

doctors. For this reason, the J-1 visa waiver program was established on the State and Federal level.

This program allowed foreign medical graduates to come to the United States on a J-1 visa for up to 3 years to train in accredited residency programs in rural, underserved parts of the country. Mr. Speaker, the impetus behind accepting physicians from other countries and training them in American residency positions is to attract physicians to provide care to the medically underserved who live in rural areas where doctors trained in the United States do not want to practice.

The law states that once the residency program is complete, the doctors are required to return to their country of origin for two years. However, the Federal government and states have the authority to waive the requirements if it is in the United States' interest to keep the physician here. The US Department of Agriculture (USDA) Rural Development Branch was thrilled by the waiver because it provided the opportunity to retain medical trainees who would continue to serve in typically medically underserved communities in rural America. In addition, individual state agencies could act as an Interested Government Agency (IGA) and under the Conrad 20 program, could process up to 20 J-1 doctors on their own.

Unfortunately, the USDA has indicated an intention to stop granting permission under the J-1 visa waiver program. National security concerns have taken hold and new, extensive background checks have put the USDA in the position of not being able to afford to continue this program to keep foreign medical graduates. At the same time, the Conrad 20 program which allowed states to process J-1 visa waivers expired on May 31, 2002.

I support passage of H.R. 4858, because this legislation would reauthorize the Conrad 20 program for 2 years and expand the number of J-1 visa waivers to 30 per state in order to make up for increasing demands brought on by the termination of the Federal government program under the USDA.

I will work to see that this bill is taken up by the other body and signed into law by the President to ensure that medical care is available throughout all rural, underserved communities in the United States.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. QUINN). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4858.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

## LIFETIME CONSEQUENCES FOR SEX OFFENDERS ACT OF 2002

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4679) to amend title 18, United States Code, to provide a maximum term of supervised release of life for child sex offenders, as amended.

The Clerk read as follows:

H.R. 4679

*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 "Lifetime Consequences for Sex Offenders Act of 2002".*

### SEC. 2. SUPERVISED RELEASE TERM FOR SEX OFFENDERS.

*Section 3583 of title 18, United States Code, is amended by adding at the end the following:*

*"(k) SUPERVISED RELEASE TERMS FOR SEX OFFENDERS.—Notwithstanding subsection (b), the authorized term of supervised release for any offense under chapter 109A, 110, 117, or section 1591 is any term of years or life."*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

### GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the bill, H.R. 4679, as amended, currently under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 4679, the Lifetime Consequences for Sex Offenders Act of 2002, amends the current law, which grants Federal courts the authority to include in any sentence a term of supervised release after imprisonment.

Under this legislation, a court would be authorized to impose a term of supervised release for any term of years or life for a number of serious sex offenses. These offenses include crimes of sexual abuse, sexual exploitation of children, transportation for illegal sexual activity, sex trafficking of children by force, fraud, or coercion. Under current law, a term of supervised release for any of these crimes is limited to a maximum term of between 1 and 5 years.

This legislation will provide judges with greater discretion in dealing with sex offenders. The court imposing the sentence is in the best possible position to determine if an extended period of supervision is necessary, based on that court's knowledge of the facts of the case and the defendant's criminal history.

The court is also in the best position to determine what conditions of release are necessary to ensure the defendant

will not reoffend and the public will be safe.

There is no requirement in this bill that a judge impose any term of supervised release if the court feels that it is not necessary. The court may also revoke such supervision at any time after 1 year if the court decides that supervision is no longer warranted.

Lifetime supervised release is not a novel idea. A court may currently impose a life term of supervised release for certain Federal drug and terrorism offenses. It does not make any sense to tie the hands of the court in the case of a sex offender if that court knows that there is a greater possibility that a defendant will victimize another person if they are not subject to the conditions of supervised release.

Study after study has shown extremely high recidivism rates for sex offenders. The lifelong harm that they cause to their victims far outweighs any inconvenience they may suffer as a result of lifetime supervision. This legislation will give the courts the ability to permanently monitor those individuals who have demonstrated a higher risk to society.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

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

Mr. Speaker, I rise in opposition to H.R. 4679. Mr. Speaker, this bill lacks any standard for application of lifetime supervision and would make subject to lifetime supervision those who may be involved only in misdemeanors and in cases involving consensual acts, including consensual touching between teenagers still in high school. There may be cases for which consideration of such treatment is warranted, but certainly not in misdemeanors and consensual sex acts.

During the committee consideration of the bill, I offered amendments aimed at focusing the bill on the types of cases that might warrant consideration of lifetime supervision by eliminating misdemeanors and consensual acts for first-time offenders, but these amendments were rejected and were on a procedure that does not allow amendments on the floor.

□ 1245

Although judges have the discretion to impose lifetime supervision or not, a judge must consider that if Congress authorizes lifetime supervision for first-time misdemeanors or consensual acts between adults or between high school students, with no indication of how it should be applied in these cases, it must be that Congress intends for it to apply in such cases. In this overzealous context of indiscriminately ferreting out sex offenders for harsher treatment, there are likely to be judges who, like the lawmakers promoting such policies, who will prefer to err on the side of harsh treatments to avoid the possible criticism that they were not as tough as they could have been should an offender actually recidivate.

We have plenty of evidence as to how this harsh treatment is applied in our criminal justice system and that it is minorities will be at the receiving end. That is because this bill will only apply to cases of Federal jurisdiction, and we know that the Federal jurisdiction crimes fall disproportionately on Native Americans who comprise about 75 to 80 percent of all cases involving Federal jurisdiction. And even if the clear racially disparate unfairness is not there, it is also unfair for offenders in the same State to face vastly differing harshness and treatments just because they were either right on the reservation or across the road outside of the reservation.

For many crimes covered by this lifetime supervision provision, the situation will be more about enforcing the conditions of supervision than about preventing additional sex offenses. That is because the supervision will take place when the defendant is out in the community and just checks in occasionally for supervision. Offenders will be in and out of prison not for new sexual offenses but for technical violations of their conditions of supervision. This is not only unfair to what may be a very minor offender but it is actually a waste of the taxpayers' resources.

There were no hearings on the bill and no showing that there is any problem with the length of supervision period now available for the courts and certainly no hearing to see why this should apply disproportionately to Native Americans, as to whether or not there is any special problem in the Native American community. This suggests something to make it look like we are doing something about crime when in reality we are not doing anything but imposing unnecessarily harsh and unfair policies on Native Americans. I, therefore, urge the defeat of this bill.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GEKAS), the author of the bill.

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

Mr. GEKAS. Mr. Speaker, I thank the chairman for yielding me time, and I thank everyone concerned.

This legislation was not born of a whim or out of reason of trying to fill a day of litigation where other things could not have been accomplished. This came about as a result of a Federal judge who was shocked by the fact that on certain cases involving sex offenders that the Federal judge was unable to put onto the offenders' sentence a supervised release for more than 5 years, in some cases for no more than 1 year.

So in discussions I had with the Federal judge, he proposed and I accepted the proposition that, because a sex offender in front of a judge is subject to the scrutiny of the entire background of this offender to the extent of pre-

vious offenses, ages and names of people who were harmed, the whole aspect of the offender who happens to be in front of judge, coupled with the felony fact that recidivism among sex offenders, particularly those who would harm young children, the pedophiles, that that rate of recidivism is so high that we cannot as a society gamble that after a short period of supervision that this individual will not harm another youngster, and so we are here at the well of the House proposing that we allow these Federal judges in front of whom these sex offenders will appear to a lifetime maximum of supervision.

It might not be that many years. It might be 10 years. It might be five. And the judge at any time during this period can change it, can change it back, all subject to the discretion of the judge pursuant to the circumstances that obtain with regard to this particular sex offender.

The gentleman from Virginia (Mr. SCOTT) opines that this is specially hard on Indian tribes. But the gentleman from Wisconsin (Mr. SENSENBRENNER) outlined that one of the patterns on which this sex offender extended supervision period was based was for the drug offenses and the terroristic offenses that already are on the books in which lifetime supervision is part of the sentencing option. So they were not fashioned at any cost to the Federal jurisdiction over Indian tribes. Drug offenses among Indians or terroristic offenses among Indians are treated equitably as the law provides. So it will be for the sex offenders who have this high rate of recidivism which we wish to curtail.

Mr. Speaker, I have introduced H.R. 4679, the Lifetime Consequences for Sex Offenders Act of 2002 to give our Federal judges the power they need to properly ensure that sex offenders pay for their crimes, and that our legal system remains appropriately accountable for a sex offender when they are released into the public. As you know, Federal judges currently have the power under 18 U.S.C. 3583 to order mandatory periods of post-release supervision for Federal felons. The law provides that Class A and B felons may be ordered into mandatory supervision for a period of up to 5 years. Class C and D felons may be ordered into mandatory supervision for up to 3 years. Furthermore, lesser felons and misdemeanants may receive no more than a maximum sentence of 1 year post-release supervision.

Importantly, Congress has created several important exceptions to the three tiers of supervised release just described. Federal judges may sanction many Title 21 Federal drug offenses by imposing conditions of supervised release lasting up to a lifetime in length. Additionally, as we all remember well, President Bush signed into law the USA-PATRIOT Act several months ago. That bill provided Federal judges with the discretion of ordering long-term supervision of periods ranging up to a lifetime for those guilty of many terrorism offenses.

Long-term supervision for Federal drug offenders and those who attempt terroristic acts will help to ensure the future safety of our citi-

zens. It will clearly help to make sure our government can account for those felons who are released from prison as they reintegrate with society. This Congress recognized the severe nature of these crimes and found wanting a system that hamstrung Federal judges from meting out justice by severely limiting their options when it came to post release mandatory supervision.

If Federal judges can impose lifetime supervision for drug offenses, they should be able to provide a similar sanction for sex offenders. I know very well that many Federal judges feel strongly that they are not able to truly protect the citizenry from sex offenders without the ability to escalate supervision requirements beyond the arbitrary 5 year limit. I recently spoke with Judge F.S. Van Antwerpen of the Eastern District of Pennsylvania about his experiences in sentencing felons engaged in Internet child pornography crimes. The destructive and harmful crimes engaged in by some of the felons he sentenced left him with little hope that these child predators would truly reform after release from prison. Without the sanction of long-term, and possibly life-long supervision, these dangerous predators may relapse back into their obscene habits later in life.

The sexual offenses covered under my bill, H.R. 4679, range from the interstate coercion and enticement of minors into sexual activity, to the transportation of individuals across state lines with the intent of engaging in prostitution or other illegal sexual conduct. Longer periods of supervision are available in many State legal systems. Why should a sex offender who happened to cross State lines to sexually abuse a child, receive a lighter sentence than one who engages in the same acts with a child within a single State? How many of America's parents realize that when a sex offender leaves the prison system, the Federal legal system they rely upon to keep their children safe from predators maintains no supervision of that sex offender after a few short years? How many serious sex offenders have no one to help brake them when they begin to slide into their old destructive ways?

I am very concerned about recidivism rates for sexual offenders. Studies have shown recidivism rates varying from 15% to nearly 75% for sex offenders, depending on the type of sex offense and the length of the study. And these numbers do not tell the whole story: as much as 80% of sex offenses go unreported! Regardless of the numbers, any repeat of these especially heinous crimes simply are not acceptable, especially when the legal system can do more. There is reason for optimism—if we take the right steps. Statistics suggest that people are much more likely to engage in repeat victimization before they are caught. Regardless of their inclinations, sex offenders are likely to restrain themselves if they know they are being watched.

Mandatory supervision in no way implies 24 hour monitoring or surveillance of individuals. Consistent and periodic contact with Federal probation officers, however, makes sense. These Federal officials are able to gauge the on-going efforts of released felons to reintegrate into society. They can spot trouble before it becomes destructive to the individual under supervision, or worse, to innocent third parties. Additionally, Federal judges can add "reasonable" additional stipulations to the terms of release for Federal criminals including mandatory counseling, thereby affording

released felons the safety net of counseling services for durations beyond a handful of years.

My fellow colleagues, we all deplore the destructive and revolting nature of sex crimes. Our Federal law enforcement agencies, our prosecutors, and our judges want and need tools like the one I propose today, to help combat these vile crimes. Let us take a positive step today for America's families and our children. I ask that you vote for H.R. 4679, the Lifetime Consequences for Sex Offenders Act of 2002.

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

Mr. Speaker, I would just point out that some of the cases, some of the situations that would be covered by this would be crossing State lines from Washington, D.C., to the Commonwealth of Virginia for the purposes of committing fornication. That would be a crime for which, that is, two consenting adults, that would be a crime for which you could be subjected to lifetime supervision and a violation of which could put you in jail for violating the provision of your supervision.

The bill needs to be narrowed to cover the kind of cases we are talking about; and for that reason the bill should be opposed, the motion to suspend the rules should be opposed so that we could have a situation where we could actually amend the bill to cover those acts which we are actually trying to cover.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. SMITH), the chairman of the Subcommittee on Crime, Terrorism and Homeland Security of the Committee on the Judiciary.

Mr. SMITH of Texas. Mr. Speaker, I want to thank the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Committee on the Judiciary, for yielding me time.

Mr. Speaker, H.R. 4679, The Lifetime Consequences for Sex Offenders Act of 2002, was introduced by the gentleman from Pennsylvania (Mr. GEKAS) and allows Federal judges to include, as part of the sentence of a convicted sex offender, a term of supervised release for any period of time. The court can end the term of supervised release and discharge the defendant at any time after 1 year if the court is satisfied that such action is warranted by the conduct of the defendant and serves the interest of justice.

Studies have shown that sex offenders are four times more likely than other violent criminals to recommit their crimes. Moreover, recidivism rates do not appreciably decline as the offender ages.

According to the United States Department of Justice's Bureau of Justice Statistics, since 1980 the number of prisoners sentenced for violent sexual assault other than rape has increased 15 percent each year, faster than any other category of violent crime.

National data also indicates that sex offenders are apprehended for only a fraction of the crimes they actually commit. In fact, in some estimates only one in five serious sex offenses are reported to authorities and only 3 percent of such crimes result in the apprehension of an offender.

By passing this legislation, we will give judges the discretion necessary to impose a term of supervised release that is appropriate for each defendant. Authorities will be able to monitor those sex offenders who pose the greatest threat to our society for as long as the court feels they are a danger to society.

Mr. Speaker, there is nothing mandatory about this bill. If a judge decides that supervision is not necessary, then there is no requirement to impose any term of supervised release. But it is mandatory that Congress pass this legislation if we are to deter criminals from committing these terrifying crimes.

Mr. SCOTT. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I think the definition and the explanation of this bill has been well made by the previous speakers. I would like to focus on I think a singular and important point that the gentleman from Virginia (Mr. SCOTT) has made.

There is no doubt in my continued support on the floor of the House for legislation that deals with penalizing, if you will, those who would prey upon children and those who would act criminally with respect to sex acts as it impacts the victims, both women and children and others.

I have always been one that believes that there is more work to be done in protecting the public from those that would be predators as it relates to sexual offenses and, as well, crimes against children. We have to look no further than our television screen right now and the debate or the information coming out of Utah on the missing young Smart girl as well as the long list of missing children and exploited children to know that this is the work we should be doing. But I believe the distinguished gentleman from Virginia (Mr. SCOTT) has a very valid point, and it should be addressed, and I really wish we had the opportunity to have had this legislation go through the Committee on Rules.

There is no emergency that would not have allowed us, again, to look at this legislation for its best effectiveness. There is no reason to not provide guidelines so that we can be assured that the legislation attacks the problem that we want it to attack, and that is the violent and, if you will, repeat and vicious offenders, sex offenders who would go after and prey upon innocent victims.

It means that there should be a sense of tolerance, however, for those who

otherwise could be rehabilitated or that the offenses do not meet the test. We are simply asking that you allow guidelines to be utilized so that you can distinguish between potential for misdemeanors, consensual sexual conduct or if something occurred between two teenagers in the course of their interaction. This is what I believe, Mr. Speaker, the key is on this legislation, to be able to have a guideline to make this better legislation.

I would hope the gentleman would have the opportunity to have this legislation assessed and that our colleagues would look at putting an amendment in that deals with putting in guidelines for this legislation.

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

Mr. Speaker, in closing, I would just again state that someone in Washington, D.C., crossing the line to go to the Commonwealth of Virginia to commit fornication, two consenting adults, if caught, could be subjected to lifetime supervision. I do not think that is the kind of case the supporters of the bill were talking about.

We ought to bring this bill up in a forum where one could amend it to take those kind of situations out, and for that reason the motion to suspend the rules ought to be defeated.

Mr. PAUL. Mr. Speaker, the policy behind H.R. 4679, the Lifetime Consequences for Sex Offenders Act, is unobjectionable. Given the high rates of recidivism among sex criminals, it is certainly legitimate to take steps to reduce the likelihood that a paroled sex criminal will commit further crimes. In fact, given the likelihood that a sex offender will attempt to commit another sex crime, it is reasonable to ask why rapists and child molesters are not simply imprisoned for life?

However, Mr. Speaker, questions of the proper punishment for sexual crimes are not issues properly under federal jurisdiction. The Constitution grants the federal government jurisdiction over only three crimes: treason, counterfeiting, and piracy. It is hard to stretch the definition of treason, counterfeiting, or piracy to include sex crimes. Therefore, even though I agree with the policy behind H.R. 4679, I must remind my colleagues that the responsibility for investigating, prosecuting and punishing sex crimes is solely that of state and local governments.

We have been reminded by both Chief Justice William H. Rehnquist and former U.S. Attorney General Ed Meese that more federal crimes, while they make politicians feel good, are neither constitutionally sound nor prudent. Rehnquist has stated that "The trend to federalize crimes that traditionally have been handled in state courts . . . threatens to change entirely the nature of our federal system." Meese stated that Congress' tendency in recent decades to make federal crimes out of offenses that have historically been state matters has dangerous implications both for the fair administration of justice and for the principle that states are something more than mere administrative districts of a nation governed mainly from Washington.

In conclusion, Mr. Speaker, while I am in fundamental agreement with the policies expressed in H.R. 4679, the Lifetime Consequences for Sex Offenders Act, I must remind my colleagues that this is an area over which Congress has no constitutional responsibility. I hope my colleagues will join me in restoring state and local government's constitutional authority over criminal activities not related to treason, piracy, and counterfeiting.

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

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

The SPEAKER pro tempore (Mr. QUINN). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4679, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1300

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. QUINN). Pursuant to clause 8 of rule XX, the Chair will now put the question on the approval of the Journal and then on motions to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

Approving the Journal, de novo;

H.R. 4858, by the yeas and nays;

H.R. 4679, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

#### THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending business is the question on agreeing to the Speaker's approval of the Journal.

The question is on the Speaker's approval of the Journal.

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

Mr. SENSENBRENNER. 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 371, nays 40, answered “present” 2, not voting 21, as follows:

[Roll No. 253]

#### YEAS—371

Abercrombie	Doggett	Keller
Ackerman	Dooley	Kelly
Aderholt	Doolittle	Kennedy (RI)
Akin	Doyle	Kerns
Allen	Dreier	Kildee
Andrews	Duncan	Kilpatrick
Armey	Dunn	Kind (WI)
Baca	Edwards	King (NY)
Bachus	Ehlers	Kingston
Baker	Ehrlich	Kirk
Baldacci	Emerson	Klecza
Ballenger	Engel	Knollenberg
Barcia	Eshoo	LaFalce
Barr	Etheridge	LaHood
Barrett	Evans	Lampson
Bartlett	Farr	Langevin
Barton	Fattah	Lantos
Bass	Ferguson	Latham
Becerra	Flake	LaTourette
Bentsen	Fletcher	Leach
Bereuter	Foley	Lee
Berkley	Forbes	Levin
Berman	Ford	Lewis (CA)
Berry	Frank	Lewis (KY)
Biggert	Frelinghuysen	Linder
Bilirakis	Frost	Lipinski
Bishop	Gallegly	Lofgren
Blumenauer	Ganske	Lowey
Blunt	Gekas	Lucas (KY)
Boehlert	Gephardt	Lucas (OK)
Boehner	Gibbons	Luther
Bonilla	Gilchrest	Lynch
Bono	Gillmor	Maloney (CT)
Boozman	Gilman	Maloney (NY)
Boswell	Gonzalez	Manzullo
Boucher	Goode	Markey
Boyd	Goodlatte	Mascara
Brady (TX)	Gordon	Matheson
Brown (FL)	Goss	Matsui
Brown (OH)	Graham	McCarthy (MO)
Brown (SC)	Granger	McCarthy (NY)
Bryant	Graves	McCollum
Burr	Green (TX)	McCrery
Burton	Green (WI)	McGovern
Buyer	Greenwood	McHugh
Calvert	Grucci	McInnis
Camp	Gutierrez	McIntyre
Cannon	Hall (OH)	McKeon
Cantor	Hall (TX)	McKinney
Capito	Hansen	Meehan
Capps	Harman	Menendez
Capuano	Hastings (WA)	Mica
Cardin	Hayes	Millender-
Carson (OK)	Herger	McDonald
Castle	Hill	Miller, Dan
Chabot	Hilleary	Miller, Gary
Chambliss	Hinchey	Miller, Jeff
Clayton	Hobson	Mink
Clement	Hoeffel	Mollohan
Clyburn	Hoekstra	Moran (KS)
Coble	Holden	Moran (VA)
Collins	Honda	Morella
Combest	Hooley	Murtha
Cooksey	Horn	Myrick
Cox	Hostettler	Nadler
Coyne	Houghton	Napolitano
Cramer	Hoyer	Neal
Crenshaw	Hulshof	Nethercutt
Crowley	Hunter	Ney
Cubin	Hyde	Northup
Culberson	Inslee	Norwood
Cummings	Isakson	Nussle
Cunningham	Israel	Obey
Davis (CA)	Issa	Ortiz
Davis (FL)	Istook	Osborne
Davis (IL)	Jackson (IL)	Ose
Davis, Jo Ann	Jackson-Lee	Otter
Davis, Tom	(TX)	Owens
Deal	Jefferson	Oxley
DeGette	John	Pallone
Delahunt	Johnson (CT)	Pascarell
DeLauro	Johnson (IL)	Pastor
DeLay	Johnson, E. B.	Paul
DeMint	Johnson, Sam	Payne
Deutsch	Jones (NC)	Pelosi
Diaz-Balart	Jones (OH)	Pence
Dicks	Kanjorski	Peterson (PA)
Dingell	Kaptur	Petri

Phelps	Schiff	Terry
Pickering	Schrock	Thomas
Pitts	Scott	Thornberry
Platts	Sensenbrenner	Thune
Pombo	Serrano	Thurman
Pomeroy	Sessions	Tiahrt
Portman	Shadegg	Tiberi
Price (NC)	Shaw	Tierney
Putnam	Shays	Toomey
Quinn	Sherman	Towns
Radanovich	Sherwood	Turner
Rahall	Shinkus	Udall (CO)
Rangel	Shows	Upton
Regula	Shuster	Velazquez
Rehberg	Simmons	Vitter
Reyes	Simpson	Walden
Reynolds	Skeen	Walsh
Rivers	Skelton	Wamp
Rodriguez	Slaughter	Watkins (OK)
Roemer	Smith (MI)	Watson (CA)
Rogers (KY)	Smith (NJ)	Watt (NC)
Rogers (MI)	Smith (TX)	Waxman
Rohrabacher	Smith (WA)	Weiner
Ros-Lehtinen	Snyder	Weldon (FL)
Ross	Solis	Weldon (PA)
Rothman	Souder	Wexler
Roukema	Spratt	Whitfield
Roybal-Allard	Stark	Wicker
Royce	Stearns	Wilson (NM)
Rush	Stenholm	Wilson (SC)
Ryan (WI)	Stump	Wolf
Ryun (KS)	Sullivan	Woolsey
Sanders	Sununu	Wynn
Sandlin	Tanner	Young (AK)
Sawyer	Tauscher	Young (FL)
Saxton	Tauzin	
Schakowsky	Taylor (NC)	

#### NAYS—40

Baird	Hefley	Sabo
Baldwin	Holt	Strickland
Borski	Kennedy (MN)	Stupak
Brady (PA)	Kucinich	Sweeney
Clay	Larsen (WA)	Taylor (MS)
Condit	Lewis (GA)	Thompson (CA)
Costello	LoBiondo	Thompson (MS)
Crane	McDermott	Udall (NM)
DeFazio	McNulty	Visclosky
English	Miller, George	Waters
Filner	Moore	Weller
Gutknecht	Oberstar	Wu
Hart	Olver	
Hastings (FL)	Ramstad	

#### ANSWERED “PRESENT”—2

Carson (IN)	Tancredo
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#### NOT VOTING—21

Blagojevich	Hilliard	Peterson (MN)
Bonior	Hinojosa	Pryce (OH)
Callahan	Jenkins	Riley
Conyers	Kolbe	Sanchez
Everett	Larson (CT)	Schaffer
Fossella	Meek (FL)	Traffant
Hayworth	Meeks (NY)	Watts (OK)

□ 1324

Mr. WU changed his vote from “yea” to “nay.”

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. KOLBE. Mr. Speaker, earlier today, I was unavoidably detained and missed a vote on approving the Journal. Had I voted, I would have voted “yea” on this vote (No. 253).

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATHAM). Pursuant to clause 8 of rule XX, the Chair announces that he will reduce to a minimum of 5 minutes the period of time for electronic voting on motions to suspend the rules on which the Chair has postponed further proceedings.