules. The resolution and the motion to amend shall be debatable for thirty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Rules. The previous question shall be considered as ordered on the motion to amend and on the resolution to its adoption without further intervening motion.

When said resolution was considered.

After debate,

On motion of Mr. SOLOMON, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. BE-REUTER, announced that the yeas had it.

Mr. SOLOMON 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.

plan and received by such individual from such a plan;

"(4) in the case of a Member, officer, or employee engaged in a trade or business in which the individual or his family holds a controlling interest and in which both personal services and capital are income-producing factors, any amount received by such individual so long as the personal services actually rendered by the individual in the trade or business do not generate a significant amount of income; and

"(5) copyright royalties for works published before becoming a Member, officer, or employee of the House."

(b) Clause 3 of rule XLVII of the Rules of the House of Representatives is further amended by adding at the end the following new paragraphs:

"(g) A Member, officer, or employee of the House may not—

"(1) receive any copyright royalties pursuant to a contract entered into after becoming a Member, officer, or employee—

"(A) unless the royalty is received from an established publisher pursuant to usual and customary contractual terms; and

"(B) without the prior approval of the contract by the Committee on Standards of Official Conduct; or

"(2) receive any advance payment for any such work. However, the rule does not prohibit literary agents, research staff, and other persons working on behalf of the Member, officer, or employee, from receiving advance payments directly from the publisher.

"(h) The Committee on Standards of Official Conduct, subject to such exceptions as it deems appropriate, shall not approve any contract which permits the deferral of royalty payments beyond the year in which earned."

SEC. 2. EFFECTIVE DATE.

The amendments made by this resolution shall apply to copyright royalties earned by a Member, officer, or employee of the House of Representatives after December 31, 1995.

When said resolution was considered. Mr. SOLOMON, pursuant to House Resolution 322, submitted the following amendment in the nature of a substitute:

Strike out all after the resolving clause and insert:

SECTION 1. AMENDMENT TO HOUSE RULE XLVII (LIMITATIONS ON OUTSIDE EMPLOYMENT AND EARNED INCOME).

Rule XLVII of the rules of the House of Representatives is amended by redesignating clause 3 as clause 4 and by inserting after clause 2 the following new clause:

"3. A Member, officer, or employee of the House may not—

"(1) receive any advance payment on copyright royalties, but this paragraph does not prohibit any literary agent, researcher, or other individual (other than an individual employed by the House or a relative of that Member, officer, or employee) working on behalf of that Member, officer, or employee with respect to a publication from receiving an advance payment of a copyright royalty directly from a publisher and solely for the benefit of that literary agent, researcher, or other individual; or

"(2) receive any copyright royalties pursuant to a contract entered into on or after January 1, 1996, unless that contract is first approved by the Committee on Standards of Official Conduct as complying with the requirement of clause 4(e)(5) (that royalties are received from an established publisher pursuant to usual and customary contractual terms)."

SEC. 2. EFFECTIVE DATE.

The amendment made by section 1 shall take effect on January 1, 1996.

Pursuant to House Resolution 322, the previous question was ordered on the amendment and the resolution.

The question being put, viva voce, Will the House agree to said amendment in the nature of a substitute?

The SPEAKER pro tempore, Mr. BE-REUTER, announced that the nays had it.

Mr. SOLOMON 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.

It was decided in the affirmative Yeas 219 Nays 174 Answered present 2

¶167.9 [Roll No. 882] YEAS—219

- Abercrombie Franks (CT) Molinari
Archer Franks (NJ) Mollohan
Armye Frelinghuysen Moorhead
Bachus Morella
Baesler Funderburk Myrick
Baker (CA) Ganske Nethercutt
Ballenger Gekas Neumann
Barr Gilchrest Ney
Barrett (NE) Gillmor Norwood
Bartlett Gilman Nussle
Barton Goodlatte Oxley
Bass Goodling Packard
Bateman Graham Parker
Bereuter Greenwood Paxon
Bilirakis Gutknecht Peterson (MN)
Bliley Hall (TX) Petri
Boehlert Hancock Pombo
Boehner Hansen Porter
Bonilla Hastert Portman
Bono Hastings (WA) Pryce
Brewster Hayworth Radanovich
Brownback Hefley Ramstad
Bryant (TN) Heineman Regula
Bunn Herger Riggs
Bunning Hilleary Roberts
Burr Hoekstra Rogers
Burton Hoke Rohrabacher
Camp Horn
Campbell Hostettler Royce
Canady Houghton Salmon
Castle Hunter Saxton
Chabot Hutchinson Scarborough
Chambliss Hyde Schaefer
Chenoweth Inglis Seastrand
Christensen Istook Sensenbrenner
Chrysler Johnson, Sam Shadegg
Clay Jones Shaw
Clinger Kasich Shays
Collins (GA) Kelly Shuster
Condit Kim Skeen
Cooley King Smith (MI)
Cox Kingston Smith (NJ)
Crane Klug Smith (TX)
Crapo Knollenberg Smith (WA)
Creameans Kolbe Solomon
Cubin LaHood Souder
Cunningham Largent Spence
Davis Latham Stearns
Deal LaTourette Stockman
DeLay Laughlin Stump
Diaz-Balart Lazio Talent
Dickey Lewis (CA) Tate
Doolittle Lewis (KY) Tauzin
Dornan Lightfoot Taylor (NC)
Dreier Linder Thomas
Duncan Livingston Thornberry
Dunn Longley Thornton
Ehlers Lucas Tiahrt
Ehrlich McCollum Traficant
Emerson McCrery Upton
English McDade Vucanovich
Everett McHugh Waldholtz
Ewing McInnis Walker
Fawell McIntosh Walsh
Flake McKeon Watt (NC)
Flanagan McNulty Watts (OK)
Foglietta Metcalf Weldon (FL)
Foley Meyers Weldon (PA)
Forbes Mfume Weller
Fowler Mica White
Fox Miller (FL) Whitfield

- Wicker
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff

NAYS—174

- Allard
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Bilbray
Bishop
Blute
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clayton
Clement
Clyburn
Coble
Coburn
Coleman
Collins (IL)
Combust
Costello
Coyne
Danner
DeFazio
de la Garza
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Engel
Ensign
Eshoo
Evans
Farr
Fazio
Fields (LA)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gonzalez
Gordon
Goss
Hall (OH)
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinchey
Hobson
Holden
Hoyer
Jackson (IL)
Jackson-Lee
Johnson (TX)
Johnson (CT)
Johnson, E.B.
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Klecicka
Klink
Leach
Levin
Lewis (GA)
LoBiondo
Lowe
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
Meehan
Menendez
Miller (CA)
Minge
Mink
Moakley
Montgomery
Moran
Murtha
Nadler
Oberstar
Obey
Olver
Ortiz
Orton
Pallone
Pastor

PRESENT—2

- Gunderson
Studds

NOT VOTING—38

- Ackerman
Baker (LA)
Berman
Bevill
Buyer
Callahan
Calvert
Collins (MI)
Conyers
Cramer
Edwards
Fattah
Fields (TX)
Filner
Ford (TN)
Gallegly
Gibbons
Green
Gutierrez
Harman
Hayes
Jacobs
Jefferson
LaFalce
Lantos
Lincoln
Lipinski
Lofgren
Manzullo
Meek
Myers
Neal
Owens
Quillen
Quinn
Ros-Lehtinen
Waxman
Wyden

The amendment in the nature of a substitute was agreed to.

The question being put, viva voce, Will the House agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. BE-REUTER, announced that the yeas had it.

Mr. MCDERMOTT demanded a recorded vote on agreeing to said resolution, as amended, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.