

To permit a question of privileges of the House either urging or requiring congressional action or inaction on education funding would permit any Member to advance virtually any legislative proposal as a question of privileges of the House.

As the Chair ruled on December 22, 1995, the mere invocation of the general legislative power of the purse provided in the Constitution, coupled with a fiscal policy end, does not meet the requirements of rule IX and is really a matter properly initiated through introduction in the hopper under clause 7 of rule XII.

Accordingly, the resolution offered by the gentleman from Indiana (Mr. VISCLOSKY) does not constitute a question of privileges of the House under rule IX and may not be considered at this time.

Mr. VISCLOSKY. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is: Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE OFFERED BY MR. JEFF MILLER OF FLORIDA

Mr. JEFF MILLER of Florida. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion to table.

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

Mr. VISCLOSKY. 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 210, nays 200, not voting 21, as follows:

[Roll No. 433]

YEAS—210

Aderholt	Crenshaw	Grucci
Akin	Cubin	Gutknecht
Armey	Culberson	Hansen
Bachus	Cunningham	Hart
Baker	Davis, Jo Ann	Hastings (WA)
Ballenger	DeLay	Hayes
Bartlett	DeMint	Hayworth
Barton	Diaz-Balart	Hefley
Bass	Doolittle	Herger
Bereuter	Dreier	Hobson
Biggert	Duncan	Hoekstra
Bilirakis	Dunn	Horn
Blunt	Ehlers	Hostettler
Boehler	Emerson	Houghton
Boehner	English	Hulshof
Bonilla	Everett	Hunter
Bono	Ferguson	Hyde
Boozman	Flake	Isakson
Brady (TX)	Fletcher	Issa
Brown (SC)	Foley	Istook
Bryant	Forbes	Jenkins
Burr	Fossella	Johnson (CT)
Burton	Frelinghuysen	Johnson (IL)
Buyer	Gallegly	Johnson, Sam
Calvert	Gekas	Jones (NC)
Camp	Gibbons	Keller
Cannon	Gilchrest	Kelly
Cantor	Gillmor	Kennedy (MN)
Capito	Gilman	Kerns
Castle	Goode	King (NY)
Chabot	Goodlatte	Kingston
Chambliss	Goss	Kirk
Coble	Graham	Knollenberg
Collins	Granger	Kolbe
Combest	Graves	LaHood
Cox	Green (WI)	Latham
Crane	Greenwood	LaTourette

Leach	Pombo	Smith (NJ)
Lewis (CA)	Portman	Smith (TX)
Lewis (KY)	Pryce (OH)	Souder
Linder	Putnam	Stearns
LoBiondo	Quinn	Sullivan
Lucas (OK)	Radanovich	Sununu
Manzullo	Ramstad	Sweeney
McCrery	Regula	Tancredo
McHugh	Rehberg	Tauzin
McInnis	Reynolds	Taylor (NC)
McKeon	Riley	Terry
Mica	Rogers (KY)	Thomas
Miller, Dan	Rogers (MI)	Thornberry
Miller, Gary	Rohrabacher	Thune
Miller, Jeff	Ros-Lehtinen	Tiahrt
Moran (KS)	Royce	Tiberi
Morella	Ryan (WI)	Toomey
Myrick	Ryun (KS)	Upton
Nethercutt	Saxton	Vitter
Ney	Schaffer	Walden
Northup	Schrock	Walsh
Norwood	Sensenbrenner	Wamp
Nussle	Sessions	Watts (OK)
Osborne	Shadegg	Weldon (FL)
Ose	Shaw	Weldon (PA)
Otter	Shays	Weller
Oxley	Sherwood	Whitfield
Paul	Shimkus	Wicker
Pence	Shuster	Wilson (NM)
Peterson (PA)	Simmons	Wilson (SC)
Petri	Simpson	Wolf
Pickering	Skeen	Young (AK)
Platts	Smith (MI)	Young (FL)

NAYS—200

Ackerman	Gonzalez	Moran (VA)
Allen	Gordon	Murtha
Andrews	Green (TX)	Nadler
Baca	Hall (TX)	Napolitano
Baird	Harman	Neal
Baldacci	Hill	Oberstar
Baldwin	Hilliard	Obey
Barcia	Hinche	Olver
Barrett	Hinojosa	Ortiz
Becerra	Hoeffel	Owens
Bentsen	Holden	Pallone
Berkley	Holt	Pascarell
Berman	Honda	Pastor
Berry	Hooley	Payne
Bishop	Hoyer	Pelosi
Blagojevich	Inslee	Peterson (MN)
Blumenauer	Israel	Phelps
Bonior	Jackson (IL)	Pomeroy
Borski	Jackson-Lee	Price (NC)
Boswell	(TX)	Rahall
Boucher	Jefferson	Rangel
Boyd	John	Reyes
Brady (PA)	Johnson, E. B.	Rivers
Brown (FL)	Jones (OH)	Rodriguez
Brown (OH)	Kanjorski	Roemer
Capps	Kaptur	Ross
Capuano	Kennedy (RI)	Rothman
Cardin	Kildee	Roybal-Allard
Carson (IN)	Kilpatrick	Rush
Carson (OK)	Kind (WI)	Sabo
Clay	Kleczka	Sanders
Clayton	Kucinich	Sandlin
Clement	Langvin	Sawyer
Clyburn	Lantos	Schakowsky
Condit	Larsen (WA)	Schiff
Conyers	Larson (CT)	Scott
Costello	Lee	Serrano
Coyne	Levin	Sherman
Cramer	Lewis (GA)	Shoemaker
Crowley	Lipinski	Skellton
Cummings	Lofgren	Slaughter
Davis (CA)	Lowe	Smith (WA)
Davis (FL)	Lucas (KY)	Snyder
Davis (IL)	Luther	Solis
DeFazio	Lynch	Spratt
DeGette	Maloney (CT)	Stark
DeLauro	Maloney (NY)	Stenholm
Deutsch	Markey	Strickland
Dicks	Matheson	Stupak
Dingell	Matsui	Tauscher
Doggett	McCarthy (MO)	Taylor (MS)
Dooley	McCarthy (NY)	Thompson (CA)
Doyle	McCollum	Thompson (MS)
Edwards	McDermott	Thurman
Engel	McGovern	Tierney
Eshoo	McIntyre	Towns
Etheridge	McNulty	Turner
Evans	Meehan	Udall (CO)
Farr	Meek (FL)	Udall (NM)
Fattah	Meeks (NY)	Velazquez
Filner	Menendez	Visclosky
Ford	Millender	Waters
Frank	McDonald	Watson (CA)
Frost	Miller, George	Watt (NC)
Gephardt	Mollohan	
	Moore	

Waxman	Wexler	Wu
Weiner	Woolsey	Wynn

NOT VOTING—21

Abercrombie	Ganske	McKinney
Barr	Gutierrez	Pitts
Callahan	Hastings (FL)	Roukema
Cooksey	Hilleary	Sanchez
Davis, Tom	LaFalce	Stump
Deal	Lampson	Tanner
Ehrlich	Mascara	Watkins (OK)

□ 1524

Mr. EDWARDS and Mr. HINOJOSA changed their vote from “yea” to “nay.”

Mr. HEFLEY and Mr. WELDON of Florida changed their vote from “nay” to “yea.”

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRIVILEGES OF THE HOUSE—INTEGRITY OF PROCEEDINGS AS PRESCRIBED BY THE CONSTITUTION

Mr. BROWN of Ohio. Mr. Speaker, I rise to a question of the privileges of the House, and I offer a privileged resolution, that I noticed yesterday pursuant to rule IX, and ask for its immediate consideration.

The SPEAKER pro tempore (Mr. THORNBERRY). The Clerk will report the resolution.

The Clerk read as follows:

Whereas Article I, Section VIII, of the Constitution states Congress shall have Power to promote the progress of Science and the useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

Whereas such protections on Writings and Discoveries have been promulgated by patent, copyright, and other laws, including Public Law 98-417, affording Authors and Inventors the exclusive Right to their respective Writings and Discoveries for a limited period of time;

Whereas Public Law 98-417 breaches this constitutional requirement by failing to impose such limitation on the protection of certain medical inventions;

Whereas provisions of Public Law 98-417 imbue the Food and Drug Administration with the authority to secure for limited time for Inventors the exclusive Right to their respective Medical Inventions;

Whereas public Laws 98-417 fails to provide the Food and Drug Administration the authority to refrain from securing this exclusive right for inventors if the conditions for such exclusivity are not met;

Whereas due to the failure of Congress to provide the Food and Drug Administration with the proper authority to fulfill obligations under the Act, certain medical inventions have received the exclusive Right to their respective Inventions without limitation;

Whereas the unlimited exercise of exclusivity by prescription drug manufacturers subjects healthcare consumers and third party payers to no-competitive prices and results in significantly higher prescription drug costs for purchasers;

Whereas health care costs increased by 5% in 2001, 3.7 times faster than overall inflation rate;

Whereas prescription drug cost spending is the fastest growing component of health care costs, and rose 17% in 2001;

Whereas health insurance premiums rose by 11% in 2001, driven largely by the increased cost of prescription drugs;

Whereas state Medicaid spending increased by 11% in Fiscal year 2002, driven primarily by increased prescription drug spending and enrollment growth;

Whereas the number of individuals with health insurance declined by 1.4 million in 2001, a function of the faltering economy, rapid health inflation, and a growing number of states in which public insurance programs are outpacing budgets;

Whereas prescription drugs are prescribed by licensed healthcare professionals to consumers as a non-discretionary purchase essential to their welfare;

Whereas it is in the public interest to grant a limited period of exclusivity to inventors of prescription drugs, but extending that exclusivity places an inappropriate fiscal burden on consumers, insurers, and public sector payers;

Whereas generic drugs are sold as alternatives to medical inventions for which exclusivity is no longer available;

Whereas generic drugs have the same dosage, safety, strength, quality, and performance as the medical inventions for which they serve as substitutes, according to the Food and Drug Administration;

Whereas limitations on exclusivity have allowed prescription drug prices to drop 40-80 percent when generic drugs enter the market;

Whereas limitations allowing generic drugs to enter the market saved consumers \$8-\$10 billion in 1994 alone, according to the Congressional Budget Office;

Whereas the failure to apply limitations to the Exclusive rights granted under Public Law 98-622 has afforded widely used medicines, including Prilosec and Paxil, an indefinite period of exclusivity;

Whereas Prilosec and Paxil were among the 50 medicines seniors used most in 2001;

Whereas the Senate has passed S. 812, which amends Public Law 98-417 to restore constitutionally mandated limitation on medical inventions;

Whereas the House has not considered Legislation to amend Public Law 98-417 to restore constitutionally mandated limitations in medical inventions;

Whereas it is the obligation of the House to consider such legislation in keeping with its constitutionally mandated obligations to secure for Limited Times to Authors and inventors the right to their writings and Inventions;

Whereas the failure of the House to restore limitations on the exclusivity afforded to the inventors of prescription drugs, if not remedied, will cost consumers and other purchasers \$60 billion over the next ten years, according to the Congressional Budget Office;

Whereas the failure of the House to restore limitations on the exclusivity afforded to the inventors of prescription drugs, if not remedied, will leave more seniors and other Americans without access to needed medicines;

Resolved, that it is the sense of the House of Representatives that the house should consider pending legislation to amend Public Law 98-417 to restore constitutionally mandated limitations on medical inventions on behalf of American consumers, including seniors, American businesses, and tax-funded federal and state health insurance programs.

□ 1530

POINT OF ORDER

Mr. BURR of North Carolina. Mr. Speaker, I rise on a point of order. The gentleman has not presented to the House a question of privilege under rule IX of the rules of the House. As the House Practice Manual clearly states, and I quote, "Rule IX is concerned not with the privileges of the Congress as a legislative branch but

only with the privileges of the House itself." The mere enumeration of the legislative powers in article 1, section 8 of the U.S. Constitution, which the gentleman cites in his resolution, do not give rise to a question of privilege of the House itself. The precedents of the House are clear on this point.

Mr. Speaker, I therefore insist on the point of order.

The SPEAKER pro tempore (Mr. THORNBERRY). The Chair will hear from the gentleman from Ohio on the point of order as to whether his resolution constitutes a question of privileges of the House under rule IX.

Mr. BROWN of Ohio. Mr. Speaker, this resolution goes to the question of the integrity of the House and its proceedings, and failure to act impugns the integrity of the House.

Under article 1, section 8 of the Constitution, Congress has two obligations in regard to intellectual property protection: to provide authors and inventors a period of exclusivity, and to place a defined limit on that exclusivity. Both obligations are crucial because they accommodate a delicate balance between promoting new innovation and promoting broad scale access to that new innovation.

In the case of prescription drugs, the balance is especially crucial. It is in the public interest to promote the development of new medicines. Every day, however, that competition in the drug market is delayed means fewer Americans with access to that medicine. The only thing more tragic than a life-threatening or debilitating illness is knowing that one cannot afford the medicine that would cure that illness.

In accordance with its obligations under the Constitution, Congress has enacted a number of laws intended to provide inventors and authors limited intellectual property protection: the Patent Act, the Copyright Act, the Bayh-Dole Act, the Hatch-Waxman Act, and licensing laws for atomic energy and anti-pollution devices. Unfortunately, Hatch-Waxman confers intellectual property protection without limit. This was clearly not the intention of the authors, and Congress has impugned its integrity by failing to address this constitutional breach.

Under Hatch-Waxman, drug makers can trigger an automatic 30-month period of exclusivity for their products above and beyond the 14 to 17 years of patent protection they already receive by taking two simple steps: first, the drugmaker notifies FDA that it possesses an additional patent that claims the drug, meaning that it covers an essential aspect of the drug as approved by FDA. This typically occurs at just about the time when the drugmaker's original patents on the drug are about to expire. Then, if any generic drug companies have filed on application with FDA to market a generic version of that drug, the brand-name company then sues the generic for patent infringement.

Under those circumstances, FDA is obligated to place a 2½-year stay on the approval of the generic drug application regardless of the merit of the patent, regardless of whether the drugmaker's new patent actually claims the drug. In fact, FDA has no authority under Hatch-Waxman to assess whether a patent is actually in any way relevant to the underlying drug patent. The agency must take the drug industry's word for it and award the drugmaker an additional 30 months of exclusivity.

While the Judicial Branch tries to step into the breach, the courts have repeatedly curtailed the 30-month exclusivity by ruling that a drug company's patent does not claim a drug, the courts cannot prevent drug companies from repeating this process over and over again, filing new patents with FDA, triggering 30 months of exclusivity, then enjoying that exclusivity until the courts rule against them.

The SPEAKER pro tempore. The Chair requests the gentleman confine his remarks to the question of whether the resolution constitutes a question of privileges of the House.

Mr. BROWN of Ohio. Mr. Speaker, this goes to the question of the integrity of the House and its proceedings; and by building this case, it will be clear to all Members how this in fact has happened.

The Patent and Trademark Office cannot prevent drugmakers from securing indefinite periods of exclusivity under Hatch-Waxman. It only determines whether a drugmaker should receive a patent, not whether this patent claims an existing prescription drug product. Under Hatch-Waxman, neither FDA nor any agency or branch of government can prevent intellectual property protection from being conferred over and over again, in other words, indefinitely for the same product, a violation of the Constitution.

This problem is not theoretical; it is real. Neurontin, a \$1.1 billion-a-year drug, is a prescription drug for seizures. Its two main patents, one on the drug's ingredients, one on the use of the drug, expired in 1994 and 6 years later, respectively. Right before the second patent expired, the company listed two new patents, one of which was an unapproved use to treat Parkinson's. The drugmaker did not ask FDA to approve the drug for Parkinson's patients. The drugmakers did not do any research to assert whether the drug actually is effective for Parkinson's patients, but the generic drugmaker still had to go to court to argue that its product is not intended for Parkinson's patients.

When the generic and brand-name company go to court, FDA is automatically required to withhold approval of the generic for 30 months, or 2½ years. That is why this goes to the integrity of the House and its proceedings. After those 30 months, the industry filed a new patent, forcing the generic industry to go back to court, starting the 30-

month clock again. The two delays, equal to 5 years, delayed generic entry and additional patent protection illegally and unconstitutionally, costing consumers a million and a half days in potential savings.

It is our responsibility, Mr. Speaker, to restore the original intent of Hatch-Waxman and meet our constitutional obligation to limit intellectual property protection afforded to drugmakers. Our failure to act on pending legislation impugns the integrity of this House and impugns the integrity of Congress. In failing to act, we play a complicit role in a looming health care crisis. We know what that is: rising prescription drug costs fuel double-digit increases in health insurance premiums, they put State budgets in the red, and they force seniors to choose between medicine and food.

My question of privilege, Mr. Speaker, regards the integrity of our proceedings as a House as prescribed by the Constitution. The Constitution conveys upon this body the power to secure for limited, underscore limited, times to authors and inventors the exclusive rights to their writings and discoveries. Hatch-Waxman confers intellectual property protection without limit, and therefore it is our obligation to remedy this constitutional breach.

The other body has passed legislation already that fulfills this obligation bipartisanly and overwhelmingly. This House has three pieces of legislation before it, H.R. 1862, 5272, and 5311, with several sponsors from both parties, that would enable the House to meet its constitutional obligation. This resolution urges the House to take up one of these measures in keeping with our constitutional obligations and to restore the integrity of our proceedings.

I ask the Speaker to recognize any Member wishing to speak on the resolution.

The SPEAKER pro tempore. The Chair is prepared to rule.

As the Chair ruled earlier today, a resolution expressing the sentiment that Congress should act on a specified measure does not constitute a question of privileges of the House under rule IX.

The mere invocation of legislative powers provided in the Constitution coupled with a desired policy end does not meet the requirements of rule IX and is really a matter properly initiated through introduction in the hopper under clause 7 of rule XII.

Accordingly, the resolution offered by the gentleman from Ohio does not constitute a question of the privileges of the House under rule IX, and the point of order raised by the gentleman from North Carolina is sustained.

Mr. BROWN of Ohio. Mr. Speaker, I appeal the ruling of the Chair and ask to be heard on the ruling.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE OFFERED BY MR. BURR OF NORTH CAROLINA

Mr. BURR of North Carolina. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. BURR) to lay on the table the appeal of the ruling of the Chair.

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

Mr. BROWN of Ohio. 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 212, nays 204, not voting 15, as follows:

[Roll No. 434]

YEAS—212

Aderholt	Gekas	Miller, Jeff
Akin	Gibbons	Moran (KS)
Armey	Gilchrest	Myrick
Bachus	Gillmor	Nethercutt
Baker	Gilman	Ney
Ballenger	Goode	Norwood
Bartlett	Goodlatte	Nussle
Barton	Goss	Osborne
Bass	Graham	Ose
Bereuter	Granger	Otter
Biggert	Graves	Oxley
Bilirakis	Green (WI)	Paul
Blunt	Greenwood	Pence
Boehlert	Grucci	Peterson (PA)
Boehner	Gutknecht	Petri
Bonilla	Hansen	Pickering
Bono	Hart	Platts
Boozman	Hastings (WA)	Pombo
Brady (TX)	Hayes	Portman
Brown (SC)	Hayworth	Pryce (OH)
Bryant	Hefley	Putnam
Burr	Herger	Quinn
Burton	Hobson	Radanovich
Buyer	Hoekstra	Ramstad
Callahan	Horn	Regula
Calvert	Hostettler	Rehberg
Camp	Houghton	Reynolds
Cannon	Hulshof	Riley
Cantor	Hunter	Rogers (KY)
Capito	Hyde	Rogers (MI)
Castle	Isakson	Rohrabacher
Chabot	Issa	Ros-Lehtinen
Chambliss	Istook	Royce
Coble	Jenkins	Ryan (WI)
Collins	Johnson (CT)	Ryun (KS)
Combest	Johnson (IL)	Saxton
Cooksey	Johnson, Sam	Schaffer
Cox	Jones (NC)	Schrock
Crane	Keller	Sensenbrenner
Crenshaw	Kelly	Sessions
Cubin	Kennedy (MN)	Shadegg
Culberson	Kerns	Shaw
Cunningham	King (NY)	Shays
Davis, Jo Ann	Kingston	Sherwood
Davis, Tom	Kirk	Shimkus
DeLay	Knollenberg	Shuster
DeMint	Kolbe	Simmons
Diaz-Balart	LaHood	Simpson
Doolittle	Latham	Skeen
Dreier	LaTourette	Smith (MI)
Duncan	Leach	Smith (NJ)
Dunn	Lewis (CA)	Smith (TX)
Ehlers	Lewis (KY)	Souder
Emerson	Linder	Stearns
English	LoBiondo	Sullivan
Everett	Lucas (OK)	Sununu
Ferguson	Manzullo	Sweeney
Flake	McCrery	Tancredo
Fletcher	McHugh	Tauzin
Foley	McInnis	Taylor (NC)
Forbes	McKeon	Terry
Fossella	Mica	Thomas
Frelinghuysen	Miller, Dan	Thornberry
Galgely	Miller, Gary	Thune

Tiahrt
Tiberi
Toomey
Upton
Vitter
Walden
Walsh

Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield

Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—204

Abercrombie	Green (TX)	Nadler
Ackerman	Gutierrez	Napolitano
Allen	Hall (TX)	Neal
Andrews	Harman	Northup
Baca	Hill	Oberstar
Baird	Hilliard	Obey
Baldacci	Hinchey	Oliver
Baldwin	Hinojosa	Ortiz
Barcia	Hoeffel	Owens
Barrett	Holden	Pallone
Becerra	Holt	Pascarell
Bentsen	Honda	Pastor
Berkley	Hooley	Payne
Berman	Hoyer	Pelosi
Berry	Inslee	Peterson (MN)
Bishop	Israel	Phelps
Blagojevich	Jackson (IL)	Pomeroy
Blumenauer	Jackson-Lee	Price (NC)
Bonior	(TX)	Rahall
Borski	Jefferson	Rangel
Boswell	John	Reyes
Boucher	Johnson, E. B.	Rivers
Boyd	Jones (OH)	Rodriguez
Brady (PA)	Kanjorski	Roemer
Brown (FL)	Kaptur	Ross
Brown (OH)	Kennedy (RI)	Rothman
Capps	Kildee	Roybal-Allard
Capuano	Kilpatrick	Rush
Cardin	Kind (WI)	Sabo
Carson (IN)	Klecicka	Sanders
Carson (OK)	Kucinich	Sandlin
Clay	LaFalce	Sawyer
Clayton	Langevin	Schakowsky
Clement	Lantos	Schiff
Clyburn	Larsen (WA)	Scott
Condit	Larson (CT)	Serrano
Conyers	Lee	Sherman
Costello	Levin	Shows
Coyne	Lewis (GA)	Slaughter
Cramer	Lipinski	Smith (WA)
Crowley	Lofgren	Snyder
Cummings	Lowe	Solis
Davis (CA)	Lucas (KY)	Spratt
Davis (FL)	Luther	Stark
Davis (IL)	Lynch	Stenholm
DeFazio	Maloney (CT)	Strickland
DeGette	Maloney (NY)	Stupak
Delahunt	Markey	Tauscher
DeLauro	Matheson	Taylor (MS)
Deutsch	Matsui	Thompson (CA)
Dicks	McCarthy (MO)	Thompson (MS)
Dingell	McCarthy (NY)	Thurman
Doggett	McCollum	Tierney
Dooley	McDermott	Towns
Doyle	McGovern	Turner
Edwards	McIntyre	Udall (CO)
Engel	McNulty	Udall (NM)
Eshoo	Meehan	Velazquez
Etheridge	Meek (FL)	Visclosky
Evans	Meeks (NY)	Waters
Farr	Menendez	Watson (CA)
Fattah	Millender	Watt (NC)
Filner	McDonald	Waxman
Ford	Miller, George	Weiner
Frank	Mollohan	Wexler
Frost	Moore	Woolsey
Gephardt	Moran (VA)	Wu
Gonzalez	Morella	Wynn
Gordon	Murtha	

NOT VOTING—15

Barr	Hilleary	Roukema
Deal	Lampson	Sanchez
Ehrlich	Mascara	Skelton
Ganske	McKinney	Stump
Hastings (FL)	Pitts	Tanner

□ 1604

Mrs. NORTHUP changed her vote from "yea" to "nay."

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.