

the Truth in Lending Act. I applaud the efforts here today because they provide temporary, stop gap relief to the industry, and afford the Congress an opportunity to shape long term reform in a more deliberate and reasoned manner.

The bill originally introduced to address this so-called emergency situation would have seriously eroded key consumer protections in the Truth in Lending Act. It would have eliminated the consumer's right to rescind a mortgage that had been refinanced. It would have limited the consumer's recourse against the secondary market when the lender is long gone. It would have permitted lenders to provide faulty loan disclosures. All this, without a hearing on the subject. All this, in response to a number of class actions that have been filed but have yet to be decided in a single instant.

If Congress intends to modernize truth in lending, we need thorough hearings on the issues. If we are to reduce burdens on the industry, we must not simply shift those burdens onto the consumer. Truth in lending must always ensure that lenders give consumers complete, accurate, and uniform disclosures about the terms of their loans and their credit cards. And the Truth in Lending Act must contain sufficient penalties to ensure that these disclosures are made.

With these considerations in mind, I look forward to working with my colleagues on the other side of the aisle to modernize truth in lending—to make it a more meaningful act for consumers and a less burdensome law for the industry.

Mrs. ROUKEMA. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. ROTH], a member of the Committee on Banking and Financial Services.

Mr. ROTH. Mr. Speaker, I thank the gentlewoman for yielding time to me, and I want to thank her for bringing up this legislation, and for the excellent job she is doing as chairperson of that committee.

Mr. Speaker, this is a very important piece of legislation if we are concerned about our home buyers. I think all of us are. It is another example where we have too much government.

Here is the Truth in Lending Act that passed in 1968, and the gentlewomen from New Jersey I think very well explained the problem here. Here we have a court coming in and saying "Well, you can have rescission."

In other words, if you come to the court in a class action suit, the lender has to give you back your fees and your interest, up to 3 years. Then we have lawyers out there advertising. In other words, they are looking for complainants, saying, "Hey, if you want some extra dollars, here is a legal rip-off. Come on in and we will help you."

I think it shows what happens when there are no ethics left in a society, when there is no sense of right and wrong. We should not even have a piece of legislation like this.

However, the rescission under this statute means that the lender must reimburse, let me repeat that, all fees and costs of the borrower, including all interest paid up to 3 years, and must release the mortgage lien. The result

leaves the lender with an uninsured loan.

Therefore, without this moratorium, consumers are going to find sources for these kinds of mortgages drying up very quickly. It should be emphasized that this moratorium can only be on a class action suit. That means that the individual consumer can still file suit under remedies prescribed by the Truth in Lending Act.

The Truth in Lending Act, let us have some courage in this House, it is a joke. I have worked in the real estate industry. When you come to a closing, no one reads them. Do Members know how it works? The banker says "Here, sign this." The client says to his broker "Is it okay?" "Sure. Go ahead and sign it." The banker has not read it, the broker has not read it, and certainly the person buying the home has not read it.

It is another example of too much government. That is why the people are so upset with government today. There is no common sense left. Let us at least pass this legislation and give us time to get back on the right track again, and bring some common sense back into this area of the law again.

Mr. VENTO. Mr. Speaker, I yield myself 1 minute.

Obviously, there have been problems developing with regard to the abuse of the provisions of law that have a great problem and pause to an important segment of our industry in terms of financing and the orderly process and proceeding with that. I think it is also very evident that truth in lending is an enormously important legislation to inform the consumer and to provide for reputable lenders the opportunity to share information so there is a good understanding in terms of going forward with mortgages.

I think, obviously, when a problem exists here, there is an enormous need to have solid information in terms of making decisions on the part of the consumer and on the part of the finance industry. We want to make certain that we are trying to respond to what clearly has been a demonstrated problem, but I hope that when we get ready to legislate we remember the essence of trying to maintain a proper balance in terms of consumer rights and the importance of that with regard to this matter.

Mr. VENTO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. ROUKEMA. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Jersey [Mrs. ROUKEMA] that the House suspend the rules and pass the bill, H.R. 1380.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SEXUAL CRIMES AGAINST CHILDREN PREVENTION ACT OF 1995

Mr. SCHIFF. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1240) to combat crime by enhancing the penalties for certain sexual crimes against children, as amended.

The Clerk read as follows:

H.R. 1240

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sexual Crimes Against Children Prevention Act of 1995".

SEC. 2. INCREASED PENALTIES FOR CERTAIN CONDUCT IN SEXUAL EXPLOITATION OF CHILDREN.

The United States Sentencing Commission shall amend the sentencing guidelines to increase the base offense level for offenses under section 2251 or 2252 of title 18, United States Code, by at least 2 levels.

SEC. 3. INCREASED PENALTIES FOR USE OF COMPUTERS IN SEXUAL EXPLOITATION OF CHILDREN.

The United States Sentencing Commission shall amend the sentencing guidelines with respect to an offense under—

- (1) section 2251(c)(1)(A); or
- (2) any of paragraphs (1) through (3) of section 2252(a);

of title 18, United States Code, to increase the offense level by at least 2 levels if a computer was used to transmit the notice or advertisement to the intended recipient or to transport or ship the visual depiction.

SEC. 4. INCREASED PENALTIES FOR TRANSPORTATION OF CHILDREN WITH INTENT TO ENGAGE IN CRIMINAL SEXUAL ACTIVITY.

The United States Sentencing Commission shall amend the sentencing guidelines to increase the base offense level for an offense under section 2423(a) of title 18, United States Code, by at least 3 levels.

SEC. 5. TECHNICAL CORRECTION.

Section 2423(b) of title 18, United States Code, is amended by striking "2245" and inserting "2246".

SEC. 6. REPORT BY THE UNITED STATES SENTENCING COMMISSION.

Not later than 180 days after the date of the enactment of this Act, the United States Sentencing Commission shall submit a report to Congress concerning offenses involving child pornography and other sexual crimes against children. In this report the Commission shall include—

- (1) an analysis of the sentences imposed for offenses under sections 2251, 2252, and 2423 of title 18, United States Code, and recommendations as to any modifications to the sentencing guidelines that may be appropriate with respect to those offenses;

- (2) an analysis of the sentences imposed for offenses under sections 2241, 2242, 2243, and 2244 of title 18, United States Code, where the victim was under the age of 18 years, and recommendations as to any modifications to the sentencing guidelines that may be appropriate with respect to those offenses;

- (3) an analysis of the type of substantial assistance that courts have recognized as warranting a downward departure from the sentencing guidelines relating to offenses under section 2251 or 2252 of title 18, United States Code;

- (4) a survey of the recidivism rate for offenders convicted of committing sexual crimes against children, an analysis of the impact on recidivism of sexual abuse treatment provided during or after incarceration or both, and an analysis of whether increased

penalties would reduce recidivism for these crimes; and

(5) such other recommendations with respect to the offenses described in this section as the Commission deems appropriate.

The CHAIRMAN. Pursuant to the rule, the gentleman from New Mexico [Mr. SCHIFF] will be recognized for 20 minutes, and the gentleman from Michigan [Mr. CONYERS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New Mexico [Mr. SCHIFF].

Mr. SCHIFF. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, child pornography and child exploitation are two of the most horrendous and repulsive crimes that can possibly exist. They have every potential not only of causing immediate damage to the victims who are forced or lured into those activities, but they can ruin a young person's life virtually at the time it has begun.

That is the reason why the Committee on the Judiciary has brought forth H.R. 1240, the Sexual Crimes Against Children Prevention Act here today, and why I move to suspend the rules and to adopt it.

I want to add, Mr. Speaker, that this bill was drafted by our colleague, the gentleman from Florida [Mr. MCCOLLUM], who because of a scheduling conflict is unable to be on the House floor at this time.

This bill toughens the penalties for sexual exploitation of children by directing the U.S. Sentencing Commission to increase sentencing guidelines for crimes involving child pornography and prostitution.

It increases by a minimum of 17 months' incarceration the range of penalties that may be imposed for creating child pornography. It increases by a minimum of 6 months incarceration the penalties that may be imposed for trafficking child pornography. It increases by a minimum of 1 year incarceration the penalties that may be imposed for trafficking in child pornography if a computer was used in the transmission of the material or transmission of an advertisement for the material.

Mr. Speaker, I want to say on that point that we have found that as the use of computers and the use of electronic communications increase for people in business and for personal use, it has, unfortunately, also increased for criminal use, including the sale of pornographic materials and for the sale of prostitution of children.

Finally, in this respect, the bill increases by a minimum of 1 year incarceration the penalties that may be imposed for the interstate transportation of a minor for the purposes of causing the minor to engage in prostitution, or a criminal sexual act.

Mr. Speaker, the bill also directs the U.S. Sentencing Commission to report to Congress on sex crimes against children and to make proposals to curb such activities for consideration by a future Congress.

Mr. Speaker, I want to note that the bill that is currently on the desk, and the Members have before them in this suspension, has been amended since the Committee on the Judiciary bill was voted out of committee. The amendment removes a reference to the Racketeer Influence and Corrupt Organizations Act that was in the bill at the time it did pass the Committee on the Judiciary.

That was removed because some Members on the other side felt that was an issue, that was the RICO statute, that was an issue that should not be before the House on suspension; that if that statute were to be considered, it should be considered under a rule allowing for certain amendments, so in accommodation to that request, we have amended the bill and removed that provision from the bill as it stands now.

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

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the measure, H.R. 1240, which would direct the U.S. Sentencing Commission to increase penalties for child obscenity violations. This bill does not modify the statutory maximum penalties for these crimes, nor does it create mandatory minimum penalties.

It directs the Sentencing Commission, created by the Congress in 1984, to serve as an independent entity within the judicial branch to increase the offense levels for certain crimes involving child obscenity. I want to congratulate the Members of the other side, particularly the chairman of the Committee on the Judiciary, in working with us to resolve a troubling criminal RICO provision in the bill through a manager's amendment, so that we were able to make this a truly bipartisan measure.

RICO would have weighed down and complicated this measure beyond the ability to get the support of some of the Members on this side, had that compromise not been worked out. Finally, Mr. Speaker, I want to point out that while the Republican majority is giving back what it took away from the fight on child pornography and abuse just 3 weeks ago during so-called commonsense reform, that bill wiped off the books statutes providing for unlimited punitive damages for sexual abuse against children. It was one of the many unforeseen consequences that the House-passed legal reform bill wrought, in the speed that it has hastily passed through both the committee and the House.

Therefore, today it is my view that we are back on track in the fight against child sexual abuse. This is an important improvement, and I urge Members of this body to support the measure.

□ 1245

Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr.

FRANK], who has worked a great deal on the measure.

Mr. FRANK of Massachusetts. I thank the ranking Member for yielding me the time.

Mr. Speaker, I want to express my appreciation to the chairman of the full committee and to the manager of the bill.

The gentleman from New Mexico has explained the amendment, and I appreciate that.

I was the one who offered at the committee level the amendment that would strike the RICO provision dealing with obscenity on cable television. I was unhappy to learn that this was going to be done on suspension, and when I raised the issue with the chairman of the full committee, the gentleman from Illinois, he was very gracious and very fair, and I appreciate it, in leaving that part out of the bill.

So we have a bill now that deals just with improving our ability to deter and punish, if deterrence fails, the abuse and exploitation of children. It is a very worthy goal which I assume will be unanimously supported, and I want to express my appreciation to the majority for accommodating my concern.

I have some very strenuous objections to the RICO extension to the cable TV situation. As I said in committee, I was particularly surprised, that I thought that I shared with many of my friends on the other side a deep skepticism about RICO, and it therefore seemed to me odd that we would be extending it at this point.

In particular, we are dealing here with some consensual decisions by people to turn on their own television sets, but we can let those arguments go until a later time, if ever. If the bill never comes up, I would not be too upset; but it is not here.

My main purpose today was to express my appreciation for the fairness that the majority showed, particularly the gentleman from Illinois.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from California [Ms. LOFGREN].

Ms. LOFGREN. Mr. Speaker, I certainly will support this bill because it does something, although not very much, and I did want to express my concern and distress at the very limited and minimal nature of this bill.

There is a lot I have not agreed with in the so-called Contract With America, but one of the things I was looking forward to working on with the Members on the other side was to enhance substantially penalties for child pornographers and those who would prey on vulnerable, innocent children. Regrettably, that did not happen.

This bill was introduced in the afternoon of March 15, and we held our hearing at 9:30 a.m. the next day, March 16. When I looked at the bill, I saw that there is a 17-month increase for the creation of child pornography up to—and it is not even an increase, it is a recommendation, big deal—70 months for creation of child pornography is a

recommended sentence? I think that is woefully inadequate.

I would point out that even now with the already limited sentences recommended by the Sentencing Commission, more than 25 percent of the time those wimpy penalty are not imposed.

When I offered an amendment in the full committee for life imprisonment for those who would create child pornography, who would abuse children, that amendment was ruled not germane and properly so. The reason why it was not germane was that we did not take time to write a bill that would really go after those who would abuse children.

We need to take a look at the underlying statute, not just advisory recommendations by the Sentencing Commission. I know that there are plenty of people in California doing longer periods of time for very minor offenses. When we compare those sentences to these recommendations it is an embarrassment to me to say that this is the best we can do.

I have a great deal of regard for the gentleman from New Mexico [Mr. SCHIFF] and the gentleman from Florida [Mr. MCCOLLUM] with whom I have worked. We do not agree on everything, but they are fair and reasonable people.

I understand they are under a deadline. They have been given deadlines. The gentleman from Illinois [Mr. HYDE] indicated that he had been given a deadline to get this matter to the floor. They did what they had to do. The result will be our Speaker coming down with a laminated copy of the Contract With America, taking a hole puncher, but it is not going to help the vulnerable children of this country. It is not anything worth doing. It is a grave disappointment to me.

A lot of people ask whether punishment is actually a deterrent when it comes to crime. I think legitimate questions can be asked about that. But when it comes to child pornography, a lucrative business that rewards people who would abuse children, who would force them to do sexual acts on video, it is a lucrative business. If the abusers of children for money knew that they faced life imprisonment, I think it would have a salutary impact. I think it would be a deterrent to those who would harm the children of this country.

We know from studies that children who are abused have lifelong, often lifelong problems with the abuse that they underwent. There is nothing worse than to harbor and assist those who would hurt our children in this manner.

I understand and hope that we will do better later this year. I look forward to working on it later this year. But the tragedy is, this is our chance. We could have been here today. We could have done something real. We could have done something tough. But instead all we have got is a little hole punch, a little phrase, and it does not mean very much.

Mr. CONYERS. Mr. Speaker, I yield myself 2 minutes, to make it clear that the gentlewoman from California has made a very important point here.

There were two ways that we could have moved in this area. One is to direct the U.S. Sentencing Commission to increase penalties for child obscenity violations. The other was to go into the underlying statute of some of these antipornography laws and attempt to increase the penalties there, but we might have gotten into a wide area that would infringe on civil liberties questions and other highly technical questions, and this bill would not have come up.

What I am recommending to the committee is that we do not consider this matter ended because of what we are doing here today. This matter should and has to be revisited. I would strongly suggest that we examine ways to directly increase the statutes without getting into a tangle of other problems that would not have prevented the speedy passage of this bill.

This is one of the few bills during this first 100 days that, by moving with some dispatch, we have not offended any sensibilities or precluded anyone from participating in the method that we used here in terms of recommending that the Sentencing Commission itself increase criminal penalties.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SCHIFF. Mr. Speaker, I yield myself such additional time as I may consume.

I just want to say very briefly, first of all in response to the gentleman from Massachusetts who did raise questions about that portion of this bill from the committee that dealt with the RICO act, that we were pleased to accommodate him so that these other provisions can move forward; and we appreciate his cooperation on the matter.

I want to point out, with respect to the gentlewoman from California, that we are here talking about the increases in penalties. The numbers I quoted were not the penalty but increases in penalties.

So, for example, the penalty for creating child pornography would go from a range of 57- to 71-month penalties to a range of 70 months to 87 months. So we are increasing by that number. We are not establishing those numbers as the penalty in and of themselves.

However, I do want to join in what the gentleman from Michigan said, which is this is not the last time we can or should visit this issue. It is an extremely important issue. It is one that is occurring all too many times in our society. This is just one step. I very much want to thank the gentleman from Michigan for his support.

Mr. GILMAN. Mr. Speaker, I am pleased to rise in strong support of H.R. 1240, the Sexual Crimes Against Children Prevention Act. I commend my colleague, the gentleman from Florida [Mr. MCCOLLUM], for his work in ensur-

ing that important legislation is considered by the House of Representatives today.

As a staunch supporter of Federal anti-pornography laws, I believe that H.R. 1240 is long overdue. By directing the U.S. Sentencing Commission to increase the sentencing guidelines for crimes involving child pornography and prostitution, this legislation sends a strong message, and demonstrates that we, as a nation, will not tolerate the sexual exploitation of our children.

H.R. 1240 directs the Sentencing Commission to increase the base levels for creating and/or trafficking in child pornography by at least two levels. Specifically, this means that for a first time offender convicted of creating child pornography, the penalties will be increased from the current sentence of 57–71 months to 70–87 months. Furthermore, for a first time offender convicted of trafficking in child pornography, the sentence will be increased from 18 to 24 months to at least 24 to 30 months.

With reports of child pornography becoming increasingly prevalent, we must act now, and control the infiltration of the obscenity and filth that is destroying the fabric of our society. From mail order services to computer access, child pornographers are finding it easier to distribute their illegal materials. By instituting harsher penalties for those who are convicted of creating, selling, and/or distributing obscene materials we are confirming that the exploitation of our children will no longer be tolerated. In addition, I am optimistic that the increased sentencing guidelines will also serve as a deterrent to would-be pornographers.

The Sexual Crimes Against Children Prevention Act is necessary legislation that if approved, will provide a solid victory for law abiding citizens. The Members of the 103d Congress were successful in passing legislation that reaffirms existing child pornography laws and maintains the continued prosecution of the sexual exploitation of children. The legislation we are discussing today goes a step further by detailing the guidelines for the punishment of these types of crimes. Those who violate pornography laws should be prosecuted to the fullest extent of the law.

I am proud to support this legislation, and I urge my colleagues to join me.

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

The SPEAKER pro tempore (Mr. BUNNING of Kentucky). The question is on the motion offered by the gentleman from New Mexico [Mr. SCHIFF] that the House suspend the rules and pass the bill, H.R. 1240, as amended.

The question was taken.

Mr. SCHIFF. 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 417, nays 0, not voting 17, as follows:

[Roll No. 283]

YEAS—417

Abercrombie	Archer	Baesler
Ackerman	Armey	Baker (CA)
Allard	Bachus	Baker (LA)

Baldacci	Emerson	Klecza
Ballenger	Engel	Klink
Barcia	English	Klug
Barr	Ensign	Knollenberg
Barrett (NE)	Eshoo	LaFalce
Barrett (WI)	Evans	LaHood
Bartlett	Everett	Lantos
Barton	Ewing	Largent
Bass	Farr	Latham
Bateman	Fattah	LaTourrette
Becerra	Fawell	Laughlin
Beilenson	Fazio	Lewis (KY)
Bentsen	Fields (LA)	Leach
Bereuter	Fields (TX)	Levin
Bevill	Filner	Lewis (CA)
Bilbray	Flake	Lewis (GA)
Bilirakis	Flanagan	Lewis (KY)
Bishop	Foglietta	Lightfoot
Bliley	Foley	Lincoln
Blute	Forbes	Linder
Boehlert	Fowler	Lipinski
Boehner	Fox	Livingston
Bonilla	Frank (MA)	LoBiondo
Bonior	Franks (CT)	Lofgren
Bono	Franks (NJ)	Longley
Borski	Frelinghuysen	Lowe
Boucher	Frisa	Lucas
Brewster	Frost	Luther
Brown (CA)	Funderburk	Maloney
Brown (FL)	Furse	Manton
Brown (OH)	Galleghy	Manzullo
Brownback	Ganske	Markey
Bryant (TN)	Gekas	Martinez
Bryant (TX)	Gephardt	Martini
Bunn	Geren	Mascara
Bunning	Gilcrest	Matsui
Burr	Gillmor	McCarthy
Burton	Gilman	McCrery
Buyer	Gonzalez	McDermott
Callahan	Goodlatte	McHale
Calvert	Goodling	McHugh
Camp	Gordon	McInnis
Canady	Goss	McIntosh
Cardin	Graham	McKeon
Castle	Green	McKinney
Chabot	Greenwood	McNulty
Chambliss	Gunderson	Meehan
Chapman	Gutierrez	Meek
Chenoweth	Gutknecht	Menendez
Christensen	Hall (OH)	Metcalfe
Chrysler	Hall (TX)	Meyers
Clay	Hamilton	Mfume
Clayton	Hancock	Mica
Clement	Hansen	Miller (CA)
Clinger	Harman	Miller (FL)
Clyburn	Hastert	Mineta
Coble	Hastings (FL)	Mink
Coburn	Hastings (WA)	Moakley
Coleman	Hayes	Molinari
Collins (GA)	Hayworth	Mollohan
Collins (IL)	Hefley	Montgomery
Collins (MI)	Hefner	Moorhead
Combest	Heineman	Moran
Condit	Henger	Morella
Conyers	Hilleary	Murtha
Cooley	Hilliard	Myers
Costello	Hinchey	Myrick
Cox	Hobson	Nadler
Coyne	Hoekstra	Neal
Crane	Hoke	Nethercutt
Crapo	Holden	Neumann
Cremeans	Horn	Ney
Cubin	Hostettler	Norwood
Cunningham	Houghton	Nussle
Danner	Hoyer	Oberstar
Davis	Hunter	Obey
Deal	Hutchinson	Olver
DeFazio	Hyde	Ortiz
de la Garza	Inglis	Orton
DeLay	Istook	Owens
Dellums	Jackson-Lee	Packard
Deutsch	Jacobs	Pallone
Diaz-Balart	Jefferson	Parkerson
Dickey	Johnson (CT)	Pastor
Dicks	Johnson, E.B.	Paxon
Dingell	Johnson, Sam	Payne (NJ)
Dixon	Johnson (SD)	Payne (VA)
Doggett	Johnston	Pelosi
Dooley	Jones	Peterson (FL)
Doolittle	Kanjorski	Peterson (MN)
Dornan	Kaptur	Petri
Doyle	Kasich	Pickett
Dreier	Kelly	Pomboy
Duncan	Kennedy (MA)	Porter
Dunn	Kennedy (RI)	Portman
Durbin	Kildee	Poshard
Edwards	Kim	Pryce
Ehlers	King	Quillen
Ehrlich	Kingston	

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

NOT VOTING—17

Andrews	Gejdenson	Minge
Berman	Gibbons	Oxley
Browder	Kennelly	Reynolds
Cramer	Kolbe	Rose
DeLauro	McCollum	Rush
Ford (TN)	McDade	

□ 1312

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ROSE. Mr. Speaker, I ask that the RECORD show that I was unavoidably detained and did not make the last vote on Sexual Crimes Against Children Prevention Act. Had I been here, the vote would have been 418 to nothing.

PERSONAL EXPLANATION

Mr. MINGE. Mr. Speaker, during rollcall vote No. 283 on H.R. 1240, I was at the George Washington University Hospital with my wife who was in surgery. Had I been present I would have voted "aye." I ask unanimous consent that my statement appear in the RECORD immediately following rollcall vote No. 283.

PERSONAL EXPLANATION

Mrs. KENNELLY. Mr. Speaker, I was unavoidably detained during rollcall vote 283 because I was with constituents here for a meeting, and HUD Secretary Cisneros met with us. Had I been here, I would have voted "aye."

PERSONAL EXPLANATION

Ms. DELAURO. Mr. Speaker, on rollcall No. 282 I was unavoidably detained and could not record my vote. Had I done so, I would have voted "aye."

GENERAL LEAVE

Mr. SCHIFF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material, on H.R. 1240, the bill just passed, and on H.R. 1380, the bill passed previously.

The SPEAKER pro tempore (Mr. BUNNING of Kentucky). Is there objection to the request of the gentleman from New Mexico?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 310

Mr. SCHIFF. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 310.

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

There was no objection.

FAMILY PRIVACY PROTECTION ACT OF 1995

Mr. RIGGS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 125 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 125

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1271) to provide protection for family privacy. The first reading of the bill shall be dispensed with. 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 Government Reform and Oversight. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Government Reform and Oversight now printed in the bill. Each section of the committee amendment in the nature of a substitute 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. Any member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.