

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	Olver
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	Olver	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

□ 1137

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

Tanner	Turner	Watt (NC)
Tauscher	Udall (CO)	Watts (OK)
Tauzin	Udall (NM)	Waxman
Taylor (MS)	Upton	Weiner
Taylor (NC)	Velazquez	Weldon (FL)
Terry	Visclosky	Weldon (PA)
Thomas	Vitter	Weller
Thompson (MS)	Walden	Wexler
Thune	Walsh	Wicker
Tiahrt	Wamp	Wilson (NM)
Tiberi	Waters	Wilson (SC)
Tierney	Watkins (OK)	Wolf
Towns	Watson (CA)	Woolsey

NAYS—16

Barr	Goode	Paul
Bonilla	Hostettler	Thornberry
Collins	Kerns	Toomey
Culberson	Miller, Jeff	Young (AK)
Duncan	Myrick	
Flake	Norwood	

NOT VOTING—31

Bachus	Hulshof	Roukema
Baldwin	Hunter	Schaffer
Barcia	John	Stump
Bonior	Jones (NC)	Thompson (CA)
Callahan	Kennedy (RI)	Thurman
Capuano	Larson (CT)	Whitfield
Clay	Maloney (NY)	Wu
English	McCrery	Wynn
Fletcher	McDermott	Young (FL)
Fossella	Mink	
Hastings (WA)	Murtha	

□ 1147

Mr. DUNCAN changed his vote from "yea" to "nay."

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. BALDWIN. Mr. Speaker, I was absent during rollcall vote No. 418. However, if I would have been present on the Johnson of Texas Motion to Instruct Election Reform Conferees, I would have voted, "yea."

PERSONAL EXPLANATION

Mr. JONES of North Carolina. Mr. Speaker, on rollcall Nos. 416, 417, and 418, I was unavoidably detained. Had I been present, I would have voted "aye" on Nos. 416 and 417, and "nay" on No. 418.

HELP EFFICIENT, ACCESSIBLE, LOW COST, TIMELY HEALTH CARE ACT OF 2002

Mr. REYNOLDS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 553 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 553

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. 4600) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system. The bill shall be considered as read for amendment. In lieu of the amendments recommended by the Committees on the Judiciary and on Energy and Commerce now printed in the bill, the amendment in the nature of a substitute 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) one hour of debate on the bill, as amended, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mrs. BIGGERT). The gentleman from New York (Mr. REYNOLDS) is recognized for 1 hour.

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

Mr. REYNOLDS. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielding is for the purpose of debate only.

Madam Speaker, House Resolution 553 is a closed rule providing for the consideration of H.R. 4600, the Help Efficient, Accessible, Low Cost, Timely Health Care Act of 2002, more commonly known as the HEALTH Act. The rule waives all points of order against consideration of the bill and provides one motion to recommit, with or without instructions.

Madam Speaker, when it comes to health care, there is nothing more hallowed than the quality of patient care and the integrity of patient choice. However, there is an unfortunate and rising trend in our country that is not only threatening patient care and choice, but is obstructing the way in which doctors and other providers administer that care, and it is collectively costing patients, their families, doctors and taxpayers billions of dollars every year.

In recent years, medical liability insurance premiums have soared to the highest rates since the mid-1980s. These devastating increases have forced health care professionals to limit services, relocate their practices, or retire early. Meanwhile, affordability and availability of insurance is in grave jeopardy, and, in the end, patients are the ones shortchanged.

One might assume that the generous lawsuit judgment awards and settlements would bode well for injured patients seeking redress. However, studies show that most injured patients receive little or no compensation at all. Alarming, there is clear evidence indicating that skyrocketing medical liability premiums are a direct result of increases in both lawsuit awards and litigation expenses, and, according to a study compiled by the United States Department of Health and Human Services, excessive litigation is impeding efforts to improve the quality of care and raising the cost of health care that all Americans pay.

By placing modest limits on unreasonable awards for economic damages,

an estimated \$60 billion to \$108 billion, that is \$60 billion to \$108 billion, could be saved in health care costs each year. Reclaiming this money would lower premiums for doctors and patients, allowing millions of Americans the opportunity to obtain affordable health insurance. Currently, runaway litigation expenses are getting in the way.

Take into consideration my home State of New York. In most instances New York physicians are paying the highest medical liability premiums in the country and are likely to pay at least 20 percent more in premiums over the next year alone. My region of the State is especially feeling the impact.

"The number of doctors leaving Erie last year doubled from the previous year, a trend that continues to 2002," wrote Donald Copley, M.D., an officer of the Erie County Medical Society in the Business First of Buffalo newspaper. The Medical Society of New York says the trend of physicians leaving New York State or retiring early is happening all across the State.

When exorbitant litigation goes unchecked, as it has, premiums escalate, leaving doctors either unable to afford insurance or unable to provide a variety of services, thereby leaving Americans at risk of not being able to find a doctor.

Madam Speaker, this is completely unacceptable.

The legislation before us today will halt the exodus of providers from the health care industry, stabilize premiums, limit staggering attorney fees, and, above all, improve patient access to care.

The HEALTH Act is modeled after legislation adopted by a Democratic legislature and a Democratic Governor in the State of California over 27 years ago. Since that time, insurance premiums in the rest of the country have increased over 500 percent, while California's has only risen 167 percent.

California's insurance market has stabilized, increasing patient access to care and saving more than \$1 billion per year in liability premiums. Equally important, California doctors are not leaving the State.

In scaling this model into a national standard, the sponsors of the HEALTH Act included a critical component, state flexibility. The HEALTH Act respects States rights by allowing States that already have damages caps, whether larger or smaller than those provided in the HEALTH Act, to retain such caps.

Madam Speaker, right now this crisis is affecting every State in its own way, but the Nation as a whole is suffering.

President Bush has said that the lawsuit industry is devastating the practice of medicine. Let us not pass up our opportunity to step up to the plate. Doctors should not be afraid to practice medicine and patients should not be afraid of losing their doctor.

I urge my colleagues to support this rule and the underlying legislation.

Madam Speaker, I reserve the balance of my time.