

under this rule. With that, Mr. Speaker, I strongly object to the procedures that deny the American people a vote on any real plan to help with the soaring cost of prescription medicine, and I protest this shutdown procedure.

MOTION TO ADJOURN

Mr. BONIOR. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Michigan (Mr. BONIOR).

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

Mr. BONIOR. Mr. Speaker, on that, I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 166, nays 237, not voting 32, as follows:

[Roll No. 343]

YEAS—166

Ackerman	Gephardt	Nadler
Allen	Gonzalez	Napolitano
Andrews	Green (TX)	Neal
Baca	Gutierrez	Oberstar
Baird	Hall (OH)	Obey
Baldacci	Hastings (FL)	Olver
Baldwin	Hill (IN)	Owens
Barrett (WI)	Hilliard	Pallone
Becerra	Hinojosa	Pascarella
Bentsen	Hoefel	Pastor
Berkley	Holden	Payne
Berman	Holt	Pelosi
Berry	Hoyer	Phelps
Bishop	Inslee	Pickett
Blumenauer	Jackson (IL)	Pomeroy
Bonior	Jackson-Lee	Price (NC)
Borski	(TX)	Rangel
Boswell	Jefferson	Rivers
Boucher	Johnson, E.B.	Rothman
Boyd	Jones (OH)	Royal-Allard
Brady (PA)	Kanjorski	Rush
Brown (FL)	Kennedy	Sabo
Brown (OH)	Kildee	Sanchez
Capps	Klecza	Sanders
Capuano	LaFalce	Sandlin
Cardin	Lampson	Sawyer
Carson	Lantos	Schakowsky
Clayton	Larson	Scott
Clyburn	Lee	Sherman
Condit	Levin	Sisisky
Conyers	Lewis (GA)	Skelton
Coyne	Lipinski	Slaughter
Cramer	Lofgren	Smith (WA)
Crowley	Lowe	Snyder
Danner	Lucas (KY)	Spratt
Davis (FL)	Luther	Stark
DeFazio	Maloney (CT)	Stenholm
DeLauro	Maloney (NY)	Stupak
Deutsch	Mascara	Tanner
Dicks	Matsui	Tauscher
Dingell	McCarthy (MO)	Taylor (MS)
Doggett	McCarthy (NY)	Thompson (CA)
Dooley	McDermott	Thompson (MS)
Doyle	McGovern	Thurman
Edwards	McIntyre	Tierney
Engel	McKinney	Towns
Eshoo	McNulty	Turner
Etheridge	Meehan	Udall (CO)
Evans	Meeks (NY)	Velazquez
Fattah	Menendez	Viscosky
Filner	Millender-McDonald	Waters
Forbes	Miller, George	Weiner
Ford	Mink	Wexler
Frank (MA)	Moakley	Weygand
Frost	Mollohan	Woolsey
Gejdenson		Wynn

NAYS—237

Abercrombie	Barcia	Bereuter
Aderholt	Barr	Biggart
Archer	Barrett (NE)	Bilbray
Armey	Bartlett	Bilirakis
Bachus	Barton	Blagojevich
Baker	Bass	Bliley
Ballenger	Bateman	Blunt

Boehler	Hayworth	Pombo
Bonilla	Hefley	Portman
Bono	Herger	Pryce (OH)
Brady (TX)	Hill (MT)	Quinn
Bryant	Hilleary	Radanovich
Burr	Hobson	Rahall
Buyer	Hoekstra	Ramstad
Callahan	Hooley	Regula
Calvert	Horn	Reyes
Camp	Hostettler	Riley
Campbell	Houghton	Rodriguez
Cannon	Hulshof	Roemer
Castle	Hunter	Rogan
Chabot	Hutchinson	Rogers
Chambliss	Hyde	Rohrabacher
Chenoweth-Hage	Isakson	Ros-Lehtinen
Coble	Istook	Roukema
Coburn	Jenkins	Royce
Collins	John	Ryan (WI)
Combest	Johnson (CT)	Ryun (KS)
Cooksey	Johnson, Sam	Salmon
Costello	Jones (NC)	Sanford
Cox	Kasich	Saxton
Crane	Kelly	Scarborough
Cubin	Kilpatrick	Schaffer
Cunningham	Kind (WI)	Sensenbrenner
Davis (IL)	King (NY)	Sessions
Davis (VA)	Kingston	Shadegg
Deal	Klink	Shaw
DeGette	Knollenberg	Shays
DeLay	Kolbe	Sherwood
DeMint	Kucinich	Shimkus
Diaz-Balart	Kuykendall	Shows
Dickey	LaHood	Shuster
Doolittle	Largent	Simpson
Dreier	Latham	Skeen
Duncan	LaTourette	Smith (MI)
Dunn	Lazio	Smith (NJ)
Ehlers	Leach	Souder
Ehrlich	Lewis (CA)	Spence
English	Lewis (KY)	Stabenow
Everett	LoBiondo	Stearns
Ewing	Lucas (OK)	Stump
Farr	Manzullo	Sununu
Fletcher	McCollum	Sweeney
Foley	McCrery	Talent
Fossella	McHugh	Tancredo
Fowler	McInnis	Tauzin
Franks (NJ)	McKeon	Taylor (NC)
Frelinghuysen	Metcalfe	Terry
Gallely	Mica	Thomas
Ganske	Miller (FL)	Thornberry
Gekas	Miller, Gary	Thune
Gibbons	Minge	Tiahrt
Gilchrist	Moore	Toomey
Gillmor	Moran (KS)	Traficant
Gilman	Morella	Udall (NM)
Goode	Nethercutt	Upton
Goodlatte	Ney	Walden
Goodling	Northup	Walsh
Gordon	Nussle	Wamp
Goss	Ortiz	Watkins
Graham	Ose	Watt (NC)
Granger	Oxley	Watts (OK)
Green (WI)	Packard	Weldon (FL)
Greenwood	Paul	Weldon (PA)
Gutknecht	Pease	Weller
Hall (TX)	Peterson (MN)	Whitfield
Hansen	Peterson (PA)	Wicker
Hastert	Petri	Wilson
Hastings (WA)	Pickering	Wolf
Hayes	Pitts	Wu

NOT VOTING—32

Boehner	Kaptur	Reynolds
Burton	Linder	Serrano
Canady	Markey	Smith (TX)
Clay	Martinez	Strickland
Clement	McIntosh	Vento
Cook	Meek (FL)	Vitter
Cummings	Moran (VA)	Waxman
Delahunt	Murtha	Wise
Dixon	Myrick	Young (AK)
Emerson	Norwood	Young (FL)
Hinchee	Porter	

□ 1027

Mr. DELAY, Mrs. FOWLER, and Messrs. BLILEY, BARTON of Texas, MOORE, and HORN changed their vote from "yea" to "nay."

Messrs. SPRATT, GEPHARDT and RUSH changed their vote from "nay" to "yea."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

□ 1030

PROVIDING FOR CONSIDERATION OF H.R. 4680, MEDICARE RX 2000 ACT

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 539 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 539

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. 4680) to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare Program, to modernize the Medicare Program, and for other purposes. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Ways and Means 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. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) two hours of debate on the bill, as amended, equally divided among and controlled by the chairmen and ranking minority members of the Committee on Ways and Means and the Committee on Commerce; and (2) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 4680, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill until a time designated by the Speaker.

SEC. 3. It shall be in order at any time on or before the legislative day of Friday, June 30, 2000, for the Speaker to entertain motions to suspend the rules with respect to the following measures:

(1) the bill (H.R. 3240) to amend the Federal Food, Drug, and Cosmetic Act to clarify certain responsibilities of the Food and Drug Administration with respect to the importation of drugs into the United States; and

(2) the resolution (H. Res. 535) expressing the sense of the House of Representatives concerning use of additional projected surplus funds to supplement Medicare funding, previously reduced under the Balanced Budget Act of 1997.

UNFUNDED MANDATES POINT OF ORDER

Mr. STENHOLM. Mr. Speaker, I make a point of order against consideration of the resolution.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman will state his point of order.

Mr. STENHOLM. Mr. Speaker, House Resolution 539 waives all points of order against consideration of H.R. 4680, including points of order against provisions of the House Rules pertaining to intergovernmental mandates as defined in the Unfunded Mandates Reform Act.

Mr. Speaker, the offending language in the resolution is "without intervention of any point of order." Included in that waiver are points of order that would possibly lie against consideration of H.R. 4680.

The SPEAKER pro tempore. The gentleman from Texas (Mr. STENHOLM)

makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

According to section 426(b)(2) of the Act, the gentleman must specify precise language in the resolution that has that effect. Having met his threshold burden to identify the specific language of the resolution under section 426(b)(2), the gentleman from Texas (Mr. STENHOLM) and a Member opposed each will control 10 minutes of debate on the question of consideration under section 426(b)(4).

Following the debate, the Chair will put the question of consideration, to wit: "Will the House now consider the resolution?"

The gentleman from Texas (Mr. STENHOLM) is recognized for 10 minutes.

Mr. STENHOLM. Mr. Chairman, I yield myself such time as I may consume.

I would point out, Mr. Speaker, that the bill contains a number of preemptions of State law that would be intergovernmental mandates as defined in the Unfunded Mandates Reform Act. CBO cannot estimate the cost of a preemption of State taxing authority because of uncertainties about market changes.

The bill also contains a private sector mandate on Medigap insurers that would bar them from providing coverage of prescription drug expenses for certain individuals. But CBO estimates that its cost would not exceed the threshold specified.

Mr. Speaker, we have spent a lot of time in this body over the last several years discussing unfunded mandates; and there has been very strong bipartisan acknowledgment and support that the Federal Government, the United States Congress in particular, should pass no additional legislation that causes States and/or private businesses to incur cost without at least conferring with them and getting their acquiescence.

This bill, developed somewhere in the middle of the night, no real bipartisan hearings, no discussions regarding the question of the point of order that I bring up at this moment, no one has had an acknowledgment of what do we do about these unfunded mandates. It seems that this bill has been agreed to and that unfunded mandates on this particular bill are okay.

I would hope that we could have some consistency in our opinions regarding legislation and again would point out the number of preemptions that are in this legislation.

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

Mr. GOSS. Mr. Speaker, I rise in opposition to the point of order, and I reserve the balance of my time.

Mr. STENHOLM. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, we all understand electoral pressures. None of us parachuted in

here without getting votes. But I have never seen people react so badly to electoral pressures as we are now seeing on the part of the majority. The legislative process is becoming a total shambles.

Last night, at midnight, we debated on suspension of the rules, without any chance of amendment, on important campaign reform. It was one where there were constitutional objections. The majority whip said it was unconstitutional. Unfortunately, he must have got stuck in the elevator and could not be here to talk about it.

Now we have a complex bill addressing one of the most important problems in this country, that of older people who cannot afford to pay for their prescription drugs; and, once again, we are dealing with a travesty of the legislative process.

The Committee on Rules met. First of all, we do major campaign reform at midnight. Then they get to the Committee on Rules and the Committee on Rules waives points of order. On the one hand, of course, it could not possibly take any of the increased revenues that are available to try to help middle income, older people. On the other hand, the unfunded mandate issue, to which Members on the other side intermittently profess great support, suddenly goes out the window.

Why? Because a pollster said, you guys better move in a hurry. This is the most policy driven, ill-advised overly hasty piece of legislation on a major issue I have ever seen.

I do not know, because I have been skeptical of some of the unfunded mandate talk, whether there is a problem or not. I do know that because in carrying out their pollsters instructions to move quickly so they seem to be doing something, they did not allow adequate consideration of this.

Most of their own Members do not know, Mr. Speaker, what the unfunded mandates are or are not. Perhaps we should use some of the extra revenue the Federal Government is getting to alleviate this impact on the States. They will never know. They will just vote yes because their pollster said, hey, the House may be at stake.

So a month ago the majority obediently votes against a campaign reform bill which last night the majority of them obediently voted for, one of the great convergences in history.

Today the party that says, leave the Government out of it, the private sector will do it, decides it better try to show that it does think a Government response is there.

Now, I will once again congratulate the majority on its flexibility. This is an expansion of the Federal Government's role. But they have done it too hastily, maybe because the whole notion of expanding the Government's role so bothers Members of the majority that they have to get it over with in a hurry, they cannot stand to think about it. But when they do it this hastily, when they do not allow adequate

consideration in the Committee on Ways and Means, when they rush this thing through the Committee on Rules, when they do not allow the other side, ourselves, give an alternative that is well thought out, they make mistakes.

The gentleman from Texas (Mr. STENHOLM) has been a model of consistency and fiscal integrity; and when he invokes a point of order against unfunded mandates, he is speaking from a demonstrated history of this House of concern.

Their legislative procedure has made a travesty of the House and of their own professed principles.

Mr. GOSS. Mr. Speaker, I continue to reserve the balance of my time, and I want to be sure I have the right to close.

The SPEAKER pro tempore. The gentleman from Florida (Mr. GOSS) has the right to close.

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

Mr. Speaker, I think there is very strong agreement on both sides of the aisle that we need to deal with the pharmaceutical cost issue.

I know in my own district at home that I have hundreds, if not thousands, of individuals who have to choose between the cost of their medicine and food every month. And I know that folks on both sides of the aisle agree to that.

What bothers me about the bill that is being rushed to the floor and those of us on this side who would have had some differing opinions, or at least having a substitute, or at least having the opportunity to amend in some way being denied.

Okay, I understand the rule of the majority. The majority can do anything that they wish to do, and they are doing it. But by the same token, I would hope that there would be large numbers of Members on the other side of the aisle that would have just a tinge of conscience in following their leadership down a path in which, when we ask the question, what is this plan that we will vote on later today going to cost, I do not know. That is up to the private sector to determine.

That is where the unfunded mandates in this point of order come from. If my colleagues read carefully the legislation, they will find that there are mandates on the private sector and mandates on local and State government that I do not think most of my colleagues want to vote for.

Most of them are like most of us, we have not seen in detail this bill that we are considering. We are rushing it to the floor because somebody thinks it is a good idea and everybody on that side suggests that we should not be allowed to even amend it on this floor.

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

Mr. GOSS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. STENHOLM. Mr. Speaker, I yield 1 minute to the gentleman from Iowa (Mr. GANSKE).

Mr. GANSKE. Mr. Speaker, this will be my only floor statement on the rule and the bill. I will vote "no" on the rule, "no" on the Democratic bill, and "no" on the GOP bill.

Why? Number one, regular order has not been followed. The Committee on Commerce, which has equal jurisdiction, has held no hearings on the bill.

□ 1045

We certainly held no markups.

Number two, both parties' plans are fundamentally flawed because of adverse risk selection. Read the USA Today lead editorial on both of the bills. They are right.

Number three, I offered four amendments and a substitute at the Committee on Rules. No amendments from anyone or substitutes are allowed, and that is not right on such an important issue.

Finally, Mr. Speaker, I hope that we address this issue in a more thoughtful way after the July 4 recess. If this rule goes down, it is not over for the year. We simply must deal with this later this year.

Mr. GOSS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. STENHOLM. Mr. Speaker, I yield 30 seconds to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, in the interest of bipartisanship and a better debate, I know last night there were obviously some constraints which kept some Members of the Republican side, including the leadership, from participating in the debate. In case the same constraints are applied today, if there are Republican Members, particularly in the leadership, who have doubts about this bill that they have been asked not to express we are available. If they send them to us, we would be glad once again to put them into the RECORD so that there is a fuller debate than apparently otherwise we are going to have. We are available for those Republicans suffering from that kind of floor censorship to get their message out.

Mr. GOSS. Mr. Speaker, the gentleman from Florida continues to reserve the balance of my time.

Mr. STENHOLM. Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. WEYGAND).

Mr. WEYGAND. Mr. Speaker, I rise because I am moved by the comments of the gentleman from Iowa (Mr. GANSKE) that indeed what we are looking at today is a bill that really does not have a true dollar sign on it. When we came before the Committee on Rules last night, many of us were talking about making sure that whatever we brought before the House is going to be a cost effective, efficient piece of legislation that could indeed provide us with a reduction in prescription costs for all seniors.

Indeed, what we have today, unfortunately, is a bill that does not have a bottom line to it. In fact, has a very, very expensive way of providing for

prescription drugs and does not provide us with a basic fundamental purpose of what the bill is all about, making sure that all seniors are covered in a universal way so that indeed they can have reduced costs of their prescription drugs.

We implore the other side to take into account what the people in their districts and our districts are talking about. When people are spending \$3,000, \$4,000, \$5,000 a year for prescription drugs, we have to have a bill that will clearly address the issue of dollars in a reasonable way. We hope that they will listen to us because we are just repeating what the people in their districts are talking about.

Mr. GOSS. Mr. Speaker, I yield 30 seconds to the distinguished gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Mr. Speaker, I just want to take 30 seconds to respond to the gentleman from Massachusetts (Mr. FRANK). There is no one more cantankerous or contrary with our leadership than I am, and we have never been stifled in our conversation and we have never been limited in terms of our ability to express our viewpoint.

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

Mr. Speaker, the point of order is raised on the unfunded mandates. Read the bill, my friends on the other side who are about to blindly follow their leadership down the path. This is not the way to legislate. This is not the way to deal with the question as important as the pharmaceutical costs to all Americans is, and it is certainly not the way to have an unfunded mandate after spending the hours passing bills and doing all of the things and saying we are not going to impose costs on State and local government and private business for any purpose.

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

Mr. Speaker, the gentleman from Texas (Mr. STENHOLM) has raised the possibility that H.R. 4680 may contain an unfunded mandate. There is a provision for that. The provision is to proceed forward with the question will the committee now consider the amendment. I would like to get to that point so we can get on with the important business of the day, which is this legislation.

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

The SPEAKER pro tempore (Mr. LATOURETTE). The Chair will now put the question of consideration.

The question is, Will the House now consider the resolution?

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

Mr. GOSS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 224, nays 200, not voting 10, as follows:

[Roll No. 344]

YEAS—224

Aderholt	Goode	Peterson (MN)
Archer	Goodlatte	Peterson (PA)
Armey	Goodling	Petri
Bachus	Goss	Pickering
Baker	Graham	Pitts
Ballenger	Granger	Pombo
Barr	Green (WI)	Portman
Barrett (NE)	Greenwood	Pryce (OH)
Bartlett	Gutknecht	Quinn
Barton	Hansen	Radanovich
Bass	Hastings (WA)	Ramstad
Bateman	Hayes	Regula
Bereuter	Hayworth	Reynolds
Biggart	Hefley	Riley
Bilbray	Herger	Rogan
Bilirakis	Hill (MT)	Rogers
Bliley	Hilleary	Rohrabacher
Blunt	Hobson	Ros-Lehtinen
Boehlert	Hoekstra	Roukema
Boehner	Horn	Royce
Bonilla	Hostettler	Ryan (WI)
Bono	Houghton	Ryun (KS)
Brady (TX)	Hulshof	Salmon
Bryant	Hunter	Sanford
Burr	Hutchinson	Saxton
Buyer	Isakson	Scarborough
Callahan	Istook	Schaffer
Calvert	Jenkins	Sensenbrenner
Camp	Johnson (CT)	Sessions
Campbell	Johnson, Sam	Shadegg
Canady	Jones (NC)	Shaw
Cannon	Kasich	Shays
Cardin	Kelly	Sherwood
Castle	King (NY)	Shimkus
Chabot	Kingston	Shuster
Chambliss	Knollenberg	Simpson
Chenoweth-Hage	Kolbe	Sisisky
Coble	Kuykendall	Skeen
Coburn	LaHood	Smith (MI)
Collins	Largent	Smith (NJ)
Combest	Latham	Smith (TX)
Cooksey	LaTourette	Souder
Cox	Lazio	Spence
Crane	Leach	Stearns
Cubin	Lewis (CA)	Stump
Cunningham	Lewis (KY)	Sununu
Davis (VA)	Linder	Sweeney
Deal	LoBiondo	Talent
DeLay	Lucas (OK)	Tancredo
DeMint	Manzullo	Tauzin
Diaz-Balart	Martinez	Taylor (NC)
Dickey	Matsui	Terry
Doolittle	McCollum	Thomas
Dreier	McCrery	Thornberry
Dunn	McHugh	Thune
Ehlers	McInnis	Tiahrt
Ehrlich	McKeon	Toomey
Emerson	Metcalf	Traficant
English	Mica	Upton
Everett	Miller (FL)	Vitter
Ewing	Miller, Gary	Walden
Fletcher	Mollohan	Walsh
Foley	Moran (KS)	Wamp
Fossella	Morella	Watkins
Fowler	Myrick	Watts (OK)
Frank (MA)	Nethercutt	Weldon (FL)
Franks (NJ)	Ney	Weldon (PA)
Frelinghuysen	Northup	Weller
Galleghy	Norwood	Whitfield
Ganske	Nussle	Wicker
Gekas	Ose	Wilson
Gibbons	Oxley	Wolf
Gilchrest	Packard	Young (AK)
Gillmor	Paul	Young (FL)
Gilman	Pease	

NAYS—200

Abercrombie	Borski	Crowley
Ackerman	Boswell	Cummings
Allen	Boucher	Danner
Andrews	Boyd	Davis (FL)
Baca	Brady (PA)	Davis (IL)
Baird	Brown (FL)	DeFazio
Baldacci	Brown (OH)	DeGette
Baldwin	Capps	Delahunt
Barcia	Capuano	DeLauro
Barrett (WI)	Carson	Deutsch
Becerra	Clay	Dicks
Bentsen	Clayton	Dingell
Berkley	Clement	Dixon
Berman	Clyburn	Doggett
Berry	Condit	Dooley
Bishop	Conyers	Doyle
Blagojevich	Costello	Duncan
Blumenauer	Coyne	Edwards
Bonior	Cramer	Engel

Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Klecza
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin

Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Mascara
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-
McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascarell
Pastor
Payne
Pelosi
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes

Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—10

Burton
Cook
Hinojosa
Hyde

Markey
McIntosh
Porter
Scott

Strickland
Vento

□ 1108

Mrs. CHENOWETH-HAGE, Mrs. CUBIN, and Messrs. WHITEFIELD, HOEKSTRA, MATSUI and PETERSON of Pennsylvania changed their vote from “nay” to “yea.”

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, on rollcall Nos. 343 and 344, I was unavoidably detained and therefore unable to be present on the House floor during that time. Had I been present, I would have voted “no” on rollcall vote 343 and “aye” on rollcall vote 344.

MOTION TO RECONSIDER THE VOTE: OFFERED BY MR. FRANK OF MASSACHUSETTS

Mr. FRANK of Massachusetts. Mr. Speaker, I move to reconsider the vote.

The SPEAKER pro tempore (Mr. LATOURETTE). Did the gentleman from Massachusetts vote on the prevailing side?

Mr. FRANK of Massachusetts. Yes, I did, Mr. Speaker.

MOTION TO TABLE OFFERED BY MR. GOSS

Mr. GOSS. Mr. Speaker, I move to lay on the table the motion to reconsider.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from Florida (Mr. GOSS).

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

RECORDED VOTE

Mr. FRANK of Massachusetts. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 219, noes 200, not voting 15, as follows:

[Roll No. 345]

AYES—219

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggett
Bilbray
Bilirakis
Bilely
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeMint
Diaz-Balart
Dickey
Dicks
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrist
Gillmor

Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lowey
Lucas (OK)
Manzullo
Martinez
McCollum
McCrery
McHugh
McInnis
McKeon
Metcalfe
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard

Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souders
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—200

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin

Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop

Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)

Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gilman
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee

Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Klecza
Klink
Kucinich
LaFalce
Lampson
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-
McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Ortiz
Owens
Pallone
Pascarell

Pastor
Payne
Pelosi
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—15

Cannon
Cook
DeLay
Hansen
Hinojosa

Hyde
Markey
McIntosh
Olver
Porter

Radanovich
Scott
Strickland
Tauzin
Vento

□ 1127

Messrs. STENHOLM, SNYDER, PRICE of North Carolina and Ms. McKINNEY changed their vote from “aye” to “no.”

Mr. DEAL of Georgia changed his vote from “no” to “aye.”

So the motion to table the motion to reconsider was agreed to.

The result of the vote was announced as above recorded.

MOTION TO ADJOURN

Mr. FRANK of Massachusetts. Mr. Speaker, I move that the House do now adjourn.

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

RECORDED VOTE

Mr. FRANK of Massachusetts. Mr. Speaker, I demand a recorded vote.