

good as it is today, and \$2 trillion of that is Social Security receipts. The Republicans passed a \$790 billion bill for a tax cut. That does not leave anything for Medicare; it does not leave anything for education.

Of course, why should we expect them to plan for 10 years from now? Right now, the last appropriations bill we have on this floor, it is not even here yet, is the education funding bill. It should be first and not last. They are going to cut Federal aid to education dramatically to meet their caps, and that is what is wrong.

That is why I am glad the President is vetoing that tax bill, because it does not plan for the future of our country.

#### REPUBLICANS WANT AMERICANS TO SPEND THEIR OWN MONEY

(Mr. LINDER asked and was given permission to address the House for 1 minute.)

Mr. LINDER. Mr. Speaker, the last person in the well made the case very clearly as to what the debate is about. The Republican's \$792 billion tax cut gives money back to the people who earned it. The Democrats want to spend it. It is just that simple.

We heard the gentleman say we did not have enough money for education and for the programs he wants to spend it on.

We want you to spend it; they want to spend it for you. It is a very, very simple issue.

The one thing that we are very clear on is that we passed the Social Security lockbox. Not one penny of Social Security surpluses will go for spending or for tax relief; it will go for Social Security. I will repeat it again. We want you to spend it; they want to spend it for you.

#### HOUSE NEEDS TO PASS GOOD GUN SAFETY LEGISLATION TO KEEP OUR CHILDREN SAFE

(Ms. MILLENDER-McDONALD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MILLENDER-McDONALD. Mr. Speaker, how long? How long will our children have to wait before we can pass good gun safety legislation? How long will our parents, who are petrified to send their children to school for fear of that fatal call that they will get? How long, Mr. Speaker, must this House wait to ensure our children the safety that they deserve when they are in school or in church?

I suggest to my colleagues, Mr. Speaker, my bill, the child safety lock bill that was introduced in the 105th Congress and in the 106th Congress that has not passed this House yet, would have perhaps prevented Andre Holmes, age 15, killed by gun fire on September 1, 1999 in Atlanta, Georgia; Larry N. Perry, age 17, killed by gun fire on September 1, 1999 in Omaha, Nebraska; Kyla Washington, age 1, killed by gun

fire on September 4, 1999, Dolton, Illinois; Christopher Fogleman, age 12, killed by gun fire on September 4, 1999, Wilmington, North Carolina.

Mr. Speaker, the list goes on and on. Let us not forget, the children are watching.

#### ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1501, JUVENILE JUSTICE REFORM ACT OF 1999

Mr. DOOLITTLE. Mr. Speaker, pursuant to clause 7C of rule XXII, I hereby announce my intention to offer a motion to instruct conferees on H.R. 1501 tomorrow.

Mr. Speaker, the form of the motion is as follows:

Mr. DOOLITTLE moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendments to the bill H.R. 1501 be instructed to insist that the conference report—

(1) recognize that the primary cause of youth violence in America is depraved hearts, not inanimate weapons;

(2) recognize that the second amendment to the Constitution protects the individual right of American citizens to keep and bear arms; and

(3) not impose unconstitutional restrictions on the second amendment rights of individuals.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2558

Mr. FROST. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2558.

The SPEAKER pro tempore (Mr. HEFLEY). Is there objection to the request of the gentleman from Texas?

There was no objection.

#### PROVIDING FOR CONSIDERATION OF H.R. 1875, INTERSTATE CLASS ACTION JURISDICTION ACT OF 1999

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 295 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 295

*Resolved*, That at any time after the adoption of this resolution the Speaker may, 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. 1875) to amend title 28, United States Code, to allow the application of the principles of Federal diversity jurisdiction to interstate class actions. 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 the Judiciary. 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 na-

ture of a substitute recommended by the Committee on the Judiciary now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and except pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. 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.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), 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. Speaker, House Resolution 295 a modified, open rule providing for consideration of H.R. 1875, the Interstate Class Action Jurisdiction Act of 1999.

Mr. Speaker, H. Res. 295 provides one hour of general debate, equally divided and controlled by the chairman and the ranking minority member of the Committee on the Judiciary. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill be considered as an original bill for the purpose of amendment.

House Resolution 295 also provides that the amendment in the nature of a substitute shall be open to amendment by section. The resolution provides for the consideration of pro forma amendments and those amendments printed in the CONGRESSIONAL RECORD which may be offered only by the Member who caused it to be printed or his designee, and shall be considered as read.

The rule also allows the Chairman of the Committee of the Whole to postpone recorded votes and to reduce to 5 minutes the voting time on any postponed question, provided voting time on the first in the series of questions is not less than 15 minutes.

Finally, the rule provides one motion to recommit with or without instructions, as is the right of the minority.

Mr. Speaker, this bill is intended to eliminate the abuse of the current class action rules. Today, an attorney can devise a theoretical case, write it as a class action, and argue that he is pursuing the claim on behalf of millions of people, none of which solicited that attorney's assistance. Using this practice, hundreds of frivolous lawsuits are filed in favorable State courts and used as high-stakes, court-endorsed blackmail devices against companies which usually settle rather than face a long and arduous court battle.

The Advisory Committee on Civil Rules of the Federal Judicial Conference has reported that class actions have increased 300 to 1,000 percent per company in the last 3 years. This explosion of class actions, done in the name of the consumer, has cost businesses and consumers billions of dollars in legal fees and higher prices. Even worse, legitimate legal claims have been collusively resolved by lawyers in back rooms while the real victims have gotten, at best, a handful of coupons for their favorite laundry detergent.

One of the rules that allows the attorneys to abuse the class action process is the "diversity" requirement. Foreseeing the possibility that attorneys that would seek the most favorable State court to hear their case, the Founding Fathers included a provision in article III of the Constitution that cites numerous situations in which Federal courts would have jurisdiction when a case included different parties from different States.

Since that time, however, the threshold for removal of a Federal case to Federal court has been significantly raised to require that the claim by each member of the class exceed \$75,000 and members of the class are of different States. These new standards have promoted "venue shopping" by attorneys, who go looking for States that would be particularly favorable to their claim.

Mr. Speaker, H.R. 1875 would end this abuse. Under new rules included in the bill, interstate class actions could be returned to the proper venue, the Federal courts, where both plaintiff and defendant have an equal standing. Either a plaintiff or a defendant could have the right to remove the case to the Federal level. Further, attorneys would have less of an incentive to file frivolous claims when the venue could be changed from their favorable State courtroom to a more balanced Federal bench.

Mr. Speaker, H.R. 1875 also protects the jurisdictions of State courts by ensuring that class actions involving less than \$1 million in claims or fewer than 100 people could still be heard at the State level. Cases in which State officials or agencies are the primary defendants would also be left to State courts.

Unfortunately, some will argue today that this bill will prevent Americans from getting justice. Do not be fooled. What they really mean is that trial lawyers will not be able to fill their coffers in State courts at the expense of both the businesses they sue and the citizens that they supposedly represent. Under current rules, if two lawyers have entered competing class actions in court, the first to be decided gets all of the relief and the other action is moot, which leaves the members of the other action without any recourse in court. H.R. 1875 would allow plaintiffs to remove their case to Federal court, where these similar actions would be coordinated into a single action, benefiting the people seeking redress and not the trial lawyers.

H.R. 1875 also includes provisions to ensure that these new rules will not place unreasonable burdens on the Federal judiciary. While CBO estimates that H.R. 1875 would have only a minimal impact on the Federal bench, the bill requires the GAO to complete a study on the effect that the changes in diversity rules would have on the Federal judiciary and report to Congress no later than 1 year after the bill's enactment.

I applaud my friend from Virginia (Mr. GOODLATTE) and the gentleman from Illinois (Mr. HYDE), the chairman of the Committee on the Judiciary, for their good work on this action, which returns our class action system to the fundamental principles intended by our founders when they created the Federal judiciary. This bill is fair to all parties and restores the impartial venue of the Federal courts to class actions. I encourage every Member to support this fair rule and the underlying rule.

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

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

Mr. Speaker, I rise in strong opposition to this bill. H.R. 1875 has an innocuous title, the Interstate Class Action Jurisdiction Act, but its content is destructive.

Mr. Speaker, this bill makes it harder for the little guy to have his day in court. It seriously limits the ability of Americans to seek redress for injuries caused by large corporations. This legislation also represents an unwarranted incursion into State court prerogatives and by doing so will further clog the already backlogged and overloaded Federal court system. This legislation does nothing to curb abuses of the class action system, but it will ensure that legitimate claims will be harder to pursue, will be more expensive to pursue, and will take far longer in the courts than they already are.

In short, Mr. Speaker, this is a very bad bill, and it deserves to be defeated.

H.R. 1875 flies directly in the face of the notion of States' rights that my Republican colleagues are so often heard to extol. The bill removes every class action from State court, unless all of the primary defendants are incor-

porated, or have their principal place of business in the State where the case is filed, or unless virtually all of the plaintiffs are citizens of that State.

□ 1045

The Attorneys General of New York and Oklahoma have written to the Speaker raising objections to this bill based on the very notion of States' rights. They write, "Such a radical transfer of jurisdiction in cases that most commonly raise questions of State law would undercut State courts' ability to manage their own court systems and consistently interpret State laws."

The President of the Conference of Chief Justices wrote to the chairman of the Committee on the Judiciary to say, and again I quote, "We believe that H.R. 1875 in its present form is an unwarranted incursion on the principles of Federalism underlying our system of government."

Mr. Speaker, some proponents of this legislation say that it is a simple procedural fix. Others contend that it was designed to fix abuses of the class action system. But Mr. Speaker, there are those of us who ask, how could an unwarranted incursion on the principles of judicial Federalism represent a simple procedural fix?

There are others of us who ask why, if the intent is to address abuse, are there no specific remedies for specific problems embodied in this bill?

Mr. Speaker, this bill faces a certain veto. It is opposed by the Justice Department, the Judicial Conference of the United States, the Conference of Chief Justices, the Attorneys General of New York, Oklahoma, Connecticut, Florida, Idaho, Iowa, Kansas, Massachusetts, Minnesota, New Hampshire, Oregon, Pennsylvania, Vermont, Tennessee, and West Virginia. It is opposed by a wide range of consumer groups, health groups, social justice groups, and the trial lawyers.

They are all rightly concerned that H.R. 1875 will remove class actions from forums which are most convenient for victims of wrongdoing. They are all rightly concerned that passage of this legislation would deny class action relief which could remedy fraudulent behavior, discriminatory practices, or negligence.

I share these concerns, Mr. Speaker, and urge the defeat of this bill.

Mr. Speaker, I yield 6 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, for the great tobacco companies; the health maintenance organizations, for which so many people are asking that this Congress pass a Patients' Bill of Rights, as this Congress sits on its hands in inactivity, about abuses of patients in managed care; for the gun manufacturers and their role in gun violence; for the great insurance companies; for all of those

who believe that personal responsibility is a wonderful, basic, moral concept for everyone except for themselves, this is a great piece of legislation.

It is based on the concept that personal responsibility is for someone else, but for some who engage in wrongdoing, Congress must step in and insulate and protect them from the consequences of that wrongdoing. This bill is based on the concept that if you are big enough and bold enough, and if you lubricate the system of government at campaign time enough, and if you just steal a little bit from everyone, that you are entitled to not be held accountable for the consequences of your wrongdoing.

That is why over 70 public health and consumer organizations, groups like the American Lung Association, the American Women's Medical Association, the National Council of Senior Citizens, have said, well, if personal responsibility is such a basic American concept, how about applying it to these entities in this country that are content to just take a little bit from everyone?

I join them in opposing this misguided legislation. For some reason, our Republican colleagues are always eager to protect State wrongs. If a State neglects its citizens, if it is not meeting their needs, Republicans object to the Federal Government playing any role. That is the position that Republicans took, for example, with reference to the creation of Social Security and Medicare, and with reference to Federal support for education. But if a State has true States' rights, the Republicans are not a bit reluctant to interfere and take away those rights.

This bill would take all class actions filed in State courts and rip them out of the hands of the State judiciary and take them into Federal courts. Of course, these are Federal courts that are already overburdened and clogged and unable to meet the responsibilities they already have.

As my colleague, the gentleman from Texas (Mr. FROST) just pointed out, that is why many within the Federal judiciary oppose this legislation. The same is true of our State judges, an independent State judiciary being very fundamental to the organization of our country. Since most of these class action suits are based upon the law of an individual State, Mr. Speaker, it is that State judiciary that is most familiar with the substantive law involved in these various class action suits.

If a health maintenance organization in Texas abuses a Texas citizen, I have confidence in the Texas judiciary within our State to examine State law and determine whether our State deceptive practices act or other provision of our Insurance Code has been violated, not just with regard to one Texan, but with regard to many Texans, rather than shifting that into the Federal judiciary.

I believe that Texas ought to have the right to establish its own law to protect its consumers in health maintenance organizations, as it took the lead in doing, and have those actions disposed of by our Texas judiciary.

This legislation would destroy that right and shift into a crowded and overwhelmed Federal judiciary the job of policing the wrongdoing of the few against the many. It is the taking away of States' rights that, as my colleague, the gentleman from Texas, has rightfully noted, has caused the attorneys general of these States, has caused State judges, to say, do not interfere with what we are doing.

There has been no case made that our State courts are abusing their responsibilities, are not fulfilling their responsibilities, to justify this amazing assumption of power by the Federal courts, a right they do not want in the Federal judiciary, and which, at the same time, will cut out the heart of the right of the States to decide cases interpreting State law as it affects the citizens of their State.

The only justification for this legislation is for those who have committed some of the greatest wrongs in this country, the tobacco companies that continue to addict 3,000 children a day to nicotine addiction, the insurance companies and the health maintenance organizations that continue to have a stranglehold on this Congress, to not pass a Patients' Bill of Rights.

Other wrongdoers in our society are now influencing this Congress to take away one of the only effective remedies that our citizens have. That is to come together in an efficient way in the court system, when the Congress will not act, to turn to the courts and seek a remedy there in front of a jury of their peers. If someone has taken a little from the many, not to bar the courthouse door, the way citizens have been blocked out of this Congress, but permitting Americans to join together before a local State judge and proceed in the State judiciary and seek some remedy for wrongdoing that has occurred, which this Congress would not address.

Now that same crowd of special interests, which has encouraged this as an inactive do-nothing Congress, is saying, close off the one remedy the people have to join together in their individual States. It is wrong. This bill should be rejected.

Mr. LINDER. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Texas (Mr. SESSIONS), my colleague on the Committee on Rules.

Mr. SESSIONS. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise today in support of the rule for consideration of the Interstate Class Action Jurisdiction Act of 1999. The underlying legislation will streamline the ability of courts to deal with class action lawsuits. This is very important for Americans, and as my colleague from Texas has argued, it

is important for people who live in States and local jurisdictions.

However, we believe that it is important for us to make sure that people who do need remedy in class action lawsuits are handled properly. Today we offer this change in the law to ensure that multiple litigants who reside outside of a particular State who wish to become a party to a class action lawsuit must file that action within Federal court.

Our Founding Fathers did not intend for one State to judge class action lawsuits involving many other States. The Federal courts are better equipped with not only resources but also the staff to handle class action lawsuits involving citizens of diverse States.

This rule makes in order any germane amendments to exempt industries from class action reform. These amendments, however, should be rejected. Such amendments go against the underlying principles of this bill, that Federal courts are the appropriate venues to try large class action lawsuits involving citizens of diverse States, and that applies no less to tobacco, guns, or HMO litigation.

Since there are no specific reasons to carve out a specific industry, any amendment to do so can only be intended to derail the bill or apply a political correctness test to what should be neutral rules of civil procedure.

Mr. Speaker, these are contentious issues. They are important issues to our entire Nation, and as such, should be treated properly at the Federal level. This is a proper way to handle contentious national problems. It is important to recognize that this rule has been crafted to accommodate amendments that are objectionable to many Members of this body, including myself.

But what we are trying to do is to make sure that we craft a rule that allows open debate, to allow other people who disagree with us to be able to bring these amendments, such as they are, to try and carve out these three areas. I simply disagree with them.

Therefore, this rule sponsored by the gentleman from Georgia (Mr. LINDER) I believe is fair, it deserves the support of this body, and it is, I believe, important for our colleagues to recognize that we should not carve out three areas that are contentious political debates in this country to put them to specific State district courts within a State and expect a State to not only have the burden of that cost, but also to where we take it outside of where a Federal remedy is necessary.

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

Mr. Speaker, this legislation ignores a fundamental fact about the way the judiciary is organized in the United States.

In the Federal court system, the same Federal judges hear both civil and criminal cases. In the State court system, as in my State of Texas, there is a complete separate set of judges

that hear civil cases and a separate set of judges that hear criminal cases.

What the Republican majority has done during the last 5 years is vastly increase the number of crimes that are now heard in Federal court, so that they have overburdened the Federal court system by adding additional cases that must be heard by Federal judges, and now they want to further overburden the Federal court system by bucking almost all class actions to the Federal court level.

They ignore the fact that our State courts are structured with two separate types of courts, one for civil jurisdiction and one for criminal jurisdiction, and our Federal judiciary must hear both civil and criminal cases before the exact same judges. They are putting an inexcusably difficult burden on the Federal judiciary.

I had the opportunity as a very young man right out of law school to clerk for a Federal judge. I do have some understanding of the way the Federal judiciary in this country operates. We are now piling so many cases on the backs of Federal judges that we are going to make it impossible for real justice to be achieved through the Federal system.

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

Mr. FROST. I yield to the gentleman from Texas.

□ 1100

Mr. DOGGETT. Mr. Speaker, is the gentleman from Texas (Mr. FROST) familiar with the record of this Congress on appointments and vacancies in the Federal judiciary in Texas and across the country as to whether or not, over the last several years, there have been literally dozens of vacancies left in our Federal trial courts and in our Federal appellate courts, which are the very ones that will now have shifted to them significant and expansive new litigation?

Mr. FROST. Mr. Speaker, I am happy to respond. In fact, I very much am. There is an article in today's Washington Post describing that exact situation about how slow the current Congress, the members of the other body have been to fill Federal vacancies during the last several years.

Mr. DOGGETT. Mr. Speaker, so will not the effect of this legislation be to shift the rights of those who have been wronged to Federal courthouses where the bench and the office is empty because the same Republican Congress that is proposing this legislation will not approve judges to sit in the seats to deal with the business that those courts have that they are overburdened with today?

Mr. FROST. Mr. Speaker, that is exactly the case. As I indicated, this same Congress has been adding jurisdiction to the Federal courts on the criminal side so that more and more time is taken up with hearing criminal cases. Now they want to increase the civil jurisdiction of the Federal court

system and, as the gentleman has pointed out, not fill those judgeships so that all those matters can be handled in a prompt way.

Mr. Speaker, I am prepared to yield back in just a moment. I would urge that the rule be defeated. I would urge that the bill be defeated. This is a bad piece of legislation that is going to substantially harm the Federal judiciary and substantially harm the rights of litigants in this country.

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

Mr. LINDER. Mr. Speaker, I yield such time as he might consume to the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules, for the closing arguments on a very fair rule.

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

Mr. DREIER. Mr. Speaker, I thank the gentleman from Atlanta, Georgia (Mr. LINDER), the distinguished chairman of the Subcommittee on Rules and Organization of the House, for his fine leadership on the Committee on Rules and his management of this and his moving it so expeditiously.

I am not going to take a long period of time other than to say I cannot believe that the gentleman from Texas (Mr. FROST) would advocate opposing an open rule which simply had a pre-filing requirement for the CONGRESSIONAL RECORD. I mean, it is a modified open rule. Seven amendments have been filed.

We are going to see what obviously will be a free-flowing debate, I suspect not unlike the exchange we saw between the two gentlemen from Texas, Mr. DOGGETT and Mr. FROST, just now.

This bill is not about attorney bashing. I mean, the trial lawyers are often criticized around here. But that is really not the issue. The fact of the matter is, in my State of California, we have often seen judge shopping take place. That is what is going on right now all around the country.

What has that done? It has unfortunately increased cost to consumers, and it has created an amazing burden. That is the reason that the gentleman from Virginia (Mr. GOODLATTE) and others are going to be moving forward with what I believe to be a very fair and balanced measure which will have a free and open debate. It is the right thing for us to do. We want to make sure that people do, in fact, have their day in court.

I will tell both of the gentlemen from Texas, Mr. DOGGETT and Mr. FROST, that I am looking forward to superb judicial appointments coming from the next administration. I am looking forward to a United States Senate which will, at the speed of light, confirm those spectacular appointments.

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

The previous question was ordered.

The SPEAKER pro tempore (Mr. HEFLEY). The question is on the resolution.

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

Mr. FROST. 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 241, nays 181, not voting 11, as follows:

[Roll No. 437]

YEAS—241

Aderholt	Frank (MA)	Miller, Gary
Archer	Franks (NJ)	Moore
Armey	Frelinghuysen	Moran (KS)
Bachus	Gallegly	Moran (VA)
Baker	Ganske	Morella
Ballenger	Gekas	Murtha
Barr	Gibbons	Myrick
Barrett (NE)	Gilchrest	Nethercutt
Bartlett	Gillmor	Ney
Barton	Gilman	Northup
Bass	Goode	Norwood
Bateman	Goodlatte	Nussle
Bereuter	Goodling	Ose
Biggert	Goss	Oxley
Bilbray	Graham	Packard
Bilirakis	Granger	Paul
Bliley	Green (WI)	Pease
Blumenauer	Greenwood	Peterson (MN)
Blunt	Gutknecht	Peterson (PA)
Boehlert	Hall (TX)	Petri
Boehner	Hansen	Phelps
Bonilla	Hastings (WA)	Pickering
Bono	Hayes	Pitts
Boucher	Hayworth	Pombo
Boyd	Hefley	Pomeroy
Brady (TX)	Herger	Porter
Bryant	Hill (MT)	Portman
Burr	Hilleary	Pryce (OH)
Burton	Hobson	Quinn
Buyer	Hoekstra	Radanovich
Callahan	Horn	Ramstad
Calvert	Hostettler	Regula
Camp	Houghton	Reynolds
Campbell	Hulshof	Riley
Canady	Hunter	Rogan
Cannon	Hutchinson	Rogers
Castle	Hyde	Rohrabacher
Chabot	Isakson	Ros-Lehtinen
Chambliss	Istook	Roukema
Chenoweth	Jenkins	Ryan (WI)
Coburn	John	Ryun (KS)
Collins	Johnson (CT)	Salmon
Combest	Johnson, Sam	Sanford
Condit	Jones (NC)	Saxton
Cook	Kasich	Schaffer
Cooksey	Kelly	Sensenbrenner
Cox	King (NY)	Sessions
Cramer	Kingston	Shadegg
Crane	Knollenberg	Shaw
Cubin	Kolbe	Shays
Cunningham	Kuykendall	Sherwood
Davis (VA)	LaHood	Shimkus
Deal	Largent	Shuster
DeLay	Latham	Simpson
DeMint	LaTourette	Sisisky
Dickey	Lazio	Skeen
Dooley	Leach	Smith (MI)
Doolittle	Lewis (CA)	Smith (NJ)
Doyle	Lewis (KY)	Smith (TX)
Dreier	Linder	Souder
Duncan	LoBiondo	Spence
Dunn	Lucas (KY)	Stearns
Ehlers	Lucas (OK)	Stenholm
Ehrlich	Manzullo	Strickland
Emerson	Martinez	Stump
English	McCollum	Sununu
Eshoo	McCrery	Talent
Everett	McHugh	Tancred
Ewing	McInnis	Tauzin
Fletcher	McIntosh	Taylor (NC)
Foley	McKeon	Terry
Forbes	Metcalf	Thomas
Fossella	Mica	Thornberry
Fowler	Miller (FL)	Thune

Tiahrt	Wamp	Wicker
Toomey	Watkins	Wilson
Traficant	Watts (OK)	Wolf
Upton	Weldon (FL)	Young (AK)
Vitter	Weldon (PA)	Young (FL)
Walden	Weller	
Walsh	Whitfield	

## NAYS—181

Abercrombie	Hastings (FL)	Oberstar
Ackerman	Hill (IN)	Obey
Allen	Hilliard	Olver
Andrews	Hinchey	Ortiz
Baird	Hinojosa	Owens
Baldacci	Hoefel	Pallone
Baldwin	Holt	Pascrell
Barcia	Hookey	Pastor
Barrett (WI)	Hoyer	Payne
Becerra	Inslee	Pelosi
Bentsen	Jackson (IL)	Pickett
Berkley	Jackson-Lee	Price (NC)
Berman	(TX)	Rahall
Berry	Johnson, E. B.	Reyes
Bishop	Jones (OH)	Rivers
Blagojevich	Kanjorski	Rodriguez
Bonior	Kaptur	Roemer
Borski	Kennedy	Rothman
Boswell	Kildee	Roybal-Allard
Brady (PA)	Kilpatrick	Rush
Brown (FL)	Kind (WI)	Sabo
Brown (OH)	Klecza	Sanchez
Capps	Klink	Sanders
Capuano	Kucinich	Sandlin
Cardin	LaFalce	Sawyer
Carson	Lampson	Shakowsky
Clay	Lantos	Scott
Clayton	Larson	Serrano
Clement	Lee	Sherman
Clyburn	Levin	Shows
Conyers	Lewis (GA)	Skelton
Costello	Lipinski	Slaughter
Coyne	Lofgren	Smith (WA)
Crowley	Lowey	Snyder
Cummings	Luther	Spratt
Danner	Maloney (CT)	Stabenow
Davis (FL)	Maloney (NY)	Stark
Davis (IL)	Markey	Stupak
DeFazio	Mascara	Tanner
DeGette	Matsui	Tauscher
Delahunt	McCarthy (MO)	Taylor (MS)
DeLauro	McCarthy (NY)	Thompson (CA)
Deutsch	McDermott	Thompson (MS)
Dicks	McGovern	Thurman
Dingell	McIntyre	Tierney
Dixon	McKinney	Towns
Doggett	McNulty	Turner
Edwards	Meehan	Udall (CO)
Etheridge	Meek (FL)	Udall (NM)
Evans	Meeks (NY)	Velazquez
Farr	Menendez	Vento
Fattah	Millender-	Visclosky
Filner	McDonald	Watt (NC)
Ford	Miller, George	Waxman
Frost	Minge	Weiner
Gejdenson	Mink	Wexler
Gephardt	Moakley	Weygand
Gonzalez	Mollohan	Wise
Gordon	Nadler	Woolsey
Green (TX)	Napolitano	Wu
Gutierrez	Neal	Wynn

## NOT VOTING—11

Coble	Holden	Scarborough
Diaz-Balart	Jefferson	Sweeney
Engel	Rangel	Waters
Hall (OH)	Royce	

□ 1127

Messrs. DELAHUNT, SPRATT, TAYLOR of Mississippi and RODRIQUEZ changed their vote from "yea" to "nay."

Mr. HALL of Texas changed his vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# MOTION TO INSTRUCT CONFEREES ON H.R. 1501, JUVENILE JUSTICE REFORM ACT OF 1999

The SPEAKER pro tempore (Mr. HEFLEY). The unfinished business is the question of agreeing to the motion to instruct on the bill (H.R. 1501) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants to ensure increased accountability for juvenile offenders; to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide quality prevention programs and accountability programs relating to juvenile delinquency; and for other purposes, offered by the gentlewoman from California (Ms. LOFGREN), on which the yeas and nays were ordered.

The Clerk will designate the motion.

The text of the motion is as follows:

Ms. Lofgren moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill, H.R. 1501, be instructed to insist that the committee of conference recommend a conference substitute that—

(1) includes a loophole-free system that assures that no criminals or other prohibited purchasers (e.g. murderers, rapists, child molesters, fugitives from justice, undocumented aliens, stalkers, and batterers) obtain firearms from non-licensed persons and federally licensed firearms dealers at gun shows;

(2) does not include provisions that weaken current gun safety law; and

(3) includes provisions that aid in the enforcement of current laws against criminals who use guns (e.g. murderers, rapists, child molesters, fugitives from justice, stalkers and batterers).

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentlewoman from California (Ms. LOFGREN) on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 305, nays 117, not voting 11, as follows:

[Roll No. 438]

## YEAS—305

Abercrombie	Buyer	Diaz-Balart
Ackerman	Calvert	Dickey
Allen	Camp	Dicks
Andrews	Campbell	Dixon
Baird	Canady	Doggett
Baldacci	Capps	Dooley
Baldwin	Capuano	Doolittle
Ballenger	Cardin	Doyle
Barrett (WI)	Carson	Dreier
Bartlett	Castle	Duncan
Barton	Chambliss	Dunn
Bateman	Clay	Edwards
Becerra	Clayton	Ehlers
Bentsen	Clement	Ehrlich
Bereuter	Clyburn	English
Berkley	Combest	Eshoo
Berman	Condit	Etheridge
Biggert	Conyers	Evans
Billbray	Cook	Ewing
Billakis	Coyne	Farr
Blagojevich	Crane	Fattah
Blumenauer	Crowley	Filner
Blunt	Cummings	Foley
Boehlert	Cunningham	Forbes
Bonior	Davis (FL)	Ford
Bono	Davis (IL)	Fossella
Borski	Davis (VA)	Fowler
Boswell	Deal	Frank (MA)
Boyd	DeFazio	Franks (NJ)
Brady (PA)	DeGette	Frelinghuysen
Brady (TX)	Delahunt	
Brown (FL)	DeLauro	Gallegly
Brown (OH)	Deutsch	Ganske

Gejdenson	Maloney (CT)	Rothman
Gephardt	Maloney (NY)	Roukema
Gilchrest	Manzullo	Roybal-Allard
Gillmor	Markey	Rush
Gilman	Martinez	Ryan (WI)
Gonzalez	Mascara	Sabo
Goss	Matsui	Salmon
Granger	McCarthy (MO)	Sanchez
Green (WI)	McCarthy (NY)	Sanders
Greenwood	McCollum	Sawyer
Gutierrez	McDermott	Saxton
Gutknecht	McGovern	Schaffer
Hastings (FL)	McHugh	Schakowsky
Hefley	McInnis	Scott
Henger	McKeon	Sensenbrenner
Hilleary	McKinney	Serrano
Hinchey	McNulty	Shaw
Hinojosa	Meehan	Shays
Hobson	Meek (FL)	Sherman
Hoefel	Meeks (NY)	Simpson
Hoekstra	Menendez	Skeen
Holt	Metcalfe	Slaughter
Hooley	Mica	Smith (NJ)
Horn	Millender-	Smith (WA)
Houghton	McDonald	Snyder
Hoyer	Miller (FL)	Spratt
Hunter	Miller, Gary	Stabenow
Hutchinson	Miller, George	Stark
Hyde	Minge	Stearns
Inslee	Mink	Stupak
Isakson	Moakley	Sweeney
Jackson (IL)	Mollohan	Tancredo
Jackson-Lee	Moore	Tauscher
(TX)	Moran (VA)	Tauzin
John	Morella	Taylor (MS)
Johnson (CT)	Nadler	Terry
Johnson, E. B.	Napolitano	Thomas
Jones (OH)	Neal	Thompson (CA)
Kanjorski	Nethercutt	Thompson (MS)
Kaptur	Northup	Thurman
Kasich	Nussle	Tierney
Kelly	Obey	Towns
Kennedy	Olver	Traficant
Kildee	Ose	Udall (CO)
Kilpatrick	Owens	Udall (NM)
Kind (WI)	Oxley	Upton
King (NY)	Packard	Velazquez
Klecza	Pallone	Vento
Klink	Pascrell	Visclosky
Knollenberg	Pastor	Walden
Kolbe	Payne	Walsh
Kucinich	Pelosi	Waters
Kuykendall	Petri	Watt (NC)
LaFalce	Pomeroy	Waxman
Lantos	Porter	Weiner
Larson	Portman	Weldon (FL)
Latham	Price (NC)	Weldon (PA)
LaTourette	Pryce (OH)	Weller
Lazio	Quinn	Wexler
Leach	Radanovich	Weygand
Lee	Ramstad	Wilson
Levin	Regula	Wise
Lewis (CA)	Reyes	Wolf
Lewis (GA)	Reynolds	Woolsey
Linder	Rivers	Wu
Lipinski	Rodriguez	Wynn
LoBiondo	Roemer	Young (AK)
Lofgren	Rogan	Young (FL)
Lowey	Rohrabacher	
Luther	Ros-Lehtinen	

## NAYS—117

Aderholt	Danner	Jones (NC)
Archer	DeLay	Kingston
Armey	DeMint	LaHood
Bachus	Dingell	Lampson
Baker	Emerson	Largent
Barcia	Everett	Lewis (KY)
Barr	Fletcher	Lucas (KY)
Barrett (NE)	Gekas	Lucas (OK)
Bass	Gibbons	McCrery
Berry	Goode	McIntosh
Bishop	Goodlatte	McIntyre
Bliley	Goodling	Moran (KS)
Boehner	Gordon	Murtha
Bonilla	Graham	Myrick
Boucher	Green (TX)	Ney
Bryant	Hall (TX)	Norwood
Burr	Hansen	Oberstar
Burton	Hastings (WA)	Ortiz
Callahan	Hayes	Paul
Chabot	Hayworth	Pease
Chenoweth	Hill (IN)	Peterson (MN)
Coburn	Hill (MT)	Peterson (PA)
Collins	Hilliard	Phelps
Cooksey	Hostettler	Pickering
Costello	Hulshof	Pickett
Cramer	Jenkins	Pitts
Cubin	Johnson, Sam	Pombo