

to make payments under a plan under chapter 12 of this title.”.

(2) WHO MAY BE A DEBTOR.—Section 109(f) of title 11, United States Code, is amended by inserting “or family fisherman” after “family farmer”.

(3) CHAPTER 12.—Chapter 12 of title 11, United States Code, is amended—

(A) in the chapter heading, by inserting “**OR FISHERMAN**” after “**FAMILY FARMER**”;

(B) in section 1203, by inserting “or commercial fishing operation” after “farm”; and

(C) in section 1206, by striking “if the property is farmland or farm equipment” and inserting “if the property is farmland, farm equipment, or property used to carry out a commercial fishing operation (including a commercial fishing vessel)”.

(4) CLERICAL AMENDMENT.—In the table of chapters for title 11, United States Code, the item relating to chapter 12, is amended to read as follows:

“12. Adjustments of Debts of a Family Farmer or Family Fisherman with Regular Annual Income 1201”.

(e) APPLICABILITY.—Nothing in this subsection shall change, affect, or amend the Fishery Conservation and Management Act of 1976 (16 U.S.C. 1801 et seq.).

(i) EFFECTIVE DATE; APPLICATION OF AMENDMENTS.—This section and the amendments made by this section shall take effect on the date of the enactment of this Act and shall not apply with respect to cases commenced under title 11 of the United States Code before such date.

Mr. DIAZ-BALART. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. HOLDEN. 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.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution and then on the Speaker's approval of the Journal and on the motion to instruct conferees offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

The vote was taken by electronic device, and there were—yeas 208, nays 199, not voting 25, as follows:

[Roll No. 416]

YEAS—208

Aderholt	Bonilla	Castle
Akin	Bono	Chabot
Army	Boozman	Chambliss
Baker	Brady (TX)	Coble
Ballenger	Brown (SC)	Collins
Barr	Bryant	Combest
Bartlett	Burr	Cooksey
Barton	Burton	Cox
Bass	Buyer	Crane
Biggert	Calvert	Crenshaw
Bilirakis	Camp	Cubin
Blunt	Cannon	Culberson
Boehler	Cantor	Cunningham
Boehner	Capito	Davis, Jo Ann

Davis, Tom	Johnson, Sam
Deal	Keller
DeLay	Kelly
DeMint	Kennedy (MN)
Diaz-Balart	Kerns
Doolittle	King (NY)
Dreier	Kingston
Duncan	Kirk
Dunn	Knollenberg
Ehlers	Kolbe
Ehrlich	LaHood
Emerson	Latham
Everett	LaTourette
Ferguson	Leach
Flake	Lewis (CA)
Fletcher	Lewis (KY)
Foley	Linder
Forbes	LoBiondo
Frelinghuysen	Lucas (OK)
Gallegly	Manzullo
Ganske	McCrery
Gekas	McHugh
Gibbons	McInnis
Gilchrest	McKeon
Gillmor	Mica
Gilman	Miller, Dan
Goode	Miller, Gary
Goodlatte	Miller, Jeff
Goss	Moran (KS)
Graham	Morella
Granger	Myrick
Graves	Nethercutt
Green (WI)	Ney
Greenwood	Northup
Grucci	Norwood
Gutknecht	Nussle
Hansen	Osborne
Hart	Ose
Hayes	Otter
Hayworth	Oxley
Hefley	Paul
Hergert	Pence
Hilleary	Peterson (PA)
Hobson	Petri
Hoekstra	Pickering
Horn	Pitts
Hostettler	Platts
Houghton	Pombo
Hunter	Portman
Hyde	Pryce (OH)
Isakson	Putnam
Issa	Quinn
Istook	Radanovich
Jenkins	Ramstad
Johnson (CT)	Regula
Johnson (IL)	Rehberg

NAYS—199

Abercrombie	Davis (IL)	Israel
Ackerman	DeFazio	Jackson (IL)
Allen	DeGette	Jackson-Lee
Andrews	Delahunt	(TX)
Baca	DeLauro	Jefferson
Baird	Deutsch	Johnson, E. B.
Baldacci	Dicks	Jones (OH)
Baldwin	Dingell	Kanjorski
Barrett	Doggett	Kaptur
Becerra	Dooley	Kildee
Bentsen	Doyle	Kilpatrick
Bereuter	Edwards	Kind (WI)
Berkley	Engel	Klecza
Berman	Eshoo	Kucinich
Berry	Etheridge	LaFalce
Bishop	Evans	Lampson
Blagojevich	Farr	Langevin
Blumenauer	Fattah	Lantos
Borski	Filner	Larsen (WA)
Boswell	Ford	Larson (CT)
Boucher	Frank	Lee
Boyd	Frost	Levin
Brady (PA)	Gephardt	Lewis (GA)
Brown (FL)	Gonzalez	Lipinski
Brown (OH)	Gordon	Lofgren
Capps	Green (TX)	Lowe
Cardin	Gutierrez	Lucas (KY)
Carson (IN)	Hall (TX)	Luther
Carson (OK)	Harman	Lynch
Clayton	Hastings (FL)	Maloney (CT)
Clement	Hill	Markey
Clyburn	Hilliard	Mascara
Condit	Hinchey	Matheson
Conyers	Hinojosa	Matsui
Costello	Hoeffel	McCarthy (MO)
Coyne	Holden	McCarthy (NY)
Cramer	Holt	McCollum
Crowley	Honda	McGovern
Cummings	Hooley	McIntyre
Davis (CA)	Hoyer	McKinney
Davis (FL)	Inslee	McNulty

Meehan	Pomeroy	Snyder
Meek (FL)	Price (NC)	Solis
Meeks (NY)	Rahall	Spratt
Menendez	Rangel	Stark
Millender-McDonald	Reyes	Stenholm
Miller, George	Rivers	Strickland
Mollohan	Rodriguez	Stupak
Moore	Roemer	Tanner
Moran (VA)	Ross	Tauscher
Murtha	Rothman	Taylor (MS)
Nadler	Roybal-Allard	Thompson (MS)
Napolitano	Rush	Thune
Neal	Sabo	Tierney
Oberstar	Sanchez	Towns
Obey	Sanders	Turner
Oliver	Sandlin	Udall (CO)
Ortiz	Sawyer	Udall (NM)
Owens	Schakowsky	Velazquez
Pallone	Schiff	Visclosky
Pascarell	Scott	Waters
Pastor	Serrano	Watson (CA)
Payne	Sherman	Watt (NC)
Pelosi	Shows	Waxman
Peterson (MN)	Skelton	Weiner
Phelps	Slaughter	Wexler
	Smith (WA)	Woolsey

NOT VOTING—25

Bachus	Hulshof	Smith (MI)
Barcia	John	Stump
Bonior	Jones (NC)	Thompson (CA)
Callahan	Kennedy (RI)	Thurman
Capuano	Maloney (NY)	Whitfield
Clay	McDermott	Wu
English	Mink	Wynn
Fossella	Roukema	
Hastings (WA)	Schaffer	

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Messrs. CRAMER, REYES, BARRETT of Wisconsin, TAYLOR of Mississippi, ACKERMAN, BEREUTER, Ms. WOOLSEY, and Ms. ESHOO changed their vote from “yea” to “nay.”

Mr. ISSA and Mr. BILIRAKIS changed their vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE JOURNAL

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

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.

RECORDED VOTE

Mr. McNULTY. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 346, noes 58, not voting 28, as follows:

[Roll No. 417]

AYES—346

Abercrombie	Baca	Bartlett
Ackerman	Baker	Barton
Akin	Baldacci	Bass
Allen	Ballenger	Becerra
Andrews	Barr	Bentsen
Army	Barrett	Bereuter

Berkley	Gonzalez	Meeks (NY)	Tanner	Toomey	Waxman	Cardin	Hinojosa	Nethercutt
Berman	Goode	Menendez	Tauscher	Turner	Weiner	Carson (IN)	Hobson	Ney
Berry	Goodlatte	Mica	Tauzin	Upton	Weldon (FL)	Carson (OK)	Hoefel	Northup
Biggart	Gordon	Millender-	Taylor (NC)	Vitter	Weldon (PA)	Castle	Hoekstra	Nussle
Bilirakis	Goss	McDonald	Terry	Walden	Wexler	Chabot	Holden	Oberstar
Bishop	Graham	Miller, Dan	Thomas	Walsh	Wilson (NM)	Chambliss	Holt	Obey
Blagojevich	Granger	Miller, Gary	Thornberry	Wamp	Wilson (SC)	Clayton	Honda	Oliver
Blumenauer	Green (TX)	Miller, Jeff	Thune	Watkins (OK)	Wolf	Clement	Hookey	Ortiz
Blunt	Green (WI)	Mollohan	Tiahrt	Watson (CA)	Woolsey	Clyburn	Horn	Osborne
Boehlert	Greenwood	Moran (VA)	Tiberi	Watt (NC)	Young (AK)	Coble	Houghton	Ose
Boehner	Grucci	Morella	Tierney	Watts (OK)	Young (FL)	Combest	Hoyer	Otter
Bonilla	Gutierrez	Myrick				Condit	Hyde	Owens
Bono	Gutknecht	Nadler		NOES—58		Conyers	Inslee	Oxley
Boozman	Hall (TX)	Napolitano	Aderholt	Holt	Ramstad	Cooksey	Isakson	Pallone
Boswell	Hansen	Nethercutt	Baird	Kennedy (MN)	Sabo	Costello	Israel	Pascarell
Boucher	Harman	Ney	Baldwin	Kucinich	Sanchez	Cox	Issa	Pastor
Boyd	Hart	Northup	Borski	Larsen (WA)	Schakowsky	Coyne	Istook	Payne
Brady (TX)	Hayes	Norwood	Brady (PA)	Lewis (GA)	Slaughter	Cramer	Jackson (IL)	Pelosi
Brown (FL)	Hayworth	Nussle	Carson (IN)	LoBiondo	Strickland	Crane	Jackson-Lee	Pence
Brown (OH)	Hefley	Ortiz	Costello	Markay	Stupak	Crenshaw	(TX)	Peterson (MN)
Brown (SC)	Herger	Osborne	Crane	McGovern	Sweeney	Crowley	Jefferson	Peterson (PA)
Bryant	Hill	Ose	DeFazio	McNulty	Taylor (MS)	Cubin	Jenkins	Petri
Burr	Hilleary	Otter	Doggett	Miller, George	Thompson (MS)	Cummings	Johnson (CT)	Phelps
Burton	Hinojosa	Owens	Evans	Moore	Towns	Cunningham	Johnson (IL)	Pickering
Buyer	Hobson	Oxley	Filner	Moran (KS)	Udall (CO)	Davis (CA)	Johnson, E. B.	Pitts
Calvert	Hoefel	Pastor	Fletcher	Neal	Udall (NM)	Davis (FL)	Johnson, Sam	Platts
Camp	Holden	Paul	Gephardt	Obey	Velazquez	Davis (IL)	Jones (OH)	Pombo
Cannon	Honda	Payne	Gillmor	Oliver	Visclosky	Davis, Jo Ann	Kanjorski	Pomeroy
Cantor	Hooley	Pelosi	Graves	Pallone	Waters	Davis, Tom	Kaptur	Portman
Capito	Horn	Pence	Hastings (FL)	Pascarell	Weller	Deal	Keller	Price (NC)
Capps	Hostettler	Peterson (PA)	Hilliard	Peterson (MN)	Wicker	DeFazio	Kelly	Pryce (OH)
Cardin	Houghton	Petri	Hinchey	Platts		DeGette	Kennedy (MN)	Putnam
Carson (OK)	Hoyer	Phelps	Hoekstra			Delahunt	Kildee	Quinn
Castle	Hyde	Pickering		NOT VOTING—28		DeLauro	Kilpatrick	Radanovich
Chabot	Inslee	Pitts	Bachus	Hunter	Schaffer	DeLay	Kind (WI)	Rahall
Chambliss	Isakson	Pombo	Barcia	John	Smith (MI)	DeMint	King (NY)	Ramstad
Clayton	Israel	Pomeroy	Bonior	Jones (NC)	Stump	Deutsch	Kingston	Rangel
Clement	Issa	Portman	Callahan	Keller	Thompson (CA)	Diaz-Balart	Kirk	Regula
Clyburn	Istook	Price (NC)	Capuano	Kennedy (RI)	Thurman	Dicks	Kleczka	Rehberg
Coble	Jackson (IL)	Pryce (OH)	Clay	Maloney (NY)	Whitfield	Dingell	Knollenberg	Reyes
Collins	Jackson-Lee	Putnam	English	McDermott	Wu	Doggett	Kolbe	Reynolds
Combest	(TX)	Quinn	Fossella	Mink	Wynn	Dooley	Kucinich	Riley
Condit	Jefferson	Radanovich	Hastings (WA)	Murtha		Doolittle	LaFalce	Rivers
Conyers	Jenkins	Rahall	Hulshof	Roukema		Doyle	LaHood	Rodriguez
Cooksey	Johnson (CT)	Rangel				Dreier	Lampson	Roemer
Cox	Johnson (IL)	Regula				Dunn	Langevin	Rogers (KY)
Coyne	Johnson, E. B.	Rehberg				Edwards	Lantos	Rogers (MI)
Cramer	Johnson, Sam	Reyes				Ehlers	Larsen (WA)	Rohrabacher
Crenshaw	Jones (OH)	Reynolds				Ehrlich	Latham	Ros-Lehtinen
Crowley	Kanjorski	Riley				Emerson	LaTourette	Ross
Cubin	Kaptur	Rivers				Engel	Leach	Rothman
Culberson	Kelly	Rodriguez				Eshoo	Lee	Roybal-Allard
Cummings	Kerns	Roemer				Etheridge	Levin	Royce
Cunningham	Kildee	Rogers (KY)				Evans	Lewis (CA)	Rush
Davis (CA)	Kilpatrick	Rogers (MI)				Everett	Lewis (GA)	Ryan (WI)
Davis (FL)	Kind (WI)	Rohrabacher				Farr	Lewis (KY)	Ryun (KS)
Davis (IL)	King (NY)	Ros-Lehtinen				Fattah	Linder	Sabo
Davis, Jo Ann	Kingston	Ross				Ferguson	Lipinski	Sanchez
Davis, Tom	Kirk	Rothman				Filner	LoBiondo	Sanders
Deal	Kleczka	Roybal-Allard				Foley	Lofgren	Sandlin
DeGette	Knollenberg	Royce				Forbes	Lowey	Sawyer
Delahunt	Kolbe	Rush				Ford	Lucas (KY)	Saxton
DeLauro	LaFalce	Ryan (WI)				Frank	Lucas (OK)	Schakowsky
DeLay	LaHood	Ryun (KS)				Frelinghuysen	Luther	Schiff
DeMint	Lampson	Sanders				Frost	Lynch	Schrock
Deutsch	Langevin	Sandlin				Gallegly	Maloney (CT)	Scott
Diaz-Balart	Lantos	Sawyer				Ganske	Manzullo	Sensenbrenner
Dicks	Larson (CT)	Saxton				Gekas	Markey	Serrano
Dingell	Latham	Schiff				Gephardt	Mascara	Sessions
Dooley	LaTourette	Schrock				Gibbons	Matheson	Shadegg
Doolittle	Leach	Scott				Gilchrest	Matsui	Shaw
Doyle	Lee	Sensenbrenner				Gillmor	McCarthy (MO)	Shays
Dreier	Levin	Serrano				Gilman	McCarthy (NY)	Sherman
Duncan	Lewis (CA)	Sessions				Gonzalez	McCollum	Sherwood
Dunn	Lewis (KY)	Shadegg				Goodlatte	McGovern	Shimkus
Edwards	Linder	Shaw				Gordon	McHugh	Shows
Ehlers	Lipinski	Shays				Goss	McInnis	Shuster
Ehrlich	Lofgren	Sherman				Graham	McIntyre	Simmons
Emerson	Lowey	Sherwood				Granger	McKeon	Simpson
Engel	Lucas (KY)	Shimkus				Graves	McKinney	Skeen
Eshoo	Lucas (OK)	Shows				Green (TX)	McNulty	Skelton
Etheridge	Luther	Shuster				Green (WI)	Meehan	Slaughter
Everett	Lynch	Simmons				Greenwood	Meek (FL)	Smith (MI)
Farr	Maloney (CT)	Simpson	Abercrombie	Bentsen	Boucher	Grucci	Meeks (NY)	Smith (NJ)
Fattah	Manzullo	Skeen	Ackerman	Bereuter	Boyd	Gutierrez	Menendez	Smith (TX)
Ferguson	Mascara	Skelton	Akin	Berkley	Brady (PA)	Gutknecht	Mica	Smith (WA)
Flake	Matheson	Smith (NJ)	Allen	Berman	Brady (TX)	Hall (TX)	Millender-	Snyder
Foley	Matsui	Smith (TX)	Andrews	Berry	Brown (FL)	Hansen	McDonald	Solis
Forbes	McCarthy (MO)	Smith (WA)	Armey	Biggart	Brown (OH)	Harman	Miller, Dan	Souder
Ford	McCarthy (NY)	Snyder	Baca	Bilirakis	Brown (SC)	Hart	Miller, Gary	Spratt
Frank	McCollum	Solis	Baird	Bishop	Bryant	Hastings (FL)	Miller, George	Stark
Frelinghuysen	McCrery	Souder	Baker	Blagojevich	Burr	Hayes	Mollohan	Stearns
Frost	McHugh	Spratt	Baldacci	Blumenauer	Burton	Hayworth	Moore	Stenholm
Gallegly	McInnis	Stark	Ballenger	Blunt	Buyer	Hefley	Moran (KS)	Strickland
Ganske	McIntyre	Stearns	Barrett	Boehlert	Calvert	Herger	Moran (VA)	Stupak
Gekas	McKeon	Stenholm	Bartlett	Boehner	Camp	Hill	Morella	Sullivan
Gibbons	McKinney	Sullivan	Barton	Bono	Cannon	Hilleary	Nadler	Sununu
Gilchrest	Meehan	Sununu	Bass	Boozman	Cantor	Hilliard	Napolitano	Sweeney
Gilman	Meek (FL)	Tancredo	Becerra	Boswell	Capps	Hinchey	Neal	Tancredo

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So the Journal was approved.
The result of the vote was announced
as above recorded.

MOTION TO INSTRUCT CONFEREES ON H.R. 3295, HELP AMERICA VOTE ACT OF 2001

The SPEAKER pro tempore (Mrs. BIGGERT). The unfinished business is the question on the motion to instruct conferees on H.R. 3295.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.
The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) 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 385, nays 16, not voting 31, as follows:

[Roll No. 418]

YEAS—385

Abercrombie	Bentsen	Boucher
Ackerman	Bereuter	Boyd
Aderholt	Berkley	Brady (PA)
Akin	Berman	Brady (TX)
Allen	Berry	Brown (FL)
Andrews	Biggart	Brown (OH)
Armey	Bilirakis	Brown (SC)
Baca	Bishop	Bryant
Baird	Blagojevich	Burr
Baker	Blumenauer	Burton
Baldacci	Blunt	Buyer
Ballenger	Boehlert	Calvert
Barrett	Boehner	Camp
Bartlett	Bono	Cannon
Barton	Boozman	Cantor
Bass	Borski	Capito
Becerra	Boswell	Capps