

# Roll Call Report

Here's how area members of Congress were recorded on major roll call votes Jan. 19-25

## HOUSE

**SEARCH-AND-SEIZURE**—Adopted, 215 for and 131 against, an amendment limiting the circumstances under which federal game wardens can conduct searches without warrants. It was attached to HR 2329, a bill changing certain operating procedures of the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. The bill was later passed and sent to conference with the Senate.

The amendment says warrantless searches and seizures can be made only when the federal agent has "reasonable grounds" to believe the law has been broken in his "presence or view." This replaced less specific language in HR 2329.

Rep. Ted Weiss (D-N.Y.), the sponsor, said supporters of the amendment "are concerned for the civil liberties of not just hunters as hunters but of American citizens as American citizens."

Rep. Charles Wiggins (R-Calif.), an opponent, said "the consequence of this ill-considered amendment is to expose the arresting officer unnecessarily to a risk of harm" because it would limit his ability to "pat down" a suspect for concealed weapons.

Members voting "yea" favored the stricter language.

Reps. David Bonior (D-Mt. Clemens), William Brodhead (D-Detroit) and Carl Pursell (R-Plymouth) voted "yea."

Reps. William Ford (D-Taylor) and James Blanchard (D-Pleasant Ridge) voted "nay."

Rep. William Broomfield (R-Birmingham) did not vote.

**MONEY**—Passed, 292 for and 103 against, a bill more than doubling the

budget of a federal agency known as the Administrative Conference of the United States. The bill (HR 762) gradually increases the authorization from its current \$550,000 annual level to \$2.3 million in fiscal 1981. It was sent to the Senate.

The mission of the 91-member conference is to monitor the administrative and regulatory processes of government in hopes of making them more efficient and fair. Its recommendations sometimes find their way into law, such as in the Consumer Products Safety Act and the Freedom of Information Act.

Rep. Carlos Moorhead (R-Calif.), a supporter, said that "if this Congress is genuinely committed to the concept of regulatory reform, it can take no more substantive action" than to approve the additional money.

Rep. Elliott Levitas (D-Ga.), an opponent, noted that notwithstanding a fulltime staff "a substantial amount" of the conference's work is contracted out to attorneys and others in the private sector.

Members voting "yea" favored more than doubling the agency's annual budget.

Bonior, Ford, Brodhead and Broomfield voted "yea."

Blanchard and Pursell did not vote.

**ENERGY**—Adopted, 247 for and 158 against, the parliamentary rule under which the House will debate the Outer Continental Shelf Lands Act (HR 1614). The bill is designed to guide the Interior Department's awarding of leases to energy companies for oil and gas drilling on the vast, mineral-rich Outer Continental Shelf around the U.S.

The rule was favored by the Administration and the Democratic leadership, who felt HR 1614 would enable the Interior Department to better guard against profiteering in the pricing of leases and to oversee a more orderly development of the OCS resources.

It was generally opposed by the Republican leadership and members from natural gas and oil-producing states, who argued, in part, that the Administration was trying to ramrod passage of complex legislation that needed careful deliberation to protect the interest of energy companies and the energy-consuming public.

Members voting "yea" favored adoption of the rule.

Bonior, Ford, Brodhead and Blanchard voted "yea."

Broomfield and Pursell voted "nay."

## SENATE

**OBSCENITY**—Adopted, 49 for and 41 against, an amendment tightening the U.S. Code's definition of "obscene" material. The amendment was attached to S 1437, the proposed new U.S. criminal code. The massive bill was headed for final passage and consideration by the House.

This amendment requires that in federal obscenity prosecutions the jury be instructed that "community standards" refers to the state or local community where the material is disseminated. It replaces language in the bill allowing existing case law to define the community.

Sen. Robert Dole (R-Kansas), the sponsor, said the amendment "would allow the citizens of each town the opportunity to decide what publications they feel are obscene."

Sen. Edward M. Kennedy (D-Mass.), an opponent, said that because the obscenity issue is so volatile and changing, the proposed new criminal code had limited itself "to a simple restatement of case law."

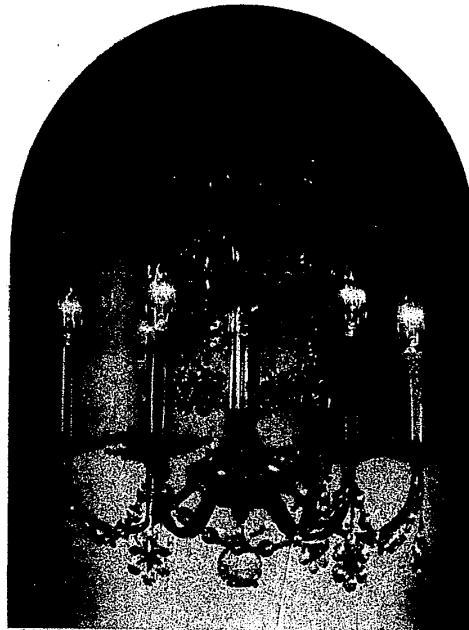
Senators voting "yea" favored incorporating more restrictive obscenity language into the new criminal code.

Sen. Robert Griffin (R) voted "yea" and Sen. Donald Riegle (D) voted "nay."

**PRE-TRIAL DETENTION**—Failed, 29 for and 62 against, to table language calling for increased pre-trial detention of suspects in certain serious crimes. Left intact by this vote was an amendment increasing the number of alleged offenses for which a suspect can be denied bail.

As the U.S. criminal code is now written, a suspect can be denied bail only if the alleged crime is an airline hijacking that resulted in death. This amendment added to that list murder, rape, armed kidnapping, armed robbery and certain instances where hostages are taken.

On a non-record vote, the amendment later was attached to the bill (S 1437) establishing a new criminal code (see vote above).



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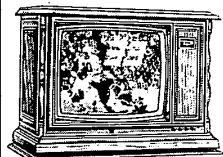
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