

Velázquez Watt Woolsey
Wasserman Waxman Wu
Schultz Weiner Young (FL)
Waters Weldon (FL)
Watson Wexler

NOT VOTING—3

Brady (PA) Payne Schakowsky

□ 1310

Ms. SCHWARTZ of Pennsylvania, Ms. CORRINE BROWN of Florida, and Messrs. SERRANO, KIND, BARTLETT of Maryland, and DAVIS of Illinois changed their vote from "yea" to "nay."

Ms. HERSETH, Mr. GILCHREST, and Mr. SCOTT of Virginia changed their vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2361, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore (Mr. SIMPSON). The pending business is the question of agreeing to the resolution, House Resolution 392, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 4, answered "present" 23, not voting 4, as follows:

[Roll No. 446] YEAS—402

Abercrombie Boyd Cramer
Ackerman Bradley (NH) Crenshaw
Aderholt Brady (TX) Crowley
Alexander Brown (OH) Cubin
Allen Brown (SC) Cuellar
Andrews Brown, Corrine Culberson
Baca Brown-Waite, Cummings
Bachus Ginny Cunningham
Baird Burgess Davis (AL)
Baker Burton (IN) Davis (CA)
Baldwin Butterfield Davis (FL)
Barrow Buyer Davis (IL)
Barton (TX) Calvert Davis (KY)
Bass Camp Davis (TN)
Bean Cannon Davis, Jo Ann
Beauprez Cantor Davis, Tom
Becerra Capito Deal (GA)
Berkley Capps DeFazio
Berman Cardin DeGette
Berry Cardoza Delahunt
Biggart Carnahan DeLauro
Bilirakis Carson DeLay
Bishop (GA) Carter Dent
Bishop (NY) Case Diaz-Balart, L.
Bishop (UT) Castle Diaz-Balart, M.
Blackburn Chabot Dicks
Blumenauer Chandler Doggett
Blunt Chocola Doolittle
Boehlert Clay Doyle
Boehner Cleaver Drake
Bonilla Clyburn Dreier
Bonner Coble Duncan
Bono Cole (OK) Edwards
Boozman Conaway Ehlers
Boren Conyers Emanuel
Boswell Costa Emerson
Boucher Costello Engel
Boustany Cox English (PA)

Eshoo LaTourette Renzi
Etheridge Leach Reyes
Evans Lee Reynolds
Everett Levin Rogers (AL)
Farr Lewis (CA) Rogers (KY)
Fattah Lewis (GA) Rogers (MI)
Feeney Lewis (KY) Rohrabacher
Ferguson Linder Ros-Lehtinen
Filner Lipinski Ross
Fitzpatrick (PA) LoBiondo Rothman
Forbes Lowey Roybal-Allard
Ford Lucas Royce
Fortenberry Lynch Ruppertsberger
Fossella Mack Rush
Frank (MA) Maloney Ryan (OH)
Frelinghuysen Manzullo Ryun (KS)
Gallegly Marchant Sabo
Garrett (NJ) Markey Salazar
Gerlach Marshall Sánchez, Linda
Gibbons Matheson T.
Gilchrest Matsui Sanchez, Loretta
Gillmor McCarthy Sanders
Gingrey McCaul (TX) Saxton
Gonzalez McCollum (MN) Schiff
Goode McCotter Schwartz (PA)
Goodlatte McCrery Schwarz (MI)
Gordon McDermott Scott (GA)
Granger McGovern Scott (VA)
Graves McHenry Sensenbrenner
Green (WI) McHugh Sessions
Green, Al McIntyre Shadegg
Green, Gene McKeon Shaw
Grijalva McKinney Shays
Gutierrez McMorris Sherman
Hall McNulty Sherwood
Harman Meehan Shimkus
Harris Meek (FL) Shuster
Hart Meeks (NY) Simmons
Hastings (FL) Melancon Simpson
Hastings (WA) Menendez Skelton
Hayes Mica Slaughter
Hayworth Michaud Smith (NJ)
Herger Millender Smith (TX)
Herseith McDonald Smith (WA)
Higgins Miller (MI) Snyder
Hincheey Miller (NC) Solis
Hinojosa Miller, Gary Souder
Hobson Miller, George Spratt
Hoekstra Mollohan Stark
Holden Moore (KS) Stearns
Holt Moore (WI) Strickland
Honda Moran (KS) Sullivan
Hooley Moran (VA) Sweeney
Hostettler Murphy Tauscher
Hoyer Murtha Taylor (MS)
Hulshof Myrick Taylor (NC)
Hunter Nadler Terry
Hyde Napolitano Thomas
Inglis (SC) Neal (MA) Thompson (CA)
Inslee Neugebauer Thompson (MS)
Israel Ney
Issa Northup Thornberry
Istook Norwood Tiaht
Jackson (IL) Nunes Tiberi
Jackson-Lee Nussle Tierney
(TX) Oberstar Towns
Jefferson Obey Turner
Jenkins Olver Udall (CO)
Jindal Ortiz Udall (NM)
Johnson (CT) Osborne Upton
Johnson (IL) Owens Van Hollen
Johnson, E. B. Oxley Velázquez
Johnson, Sam Pallone Visclosky
Jones (OH) Pascrell Walden (OR)
Kanjorski Pastor Walsh
Kaptur Pearce Walsh
Keller Pelosi Wamp
Kelly Peterson (MN) Wasserman
Kennedy (MN) Peterson (PA) Schultz
Kennedy (RI) Petri Waters
Kildee Pickering Watson
King Kilpatrick (MI) Watt
Kind Pitts Waxman
King (NY) Platts Weiner
Kingston Poe Weldon (FL)
Kirk Pombo Weldon (PA)
Kline Porter Weller
Knollenberg Price (NC) Wexler
Kolbe Pryce (OH) Whitfield
Kucinich Putnam Wicker
Kuhl (NY) Radanovich Wilson (NM)
LaHood Rahall Wilson (SC)
Langevin Ramstad Wolf
Lantos Rangel Woolsey
Larsen (WA) Regula Wu
Larson (CT) Rehberg Wynn
Latham Reichert Young (AK)
Young (FL)

NAYS—4

Capuano Dingell
Cooper Stupak

ANSWERED "PRESENT"—23

Akin Hefley Otter
Barrett (SC) Hensarling Pence
Bartlett (MD) Jones (NC) Price (GA)
Flake King (IA) Ryan (WI)
Foxy Lungren, Daniel Sodrel
Franks (AZ) E. Tancredo
Gohmert Miller (FL) Tanner
Gutknecht Musgrave Westmoreland

NOT VOTING—4

Brady (PA) Payne
Paul Schakowsky

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1318

Mr. POE changed his vote from "present" to "yea."

Mr. BARRETT of South Carolina changed his vote from "yea" to "present."

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

A motion to reconsider was laid on the table.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2985, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. The pending business is the question of agreeing to the resolution, House Resolution 396, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 375, nays 27, answered "present" 24, not voting 7, as follows:

[Roll No. 447] YEAS—375

Abercrombie Bono Castle
Ackerman Boozman Chabot
Aderholt Boren Chandler
Alexander Boswell Chocola
Allen Boucher Clay
Andrews Boustany Cleaver
Baca Boyd Clyburn
Bachus Bradley (NH) Coble
Baker Brady (TX) Cole (OK)
Barton (TX) Brown (SC) Conaway
Bass Brown, Corrine Costa
Bean Brown-Waite, Costello
Beauprez Ginny Cox
Becerra Burgess Cramer
Berkley Burton (IN) Crenshaw
Berman Butterfield Crowley
Berry Buyer Cubin
Biggart Calvert Cuellar
Bilirakis Camp Culberson
Bishop (GA) Cannon Cummings
Bishop (NY) Cantor Cunningham
Bishop (UT) Capito Davis (AL)
Blackburn Capps Davis (CA)
Blumenauer Cardin Davis (FL)
Blunt Cardoza Davis (IL)
Boehlert Carnahan Davis (KY)
Boehner Carson Davis (TN)
Bonilla Carter Davis, Jo Ann
Bonner Case Davis, Tom

Deal (GA) King (NY) Radanovich
DeFazio Kingston Rahall
DeGette Kirk Ramstad
Delahunt Kline Rangel
DeLauro Knollenberg Regula
DeLay Kolbe Rehberg
Dent Kuhl (NY) Reichert
Diaz-Balart, L. LaHood Renzi
Diaz-Balart, M. Langevin Reyes
Dicks Lantos Rogers (AL)
Dingell Larsen (WA) Rogers (KY)
Doolittle Larson (CT) Rogers (MI)
Doyle Latham Rohrabacher
Drake LaTourette Ros-Lehtinen
Dreier Leach Ross
Duncan Lee Rothman
Edwards Levin Roybal-Allard
Ehlers Lewis (CA) Royce
Emanuel Lewis (GA) Ruppersberger
Emerson Lewis (KY) Rush
Engel Linder Ryun (KS)
English (PA) Lipinski Sabo
Eshoo LoBiondo Salazar
Etheridge Lowey Sánchez, Linda
Evans Lucas T.
Everett Lynch Sanchez, Loretta
Farr Mack Sanders
Fattah Maloney Saxton
Ferguson Manzullo Schiff
Filner Marshall Schwartz (PA)
Fitzpatrick (PA) Matheson Schwarz (MI)
Foley Matsui Scott (GA)
Forbes McCarthy Scott (VA)
Ford McCaul (TX) Sensenbrenner
Fortenberry McCollum (MN)
Fossella McCotter
Frelinghuysen McCrery
Gallegly McDermott
Gerlach McGovern
Gibbons McHenry
Gilchrest McHugh
Gillmor McIntyre
Gingrey McKeon
Gonzalez McKinney
Goode McMorris
Goodlatte McNulty
Gordon Meek (FL)
Granger Meeks (NY)
Graves Melancon
Green (WI) Menendez
Green, Al Mica
Green, Gene Michaud
Grijalva Millender-
Gutierrez McDonald
Hall Miller (MI)
Harman Miller (NC)
Harris Miller, Gary
Hart Mollohan
Hastings (FL) Moore (KS)
Hastings (WA) Moore (WI)
Hayes Moran (KS)
Hayworth Moran (VA)
Herger Murphy
Herseth Murtha
Higgins Musgrave
Hinches Myrick
Hinojosa Nadler
Hobson Napolitano
Hoekstra Neal (MA)
Holden Neugebauer
Holt Ney
Honda Northup
Hooley Norwood
Hostettler Nunes
Hoyer Nussle
Hulshof Oberstar
Hunter Ortiz
Hyde Osborne
Inglis (SC) Owens
Inslee Oxley
Issa Pallone
Istook Pascarell
Jackson (IL) Pastor
Jefferson Pearce
Jenkins Pelosi
Jindal Peterson (MN)
Johnson (CT) Peterson (PA)
Johnson (IL) Petri
Johnson, E. B. Pickering
Johnson, Sam Pitts
Jones (OH) Platts
Kanjorski Poe
Kaptur Pombo
Keller Pomeroy
Kelly Porter
Kennedy (MN) Price (NC)
Kilpatrick (MI) Pryce (OH)
Kind Putnam

NAYS—27
Baird Jackson-Lee
Baldwin (TX) Ryan (OH)
Barrow Kennedy (RI) Stark
Brown (OH) Kildee Taylor (MS)
Capuano Kucinich Tierney
Conyers Lofgren, Zoe Udall (NM)
Cooper Markey Velázquez
Doggett Meehan Wu
Frank (MA) Miller, George
Israel Obey
Akin Hefley Pence
Barrett (SC) Hensarling Price (GA)
Bartlett (MD) Jones (NC) Ryan (WI)
Flake King (IA) Sodrel
Foxy Lungren, Daniel Tancredo
Franks (AZ) E. Tanner
Garrett (NJ) Marchant Westmoreland
Gohmert Miller (FL)
Gutknecht Other
Brady (PA) Payne Thompson (MS)
Feeney Reynolds
Paul Schakowsky

ANSWERED "PRESENT"—24

Barrett (SC) Hensarling Price (GA)
Bartlett (MD) Jones (NC) Ryan (WI)
Flake King (IA) Sodrel
Foxy Lungren, Daniel Tancredo
Franks (AZ) E. Tanner
Garrett (NJ) Marchant Westmoreland
Gohmert Miller (FL)
Gutknecht Other
Brady (PA) Payne Thompson (MS)
Feeney Reynolds
Paul Schakowsky

NOT VOTING—7

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1326

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed bills and a Joint Resolution of the following titles in which the concurrence of the House is requested:

S. 302. An act to make improvements in the Foundation for the National Institutes of Health.

S. 447. An act to authorize the conveyance of certain Federal land in the State of New Mexico.

S. 655. An act to amend the Public Health Service Act with respect to the National Foundation for the Centers for Disease Control and Prevention.

S. 1517. An act to permit Women's Business Centers to re-compete for sustainability grants.

S.J. Res. 19. Joint Resolution calling upon the President to issue a proclamation recognizing the 30th anniversary of the Helsinki Final Act.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1295

Mr. OWENS. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1295.

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

There was no objection.

HELP EFFICIENT, ACCESSIBLE, LOW-COST, TIMELY HEALTHCARE (HEALTH) ACT OF 2005

Mr. SMITH of Texas. Mr. Speaker, pursuant to House Resolution 385 and as the designee of the majority leader, I call up the bill (H.R. 5) to improve pa-

tient 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, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of H.R. 5 is as follows:

H.R. 5

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 "Help Efficient, Accessible, Low-cost, Timely Healthcare (HEALTH) Act of 2005".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—

(1) EFFECT ON HEALTH CARE ACCESS AND COSTS.—Congress finds that our current civil justice system is adversely affecting patient access to health care services, better patient care, and cost-efficient health care, in that the health care liability system is a costly and ineffective mechanism for resolving claims of health care liability and compensating injured patients, and is a deterrent to the sharing of information among health care professionals which impedes efforts to improve patient safety and quality of care.

(2) EFFECT ON INTERSTATE COMMERCE.—Congress finds that the health care and insurance industries are industries affecting interstate commerce and the health care liability litigation systems existing throughout the United States are activities that affect interstate commerce by contributing to the high costs of health care and premiums for health care liability insurance purchased by health care system providers.

(3) EFFECT ON FEDERAL SPENDING.—Congress finds that the health care liability litigation systems existing throughout the United States have a significant effect on the amount, distribution, and use of Federal funds because of—

(A) the large number of individuals who receive health care benefits under programs operated or financed by the Federal Government;

(B) the large number of individuals who benefit because of the exclusion from Federal taxes of the amounts spent to provide them with health insurance benefits; and

(C) the large number of health care providers who provide items or services for which the Federal Government makes payments.

(b) PURPOSE.—It is the purpose of this Act to implement reasonable, comprehensive, and effective health care liability reforms designed to—

(1) improve the availability of health care services in cases in which health care liability actions have been shown to be a factor in the decreased availability of services;

(2) reduce the incidence of "defensive medicine" and lower the cost of health care liability insurance, all of which contribute to the escalation of health care costs;

(3) ensure that persons with meritorious health care injury claims receive fair and adequate compensation, including reasonable noneconomic damages;

(4) improve the fairness and cost-effectiveness of our current health care liability system to resolve disputes over, and provide compensation for, health care liability by reducing uncertainty in the amount of compensation provided to injured individuals; and

(5) provide an increased sharing of information in the health care system which will reduce unintended injury and improve patient care.