

On January 27, 1909, the House adopted a report that stated the following:

It is ... the duty of the House to require its Members in speech or debate to preserve that proper restraint which will permit the House to conduct its business in an orderly manner and without unnecessarily and unduly exciting animosity among its Members—(Canon's Precedents, volume 8, at section 2497).

This report was in response to improper references in debate to the President, but clearly reiterated a principle that all occupants of the Chair in this and in prior Congresses have held to be equally applicable to members's remarks in debate toward each other.

Mr. DOGGETT. Madam Speaker, I have a further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DOGGETT. Madam Speaker, in view of the Chair's statement, what mechanism exists under the rules for a Member of the House to bring to the attention here on the floor of the House the failure of the Ethics Committee to explore fully and thoroughly ethical complaints that have been pending for over 6 months against Speaker GINGRICH?

The SPEAKER pro tempore. Proper questions of privilege may be brought before the House. This is not now a forum, however, to restate allegations where there is not pending a parliamentary privilege.

Mr. DOGGETT. Madam Speaker, is the privileged resolution that the gentleman from Florida, Mr. HARRY JOHNSTON, has filed for consideration later today regarding the failure of the committee to thoroughly investigate these charges and refer them to a special counsel the type of motion that would be proper for presentation of these matters?

The SPEAKER pro tempore. The Chair will rule on that at the time the resolution is brought to the floor. It is not properly before the House at this time.

POINT OF ORDER

Mr. LINDER. Madam Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. LINDER. Madam Speaker, the references by the gentleman from Texas as to whether or not he believes the Ethics Committee has faithfully carried out its duty refers specifically to matters he appears to know are before the Ethics Committee, and I think it is out of order.

□ 1045

The SPEAKER pro tempore (Ms. GREENE of Utah). The Chair again asks all Members to follow the admonition of the Chair to abide by the rules of this House that have been in place since 1789.

MOTION TO ADJOURN

Mr. VOLKMER. Madam Speaker, I have a privileged motion which I send to the desk.

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

The Clerk read as follows:

Mr. VOLKMER moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri [Mr. VOLKMER].

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

Mr. VOLKMER. 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.

The vote was taken by electronic device, and there were—yeas 55, nays 345, answered "present" 2, not voting 31, as follows:

[Roll No. 271]

YEAS—55

Barcia	Frank (MA)	Mink
Blumenauer	Frost	Moran
Bonior	Gejdenson	Owens
Brown (OH)	Gutierrez	Payne (NJ)
Bryant (TX)	Hastings (FL)	Pomeroy
Clay	Hilliard	Rangel
Clyburn	Hoyer	Rush
Collins (IL)	Jackson (IL)	Slaughter
Collins (MI)	Jefferson	Stokes
Conyers	Johnson, E. B.	Stupak
Coyne	Johnston	Thompson
Dellums	Kaptur	Velazquez
Dicks	Kennedy (MA)	Volkmer
Dingell	Klink	Waters
Dixon	Levin	Wise
Doggett	Lewis (GA)	Woolsey
Engel	Martinez	Wynn
Evans	McNulty	
Filner	Miller (CA)	

NAYS—345

Abercrombie	Brownback	DeFazio
Ackerman	Bryant (TN)	DeLauro
Allard	Bunn	DeLay
Andrews	Bunning	Deusch
Archer	Burr	Diaz-Balart
Armye	Burton	Dickey
Bachus	Buyer	Dooley
Baesler	Callahan	Doolittle
Baker (CA)	Calvert	Dornan
Baker (LA)	Camp	Doyle
Baldacci	Campbell	Dreier
Ballenger	Canady	Duncan
Barr	Cardin	Dunn
Barrett (NE)	Castle	Durbin
Barrett (WI)	Chabot	Edwards
Bartlett	Chambliss	Ehlers
Barton	Christensen	Ehrlich
Bass	Chrysler	English
Bateman	Clayton	Ensign
Beilenson	Clement	Eshoo
Bentsen	Clinger	Everett
Bereuter	Coble	Ewing
Berman	Coburn	Farr
Bevill	Collins (GA)	Fawell
Bilbray	Combest	Fazio
Bilirakis	Condit	Fields (LA)
Bishop	Cooley	Flake
Bliley	Costello	Flanagan
Blute	Cox	Foglietta
Boehlert	Cramer	Foley
Boehner	Crane	Forbes
Bonilla	Crapo	Fowler
Bono	Creameans	Fox
Borski	Cummings	Franks (CT)
Boucher	Cunningham	Frelinghuysen
Brewster	Davis	Frisa
Brown (CA)	Deal	Funderburk

Furse	Lipinski	Rohrabacher
Galleghy	Livingston	Ros-Lehtinen
Ganske	LoBiondo	Rose
Gekas	Lofgren	Roukema
Gephardt	Longley	Royce
Gerens	Lowey	Sabo
Gibbons	Lucas	Salmon
Gilchrest	Luther	Sanders
Gillmor	Maloney	Sanford
Gilman	Manton	Saxton
Gonzalez	Manzullo	Scarborough
Goodlatte	Markey	Schaefer
Goodling	Martini	Schiff
Gordon	Mascara	Schroeder
Goss	Matsui	Schumer
Green (TX)	McCarthy	Scott
Greene (UT)	McCollum	Seastrand
Greenwood	McHale	Sensenbrenner
Gunderson	McHugh	Serrano
Gutknecht	McInnis	Shadegg
Hall (OH)	McIntosh	Shaw
Hall (TX)	McKeon	Shays
Hamilton	McKinney	Shuster
Hancock	Meehan	Sisisky
Hansen	Meek	Skaggs
Harman	Menendez	Skeen
Hastert	Metcalfe	Skelton
Hastings (WA)	Meyers	Smith (MI)
Hayes	Mica	Smith (NJ)
Hayworth	Millender	Smith (TX)
Hefley	McDonald	Smith (WA)
Hefner	Miller (FL)	Solomon
Heineman	Minge	Souder
Heger	Moakley	Spence
Hilleary	Molinari	Spratt
Hobson	Mollohan	Stark
Hoekstra	Montgomery	Stearns
Hoke	Moorhead	Stenholm
Holden	Morella	Studds
Horn	Murtha	Stump
Hostettler	Myers	Tanner
Houghton	Myrick	Tate
Hunter	Nadler	Tauzin
Hutchinson	Neal	Taylor (MS)
Hyde	Nethercutt	Taylor (NC)
Inglis	Neumann	Tejeda
Istook	Ney	Thomas
Jackson-Lee	Nussle	Thornberry
(TX)	Oberstar	Thornton
Jacobs	Obey	Thurman
Johnson (CT)	Olver	Tiahrt
Johnson, Sam	Ortiz	Torkildsen
Jones	Orton	Towns
Kanjorski	Oxley	Traficant
Kasich	Packard	Upton
Kelly	Pallone	Vento
Kennedy (RI)	Parker	Viscosky
Kennelly	Pastor	Vucanovich
Kildee	Paxon	Walker
Kim	Payne (VA)	Walsh
King	Peterson (MN)	Wamp
Kingston	Petri	Ward
Klecza	Pickett	Watt (NC)
Klug	Porter	Watts (OK)
Knollenberg	Portman	Waxman
Kolbe	Poshard	Weldon (FL)
LaFalce	Pryce	Weldon (PA)
LaHood	Quillen	Weller
Lantos	Quinn	White
Largent	Radanovich	Whitfield
Latham	Rahall	Wicker
LaTourette	Ramstad	Williams
Laughlin	Reed	Wolf
Lazio	Regula	Yates
Leach	Richardson	Young (AK)
Lewis (CA)	Rivers	Young (FL)
Lewis (KY)	Roberts	Zeliff
Lightfoot	Roemer	Zimmer
Linder	Rogers	

ANSWERED "PRESENT"—2

Pelosi	Sawyer
Becerra	Ford
Browder	Franks (NJ)
Brown (FL)	Graham
Chapman	Hinchee
Chenoweth	Johnson (SD)
Coleman	Lincoln
Cubin	McCrary
Danner	McDade
de la Garza	McDermott
Fattah	Norwood
Fields (TX)	Peterson (FL)

□ 1106

Messrs. LIVINGSTON, NUSSLE, RICHARDSON, ABERCROMBIE,