PROVIDING FOR CONSIDERATION OF H.R. 513, 527 REFORM ACT OF 2005

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 755 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 755

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 513) to amend the Federal Election Campaign Act of 1971 to clarify when organizations described in section 527 of the Internal Revenue Code of 1986 must register as political committees, and for other purposes. The bill shall be considered as read. The amendment in the nature of a substitute recommended by the Committee on House Administration now printed in the bill, modified by the amendment printed in the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. All points of order against the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from California (Mr. DREIER) is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my very good friend from Fort Lauderdale (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. DREIER asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. DREIER. Mr. Speaker, House Resolution 755 provides 60 minutes of debate in the House, equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration. The rule waives all points of order against consideration of the bill and provides that the amendment in the nature of a substitute recommended by the Committee on House Administration, modified by the amendment printed in the Rules Committee report, shall be considered as adopted.

Mr. Speaker, I rise today in full support of H. Res. 755 and the underlying bill, H.R. 513, the 527 Reform Act of 2005.

Mr. Speaker, I have had the privilege of working on the lobbying and ethics reform effort currently underway in the House. Having worked so closely with so many Members on both sides of the aisle, I am very confident that there is a shared goal to protect the integrity of Congress and to uphold the public trust by implementing bold reform.

The Lobbying Accountability and Transparency Act is moving, as Speaker HASTERT directed, through regular order, and it is being considered by five different committees. One way or another, many of the provisions of the bill focus on outside sources of influence, which have rightly been the targets of good government reform for decades, and I am very proud that we have provided leadership in that effort over the years.

As Members know very well, the current reform process has looked at everything from travel rules, to gift limits, to lobbying disclosure, a wide range of things. However, this entire good faith effort and the bipartisan effort that we are working on would come up woefully short if we did not address an area where outside influence in the form of unlimited contributions continues to play an enormous role. So today we are considering H.R. 513, the 527 Reform Act.

Congress has tried to limit big money in campaigns for many, many years. In fact, I will tell you, I wrote my senior thesis in college on the issue of campaign finance reform on the 1974 act, which was the first big Campaign Reform Act implemented in the post-Watergate era.

As colleagues who were here in 2002 will remember very well, we had a very spirited debate on the Bipartisan Campaign Reform Act. Among other goals that were put forward, this bill aimed to get rid of soft money. That was the goal that was stated by those who were champions of the Bipartisan Campaign Reform Act. They wanted to do everything possible to ban soft money contributions from political parties, getting it out of the political process altogether.

Along with many of my colleagues, I expressed very strong reservations about banning soft money from parties. I voted against the Bipartisan Campaign Reform Act. I was very concerned about it. I worried that by limiting contributions and dictating who could give how much to whom, that we would be violating the first amendment.

I also seriously doubted that banning soft money from parties would effectively get that money out of the system itself. As many pointed out at the time, BCRA left an obvious and easy loophole to exploit because it did not, in fact, ban unlimited money from being raised and spent by political groups called 527s.

And make no mistake, Mr. Speaker, 527s are political organizations. The purpose of 527s under the law is to influence elections. The Supreme Court has written that 527 groups ''by definition engage in partisan political activity.''

527s were the natural recipients of the soft money that the Bipartisan Campaign Reform Act denied to political parties expressly because they are defined by law as political organizations. In fact, many of these 527s were set up only after the Bipartisan Campaign Reform Act passed just so they could be the recipients of the soft dollar contributions.

Now, as our colleague, Mr. LINDER, pointed out during that 2002 debate on BCRA, he said, ''By eliminating the role of parties, corporations and labor unions could become increasingly reliant on loopholes, allowing them to spend funds from their general treasuries to influence elections.'' Mr. LINDER went on to say, ''activities that would be undertaken without Federal regulation.''

Mr. Speaker, this is exactly what has happened. Mr. LINDER was absolutely right when he portended this. Nonetheless, supporters of BCRA promised that it would indeed get big money out of politics. That, as one colleague said during those debates, would ''end the influence, the undue influence of big money in the political process.''

Where does this leave us today? For starters, the issue of free speech as it relates to limiting campaign donations is no longer a theoretical argument that many of us engaged in. Campaign limits are allowed, and BCRA is the law of the land, even though so many of us opposed it.

So while many of us did oppose those limits in contributions, we realize that we are governed by laws. We regularly talk about the rule of law. We are not simply governed by our principles, but, in fact, we are governed by the laws, and now every Member's duty, regardless of how we voted on the 2002 act, is to ask ourselves, is the Bipartisan Campaign Reform Act working as it was intended?

Clearly, Mr. Speaker, the answer is a resounding no, it is not. Soft money still dominates the political landscape. A handful, a very small handful of wealthy people, still funnel money to organizations involved in campaigns. But now it is going to 527s instead of to political parties.

Mr. Speaker, the money involved is enormous. In the 2003–2004 election cycle, 527 committees raised $425 million, nearly half a billion dollars. That is $273 million more than before the Bipartisan Campaign Reform Act was enacted. As predicted, the soft money that used to go to political parties found its home in the so-called 527s. In fact, the top 25 individual donors gave more than $146 million in 2004. As I said, it is a very small group of people, from my perspective, exercising their first amendment rights. But with limits that the court has upheld, I think we have no response other than to respond. Twenty-five individuals, 25 individual donors, again, $146 million in 2004.

During the current election cycle, Mr. Speaker, that trend has already continued, and we have already seen more than $58 million expended by the 527s.

Now, we are not talking about a leaky roof here where just a little soft money is dripping into the system. We

are talking about half the roof missing, and money is literally pouring in to this political system.

Since the Bipartisan Campaign Reform Act failed to take soft money out of politics, as even the bill's original authors concede, it is our duty to correct a flaw in the 2002 law. After all, if we are going to have Federal regulation of campaign finance, it better be fair, it better be consistent and it better be effective.

H.R. 513, the 527 Reform Act, restores balance and fairness to the system by making 527s register with Federal Election Commission and by subjecting them to the same Federal campaign finance laws as political parties, political committees and other political organizations. They would be allowed to raise a maximum of $25,000 per year for their non-Federal accounts and $5,000 for their Federal accounts.

Under this bill, 527s will still be able to engage in their political activities, such as Get Out the Vote and voter registration drives. They will just be subject to the hard dollar requirements for their spending. For instance, they will be required to spend only hard money for ads that refer to Federal candidates, and at least 50 percent hard money for ads that refer to a political party.

Mr. Speaker, I have offered an amendment to H.R. 513 that removes the limit on the amounts parties can spend in coordination with their own candidates. This was a bipartisan effort that was put together. Parties and their candidates should be free to work together to promote the issues they believe in and the arguments that they support. This change will increase transparency in campaign spending by allowing them to work together, rather than continuing the charade that the two entities don't know each other. There is no danger of corruption when a political party supports its own candidate.

527 reform has the backing of Democracy 21, Campaign Legal Center, the League of Women Voters, Common Cause, Public Citizen and U.S. PIRG.

Mr. Speaker, this bill is not revolutionary; it is common sense. We are simply closing an enormous loophole by extending existing Federal campaign laws to 527s.

Opponents of this legislation claim that soft money now going to 527s would simply be funneled to other groups, such as the 501(c)s, yet there is a huge difference under the Tax Code and in real life between 527s and the 501(c) groups, namely, 527s are organized for political purposes. They exist for the purpose of influencing campaigns. 501(c)s are not established for that purpose. In fact, as a matter of Federal law, 501(c)s are not allowed to engage in political activity as their primary mission.

If, as opponents contend, soft money is funneled to 501(c)s and if politics becomes their major purpose, they will be in violation of the law.

□ 1515

I will add, if it becomes clear that further reforms are needed, Congress will act. Just as we are taking action now to tighten the existing law, we will be ready to act again. We all know, we have said it time and time again, reform is an ongoing process, and we are very proud to lead the effort for reform.

As long as the Bipartisan Campaign Reform Act remains the law of the land, we must ensure that its provisions are applied fairly to all groups engaged in political campaigns. Now, some opponents of H.R. 513 also argue that subjecting 527s to campaign finance regulations limits free speech. I have to ask, where was this first amendment devotion during the 2002 debate? When I and others were making the point in 2002 that free speech would be violated, supporters of BCRA were awfully quiet on that issue.

Regardless of how one feels about that issue, the United States Supreme Court has ruled on numerous occasions that limiting political donations is constitutional. Most recently, they did it when they upheld the Bipartisan Campaign Reform Act in McConnell v. FEC. So critics of this bill, Mr. Speaker, the very same people who predicted the demise of our democracy if soft money was allowed to flow to parties, now seem to have no trouble opposing a bill that allows soft money to flow to the 527s.

Just to be clear, some Members on the other side of the aisle want the very groups that spent more than $320 million on behalf of their candidates and policies in 2004 to be the only ones that can influence elections without dollar limits.

To be consistent, opponents of this bill would have to also oppose the Bipartisan Campaign Reform Act ban on soft money going to parties. You cannot just pick and choose who is worthy of soft money. If it is bad, if it corrupts the system, if it silences the average voter, if it allows the wealthy to buy influence, all things that they argued in 2002, then it is not who receives soft money that is the issue; soft money itself is the issue.

Are my friends on the other side of the aisle saying they made a mistake in 2002? Have they reversed their position? Do they now support the utilization of so-called soft money? Do they wish to repeal the soft money provisions that were included in the Bipartisan Campaign Reform Act? I suspect not.

I would urge my colleagues to be consistent with their past positions on campaign finance reform and oppose any dual system for free speech where one group has more protections than another.

Mr. Speaker, as with our entire reform effort, we are simply seeking to attain the proverbial level playing field, to make rules fair, to make them effective, and to make sure that they are enforced. We have an opportunity to patch a hole in the Bipartisan Campaign Reform Act that would go a long way toward getting big money out of campaigns, as The Washington Post editorialized just this morning, to close the biggest remaining loophole in the campaign finance system. This is something that supporters in the Bipartisan Campaign Reform Act believed strongly in in 2002. They have a chance to reaffirm their support today with this up or down vote on this simple issue. And for Members like myself who opposed BCRA back in 2002, we can support H.R. 513 because the legal challenges to the original reforms have been settled, and the shortcomings that we predicted have in fact come to pass.

Mr. Speaker, altogether, this should result in a strong bipartisan vote for transparency, disclosure, accountability, and reform.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the chairman of the Rules Committee, my very good friend, the gentleman from California (Mr. DREIER), for the time.

Mr. Speaker, I rise today in strong opposition to this closed rule, which blocks every single Member in this body from offering an amendment to the 527 Reform Act of 2006. This bill would amend the Federal Election Campaign Act of 1971, and require, among other things, certain political organizations involved in Federal election activities to register with the Federal Election Commission.

Yesterday, during the Rules Committee hearing, the majority on the committee reported out a closed rule. In doing so, this limited any opportunity for the House to fully vet this important issue. If Congress is the place for true deliberation of all points of view, then I ask, why are the Republicans so hasty to ramrod this bill through without opportunities to amend? Surely the majority realizes that abolishing spending limits is a move that intentionally pushes aside the interests of women, minorities, and other voters who may not be a part of the Republican base and therefore apparently are not worthy of regard. Or is it simply a maneuver to deny us serious debate about viable alternatives, such as one from Massachusetts offered by Representative TIERNEY? Representative TIERNEY's amendment, had it been made in order, would have completely eliminated the ability of industries and interest groups to unduly influence elections. His idea? The full public financing of elections. This proposal, which Republicans have blocked from consideration, is the only one that I have heard to date that completely protects the integrity of our elections and public policymaking process.

I am equally disappointed that my very good friends, Representatives

WYNN and PENCE, were denied an opportunity to offer their bipartisan proposal before the House. Let us force candidates to get themselves elected based on the merits of their argument rather than the depth of their campaign accounts, which have been padded heavily by the richest of U.S. industries.

One can only imagine what the Medicare bill would have looked like if the pharmaceutical industry hadn't contributed the hundreds of millions in campaign contributions to the President and Republican candidates. What about the energy bill, reeking with billion dollar tax breaks for energy companies? What would that bill have looked like if it weren't for campaign contributions to Members of Congress?

If we want to get serious about corruption in Congress, then we have to get serious about corruption in our elections. For those in America, myself included, who believe that outside influences have too much control in the political process, I say take them out of the process. Make it illegal for them to write campaign checks and support publicly financed congressional elections.

Seats in this and the other body are for sale to the highest bidder. But the majority of the American people do not have enough money to buy them.

My colleagues on the other side of the aisle would have us to believe that this legislation, among other things, protects the integrity of campaign finance because it brings 527s out of secrecy. This is a false claim that could not be further from the truth.

My good friend, Representative DREIER, cited Common Cause. I guess it is about time for me to cite a former colleague of his and mine, Pat Toomey, the president of the Club for Growth; or John Berthoud, the president of the National Taxpayers' Union; or David Keene, the chairman of the American Conservative Union; or Grover Norquist, the president of Americans for Tax Reform. All of these peoples are opposed to this measure.

It is kind of interesting to me in Congress how up gets to be down and down gets to be up. But 527s are far from the clandestine operations that some may want us to believe. 527s do not operate behind closed doors. If you think they do, ask JOHN KERRY. Their work combines social awareness, advocacy, and political activities that provide everyone with tools for political knowledge.

Receipts and expenditures from 527s must be publicly disclosed and made available. In fact, 527s are already required by law to register with and report to the Internal Revenue Service. Their name is actually derived from the section of the United States Tax Code that regulates their financial activities. I think that we would all agree that it is difficult to have much more oversight than the Internal Revenue Service.

The administration and their friends in the Republican majority also intend for this new legislation to simultaneously stamp out free speech, voter outreach and the free flowing exchange of ideas. Unfettered political speech, be it at issues in the mail, by phone, on TV, on the radio, and especially over the Internet, is the basis for why our Founding Fathers fought so hard to make it a part of the very first amendment in our Constitution.

These are the tools Americans use to make informed decisions on the political issues before them. These are the activities that register people to vote, bring them to the polls, and engage them in necessary debate.

We should take heed from those who are only now establishing free and fair elections in some parts of the world. They found out the hard way that once freedom of speech eroded, it began a slippery slope that soon crushed their liberties as well as their governments.

Any time the majority wants to get serious regarding campaign finance and the influence of campaign dollars in the House, Democrats stand ready to have that discussion. And I am having a hard time understanding if way out there in America that people really do know the difference between soft money and hard money. In the meantime, I urge my colleagues for the sake of free speech and for the sake of a campaign process in which we all believe to oppose this closed rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I yield 4 minutes to the gentleman from Oklahoma (Mr. COLE), a very able member of the Rules Committee and a great champion and understander of the issue of campaign finance and campaigns in general.

(Mr. COLE of Oklahoma asked and was given permission to revise and extend his remarks.)

Mr. COLE of Oklahoma. Mr. Speaker, I rise to speak in favor of the 527 Reform Act. This legislation will strengthen our political parties while subjecting 527s to the same regulations as other actors under our campaign finance system.

One of the most important provisions in this bill is the elimination of the limit on expenditures coordinated between party committees and candidates. That limit as it currently exists is unquestionably one of the worst features of our campaign finance system. It creates a needless barrier between parties and their candidates. The first step towards a better, cleaner campaign reform system that places candidates in control of their own campaigns is repealing of that provision as this bill does.

Mr. Speaker, political parties, other than perhaps the candidates themselves, are the most accountable actors in our campaign finance system. They have to answer to their members, to their donors, to the media, and most importantly of all, to the voters. Their activities are disclosed and well documented. National parties in particular seldom violate either the letter or the spirit of the law. They are responsible participants in the political process, unlike many 527s.

Additionally, parties serve a very useful role in our political process. One essential thing they have historically done is to rechannel factions of narrow special interests into broader, more public-spirited coalitions. Although not foreseen by our Founders, it is impossible to imagine the success of our democracy without the vital role parties have played.

As Clinton Rossiter, the scholar of American politics, once put it, No America without democracy, no democracy without politics, and no politics without parties.

Past efforts at reforming the campaign finance system often have had the unintended consequence of weakening political parties. The understandable desire of citizens to influence the outcome of elections does not go away with campaign restrictions.

□ 1530

Instead, the money they contribute sometimes flows from candidates and parties to unaccountable actors like 527s. This bill will help impede that process.

In 2004, after the passage of the McCain-Feingold bill, there was more money in politics than ever before, with just 25 wealthy individuals accounting for $146 million raised by 527 groups to influence that year's elections. That is not removing big money from politics. That is the manipulation of the political process by a wealthy elite.

Mr. Speaker, I want to say a word to those who spoke so eloquently in favor of the Bipartisan Campaign Finance Reform Act of 2002. If that law was not intended to limit the influence of money from unaccountable actors like 527s, then what was its purpose? And yet, many who voted for the McCain-Feingold bill will today vote against reforming 527s. That is, to put it politely, inconsistent.

Mr. Speaker, to paraphrase a fine American, many of the opponents of 527 reform are effectively saying: ''I voted for campaign finance reform before I voted against it.'' Today, the supporters of the McCain-Feingold bill have an opportunity to pass real reform in a bipartisan way. McCain-Feingold supporters can choose between the principles they profess to hold or they can vote for what many believe is to their own short-term, partisan political advantage. And if they vote for the latter, after previously claiming to vote for the former, they will set off a political finance ''arms race'' that will flood the American political system with tens of millions of dollars from a few fabulously wealthy individuals.

That is an outcome we should all seek to oppose.

Mr. Speaker, I urge my colleagues to support the rule and the underlying legislation.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 10 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished Democratic whip, my very good friend.

(Mr. HOYER asked and was given permission to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, I thank the gentleman from Florida.

At a time when this Congress is embroiled in the most serious scandal in a generation, when a culture of corruption has swept over this body with no sign the Ethics Committee is addressing it, this body should be devoting the precious few days it has here to reforming its own culture and practices.

Today, the Republicans are doing what they so often do. They are trying to gag their opponents and further empower their supporters. They again abuse their legislative power to assault their adversaries. This is not reform. It is retaliation.

It is ironic that so many of the Republican leadership in opposing campaign finance reform argued so strenuously against campaign expenditure limits but now advocate limitations, not because of principle but because of political power and the abuse of that power.

The Republican leadership has chosen to take on political organizations in a cynical attempt to appear serious about reform and divert attention from its own ethical failures.

Mr. Speaker, the problem confronting our polity is not independent groups whose political activities are legal and are disclosed regularly to either the IRS or the FEC. We know who spends this money. The public can make a judgment.

Rather, it is the degree to which the Republican leadership has sacrificed the public interest, good public policy, and its own ethical conduct in order to amass, consolidate and perpetuate power through unseemly and unethical alliances with special interests like Jack Abramoff.

If this body were serious about reform, we would be debating the best way to eliminate the culture of corruption, not restrict the first amendment rights of political organizations.

Now, the previous speaker mentioned campaign finance reform. Let me quote some debate during the course of that consideration of that bill. The gentleman who brings this bill to the floor today, Mr. DREIER, I always like to quote Mr. DREIER because they are such different points of view that are reflected; you can almost get the whole spectrum of thought.

''Mr. DREIER: So we have these attempts being made by some to impose extraordinary, onerous regulations on the American people, jeopardizing their opportunity to come together and pursue their political interests that they have, that a shared group has; and I believe that is wrong,'' says Mr. DREIER. ''I believe it is wrong,'' Mr. DREIER said on February 13, 2002, ''to impose those kinds of regulations.''

We then had a vote on campaign finance reform by the same folks who are offering this bill to reform, and Mr. HASTERT voted ''no,'' Mr. BOEHNER voted ''no,'' Mr. BLUNT voted ''no,'' Mr. DELAY voted ''no,'' and, yes, my friend and my colleague from California (Mr. DREIER) voted ''no.''

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, very, very briefly, not to get into the issue of the dueling quotes, but let me quote from 1998 in the debate on this issue from my friend Mr. HOYER, who loves to carry in his pocket Dreier quotes. I do not regularly carry this one, but this was just provided to me.

In the CONGRESSIONAL RECORD on June 19, 1998, my friend said, ''In my view, genuine reform must purge from Federal elections unregulated soft money which has become so pervasive. The issue ads, which are so clearly intended to influence elections, must be covered.'' That was the statement made.

Let me say also, I completely stand by exactly what I said in that 2002 debate and I stand by that vote as my colleagues stand by that vote.

If the gentleman had heard my opening statement, I refer to the fact that we were not supporters of the Bipartisan Campaign Reform Act. We were concerned about first amendment rights. We still are concerned about first amendment rights, but across the street, the United States Supreme Court upheld BCRA when they chose in McConnell v. FEC—

Mr. HOYER. Mr. Speaker, reclaiming my time, if you will yield yourself some time, I will be glad to have some debate with you.

Mr. DREIER. I thank my friend for yielding.

Mr. HOYER. I would be glad to have a debate with you but you need to yield some of the time.

Mr. DREIER. I think the gentleman still has time.

Mr. HOYER. I still have time, thank you very much.

Mr. DELAY said in another quote, ''Those who want to regulate through government the participation in the political process, I respect them trying to do that; I disagree with it.'' That is the way he voted, as you have pointed out. ''We ought to let the voters decide through instant disclosure to be able to tell and see while people are collecting their money and spending it to decide.'' In other words, disclosure. These are disclosed.

My view is, in light of the fact they are disclosed, you will vote ''no'' on this bill. My obvious supposition is you are not going to do that.

Today, this bill is about politics. You have changed your principle, in my opinion. You have changed your point of view. That is why you are voting differently than you did on campaign finance reform.

Mr. DREIER. Mr. Speaker, if the gentleman will yield, I respond by saying, we stand by our commitment to first amendment rights. We stand by our position of the Bipartisan Campaign Finance Reform Act, but that is the law of the land. We live with it today. We are simply trying to implement exactly what you said on June 19, 1998, when you said there should be even-handed regulation.

Mr. HOYER. Mr. Speaker, reclaiming my time, what the gentleman has just said, he stands by what he said but he is going to adopt what I said to support this legislation. As usual, we have somewhat of an Alice in Wonderland approach.

This bill is about politics. This bill is about getting opponents that they presumed who have outraised them in the last election, but until the last election they did not want regulation. Why? Because their premise was they would raise more money, but when they found out that their opponents who disagreed with their failed policies for this country were communicating with the American public, then they said, oh, my goodness, we have to do something about that. They had this included in lobbying legislation, which we need to reform, as I have said, but guess what, they have taken it out, for political reasons, not for principle, I tell my friend from Massachusetts, not for principle, but for political reasons to try to undermine their opponents.

Today, we are missing an opportunity to look inward and expose ugly truths about the devolution of the legislative process from the one that the Framers had in mind when they created Article I of the Constitution.

I challenge the other side to explain to me why, 15 months into the 109th Congress, nothing, nothing has been done by this House to come to terms with the culture of corruption.

I challenge the other side to explain how H.R. 513 will increase the public's faith that elected representatives are addressing and adhering to the strictest ethical code and will pay an appropriate price if they veer from it.

I would suggest that today's debate underscores the extent to which a party that came to power 12 years ago, promising a bold new direction, has become insensitive to the issues that really matter in our Nation in 2006.

This bill is about politics. This bill is about a fear of losing power. This bill is about trying to undermine the voice of opposition in this country. This bill results from a fear that those who are opposing policies bad for the United States, bad for our people, bad for our families, undermining the security here at home and around the world will somehow be communicated correctly to the American people.

It was not until the last election, not until then, did those 176 people who on principle said we should not constrain this speech, this constitutional right that we have, and testified before the House Administration Committee, including Speaker Gingrich at one point

in time, and said that it was disclosure that was the issue, not constraint. It was not until the last election that that opinion was changed, that this bill came to the floor to undermine and gag those who oppose the policies being pursued.

Mr. DREIER. Mr. Speaker, let me yield myself such time as I might consume to respond to some of the arguments of my friend Mr. HOYER.

First of all, let me make it very clear, our position has not changed one iota from what it was. We still believe in transparency and disclosure. We stand by the testimony that was provided before the House Administration, our concern, our opposition to the Bipartisan Campaign Reform Act. So the gentleman is wrong in concluding that we somehow have changed.

What we are saying with this legislation is that we should not in any way allow loopholes to exist. All we are trying to do is close a loophole which addresses the concern that my colleague raised when he talked about the need to get unregulated soft money out of the process. We know that every single one of us in our individual campaigns and political parties is forced to comply with the Bipartisan Campaign Reform Act, and yet we have seen $425 million, almost a half a billion dollars, expended in unregulated ways, providing an opportunity for them to influence Federal elections.

That is a complete contravention of the goal of campaign reform, and that has been argued by the people who were the greatest proponents of campaign reform, Democracy 21, Common Cause, a wide range of groups, which worked closely and tried to implement the Bipartisan Campaign Reform Act.

On this issue of our having taken no action, on this very day, the House Rules Committee has actually been scheduled in the last hour to be marking up our bill H.R. 4975, the Lobbying Accountability Transparency Act. The Judiciary Committee today marked it up. As the gentleman knows, we at the very early part of this year passed legislation designed to get at the access that registered lobbyists had to the House floor.

□ 1545

So we have taken action, and I believe, Mr. Speaker, that we are continuing to focus attention on reform and our quest for the proverbial level playing field.

Mr. Speaker, I yield 3½ minutes to my very good friend from Michigan, a former Secretary of State, Mrs. MILLER.

Mrs. MILLER of Michigan. Mr. Speaker, I thank the gentleman for yielding, and I rise to support the rule and to support the underlying bill.

Mr. Speaker, it was just 4 years ago that the Congress passed a Bipartisan Campaign Finance Reform Act, and the purpose of that legislation was to ''eliminate'' hundreds of millions of dollars of unregulated soft money and the influence that wealthy donors had on the electoral process. However, the 2004 election cycle clearly demonstrated that BCRA was unable to deliver on what it promised.

In fact, the great irony of all of this is that while soft money to political parties was eliminated, wealthy donors found a new avenue to fund their candidates and to have more influence than they had ever had under the old rules. In 2004, we saw George Soros and Peter Lewis inject more than $20 million each, each of them injecting more than $20 million into the election process. So, so much for eliminating soft money.

Overall, federally focused 527s raised and spent over $550 million. Now, by contrast, George W. Bush and John Kerry combined to spend $655 million on their entire Presidential campaigns. The numbers are strikingly similar. The only difference is the Presidential candidates had to file with and abide by the rules of the FEC. The 527s did not.

The Presidential campaigns were accountable to the voters. The 527s were not. And instead of the political parties providing key support for their candidates, 527s began to act as surrogate political parties. Essentially what happened here is the political parties were outsourced. Political parties were outsourced. The 527s ran TV ads, they operated Web sites, they ran phone banks, they mobilized the get-out-the-vote efforts, all with money not regulated by the FEC.

In fact, the 527s proved so significant that MoveOn.org actually sent an e-mail to all of their supporters after the 2004 election and said this about the Democratic Party. This is what MoveOn.org said: ''Now it's our party. We bought it. We own it, and we're going to take it back.'' So, so much for eliminating the big dollars and big money.

Often I hear my Democratic colleagues complaining about the Swift Boat Veterans For Truth, another 527. Well, today, my Democratic colleagues have an opportunity to strike back. All of this activity was conducted with less oversight than when the political parties were able to accept soft money. And it is abundantly clear that something must be done. We need to do something to level the playing field that has shifted in favor of the unaccountable 527s. Right now, we have numerous groups operating under the cover of shadows, moving money back and forth in hopes of convincing voters to support a particular candidate.

Mr. Speaker, prior to my service in this House, I had the great honor and privilege of serving for 8 years as Michigan Secretary of State, and I was responsible for enforcing the campaign finance act in my State and increasing voter participation. My administration was very honored with the highest grade in the entire Nation by the NAACP for being on the forefront of campaign reform. We were honored with the Digital Sunshine Award for our program to provide voters with more information on who was trying to influence the outcome of the election process.

So I have had some experience with this issue, and I believe transparency is always the key. It is always the critical element.

I do believe that if we do not act now, the nauseating ugliness, negativity and hyperpartisanship that we saw in 2004 will only intensify in 2006 and 2008. We must protect our democratic electoral process and keep those who seek to influence our votes accountable. I urge my colleagues to support the rule and the underlying bill.

Mr. HASTINGS of Florida. Mr. Speaker, would you be good enough to tell both sides of the remaining amount of time.

The SPEAKER pro tempore (Mr. KUHL of New York). The gentleman from Florida has 12½ minutes remaining and Mr. DREIER has 4½ minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased at this time to yield 3 minutes to the gentleman from Massachusetts, my friend, (Mr. MEEHAN).

Mr. MEEHAN. Mr. Speaker, I thank my friend from Florida.

Mr. Speaker, I rise to urge a ''no'' vote on the rule, although I have been listening to the debate. This will be an amusing, if not interesting, debate as those who supported campaign finance reform are opposed to 527 reform, and those who opposed campaign finance are for campaign finance reform. I guess everyone is changing around their positions, so we should have a very good time. Actually, I want to compliment the chairman of the Rules Committee. At least the debate is only going to last an hour, so it won't be too tough on all of us.

Just for the record, this is basically a legal issue. 527s are political committees that are designed to influence an election, either the election or defeat of a candidate. The legal basis for regulation by the FEC comes from the reform act that was passed not in 2000 but after Watergate. That is where the legal basis is to regulate 527s.

The Federal Election Commission decided not to regulate 527s, hence there was a lawsuit that was filed in Federal District Court in Washington. There was a decision by Judge Sullivan recently in that case basically saying that the FEC did not have justification to not promulgate rules and regulations with regard to 527s. So regardless of what happens here today, ultimately, I think the court is clearly going to instruct the FEC to promulgate rules and regulations relevant to 527s.

In any event, I think we should have an open debate on this and discuss the merits of 527s and campaign finance reform. I am particularly troubled that this rule also allows the repeal of coordinated contribution limits, or a vote

on coordinated contribution limits. I believe a repeal of coordinated spending limits may make it easier for wealthier individuals to use donations to the political parties in order to evade campaign finance laws. I also think we should have had an open debate on this and been allowed to offer other amendments that would strike this controversial provision.

Furthermore, there are a number of Democrat amendments that had been offered in the Rules Committee. RAHM EMANUEL, who has been active on this, had two amendments related to this debate but, unfortunately, those amendments were ruled out of order.

In any event, for this reason I believe that the rule should be defeated. But, Mr. Speaker, I really look forward to this interesting, if not amusing, debate we are about to have on 527s.

Mr. DREIER. Mr. Speaker, may I inquire again exactly how much time is remaining on both sides?

The SPEAKER pro tempore. Mr. DREIER, you have 4½ minutes, and I believe the gentleman from Florida has 10 minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I have no additional speakers at this time and I am prepared to go forward.

Mr. DREIER. Mr. Speaker, I would like to yield to Mr. SHAYS, who wanted to respond and then you can close your debate and we will do the same.

Mr. Speaker, I yield 2 minutes to my friend from Connecticut, the great champion of campaign finance reform (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I thank the gentleman for yielding. There is nothing funny about this debate. Nothing funny at all.

The vast majority of my colleagues to my right voted for campaign finance reform. The vast majority of my colleagues to my left voted against it. The difference is my colleagues to the right, once it passed, looked for loopholes behind the law; and my colleagues here, my Republican colleagues who voted against the law said we will abide by it.

The problem is there is one loophole and the loophole is 527s. When we passed the law, we banned corporate money, union dues money and unlimited sums from individuals. We enforced the 1907 law, the 1947 law, and the 1974 law. That is what we did, we enforced it. But the FEC refuses to abide by the law as it relates to this one issue, 527s. We want to close the loophole.

Now, the reason is, if we are going to have the law, it better work. So my own Republican colleagues have been very consistent. They opposed the law. But if you are going to have the law, it should be consistent and work. And my colleagues, with all due respect, are being extraordinarily inconsistent. You voted for the law and now you want loopholes to it and you do not want to fix the loopholes. That is an outrage, and I plead with you to remember your rhetoric when you spoke. When you spoke, you supported the law. Now abide by it and make sure the loopholes are taken care of.

My colleague, Mr. MEEHAN, is right. We will win in court. The court has said that the 527s are primarily a campaign expense, and therefore need to abide by the law. So eventually, someday, I think they will be forced to write a rule to do what this bill does, but we are taking care of it now.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Apparently my good friend, and he is my good friend, from Connecticut was not mindful that there were 100 Members of the House of Representatives who wrote to the FEC asking that the McConnell v. FEC decision be upheld.

But I don't want to get bogged down in all of these legal mores. The simple fact of the matter is that if we intend to do something that would make a difference, we could all support public financing. I challenge any of you to tell me that that would not cure the problems that we continue to talk about.

I also would urge my friend from Connecticut, who argues about loopholes, to ask the chairman what I say about laws that we pass here. You show me a law and I will show you a loophole. I have been involved in politics as long as anybody in this room, and for the 41 years that I have been involved, we have continued to reform campaign finance by calling it campaign finance reform. Every time we reform it, the Republicans or the Democrats, the majority or the minority, somebody comes up with a way to get around the law.

So make this one, if you will, Mr. Chairman, and be mindful of all of the people that have spoken with reference to the myth that I think that you perpetuate. One of the biggest myths, the National Review says, is that this bill would level the playing field. That is language you used earlier, Mr. Chairman, ending the ability of the wealthy to fund propaganda. This is completely false, according to the National Review. Wealthy individuals would still be free to say whatever they want, whenever they want. The proposal would end only the ability of individuals of lesser means to pool their money to independently speak out on issues.

The simple fact is when you cite to the law, my recollection is you didn't say anything at all about Buckley v. Valeo, which simply said in its holding that money is speech, and that is ultimately what winds up happening here.

Mr. Speaker, I will be asking Members to vote ''no'' on the previous question, so I can amend the rule to provide that immediately after the House adopts this rule, if it does, it will bring H.R. 4682, the Honest Leadership and Open Government Act of 2006 to the House floor for consideration.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, before we go reforming campaign finance laws and telling those on the outside what they can and cannot do, I think we need to fix up our own house. H.R. 4682 is a comprehensive reform package introduced by Leader PELOSI that is designed to clean up this Congress and show the American people we are serious about our roles as legislators and that we put the people we represent first.

This bill does many things. It curbs the abuses of power by stopping the practice of keeping votes open to twist arms and lobbying Members on the floor of the House. It shuts down the K Street Project by making it a criminal offense and violation of the House rules to take or withhold official action or threaten to do so with the intent to influence private employment decisions. It ends the practice of adding special interest provisions to conference reports in the dead of night and behind closed doors. It imposes strict and enforceable new disclosure requirements on lobbyists. It curbs abuses of power and it blocks cronyism and corrupt contracting practices that endanger our troops in Iraq and Afghanistan and around the world.

It is important for Members to know that defeating the previous question will not, I repeat, will not, block the underlying bill. H.R. 513 will still be considered by the House. But by voting ''no'' on the previous question, we will be able to consider the Honest Leadership and Open Government Act under a completely open rule that gives all Members of this body the opportunity to be heard on this matter.

I urge all Members of this body to vote ''no'' on the previous question.

Mr. Speaker, I yield back the balance of my time.

□ 1600

Mr. DREIER. Mr. Speaker, I yield myself the balance of my time.

Let me just say that my friend is correct in saying we should look at loopholes and do everything we can to close them. The Republican Party is the party of reform. We are very proud of the fact that we have been and continue to be the party of reform.

This is a loophole that needs to be closed so we can get to the kind of fairness that Mr. SHAYS, the great champion of campaign finance reform, talked about. He and I still disagree to this moment about the issue itself. I believe these kind of limits undermine first amendment rights, but the Supreme Court has upheld the Campaign Reform Act, and I believe if you look at the great champions of campaign reform, Common Cause, Democracy 21, and a wide range of other groups, they

are strongly supportive of this measure. I believe we should support this.

AMENDMENT OFFERED BY MR. DREIER

Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DREIER:

On page 2, line 6, strike ''printed in the report of the Committee on Rules accompanying this resolution'' and insert ''numbered 1 for printing in the Congressional Record pursuant to clause 8 of rule XVIII''.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

PREVIOUS QUESTION ON H. RES. 755, THE RULE PROVIDING FOR CONSIDERATION OF H.R. 513, 527 REFORM ACT OF 2005

At the end of the resolution add the following new sections:

''SEC. 2. Immediately upon the adoption of this resolution, the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4682) to provide more rigorous requirements with respect to disclosure and enforcement of ethics and lobbying laws and regulations, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The bill shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. If the Committee of the Whole rises and reports that it has come to no resolution of the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of Rule XIV, resolve into the Committee of the Whole for further consideration of the bill.''

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution * * * [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule * * * When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

Mr. DREIER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the amendment and on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. HASTINGS of Florida. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, this 15-minute vote on ordering the previous question on the amendment and on the resolution will be followed by 5-minute votes, if ordered, on amending the resolution and adopting the resolution, as amended (or not).

The vote was taken by electronic device, and there were—yeas 226, nays 198, not voting 8, as follows:

[Roll No. 85]

YEAS—226

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—198

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al

Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—8

Diaz-Balart, L.
Diaz-Balart, M.
Evans
Hoekstra
Ros-Lehtinen
Schakowsky
Tanner
Watson

□ 1626

Ms. BERKLEY and Messrs. ROTHMAN, KUCINICH and CROWLEY changed their vote from ''yea'' to ''nay.''

Mr. HUNTER changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. KUHL of New York). The question is on the amendment offered by the gentleman from California (Mr. DREIER).

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 223, noes 199, not voting 10, as follows:

[Roll No. 86]

AYES—223

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—199

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—10

DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Evans
Hoekstra
Pitts
Ros-Lehtinen
Schakowsky
Tanner
Watson

□ 1635

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRIVILEGES OF THE HOUSE—PRIVILEGED RESOLUTION REQUIRING ETHICS INVESTIGATION OF MEMBERS OF CONGRESS INVOLVED IN JACK ABRAMOFF SCANDAL

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 (Mr. LAHOOD). The Clerk will report the resolution.

The Clerk read the resolution, as follows:

Whereas, on March 31, 2006, Tony Rudy, a former top Republican Leadership staff person, pleaded guilty to charges that he conspired with Republican lobbyist Jack Abramoff to bribe public officials, including accepting money, meals, trips, and tickets to sporting events from Mr. Abramoff in exchange for official acts that included influencing legislation to aid Mr. Abramoff's clients;

Whereas The Washington Post has stated that Mr. Rudy's plea bargain is an admission of a ''far-reaching criminal enterprise operating out of'' the Republican Leader's office, ''an enterprise that helped sway legislation, influence public policy, and enrich its main players.'' (The Washington Post, April 1, 2006)

Whereas the press has reported that ''court papers point out official actions that were taken in (the Republican Leader's) office that benefited Abramoff, his clients or (the