

Lewis (GA)	Packard	Skelton
Lewis (KY)	Pastor	Smith (MI)
Lightfoot	Paxon	Smith (NJ)
Linder	Payne (VA)	Smith (TX)
Livingston	Pelosi	Smith (WA)
LoBiondo	Petri	Solomon
Longley	Pickett	Souder
Lucas	Pombo	Spence
Maloney	Porter	Stenholm
Manton	Portman	Stockman
Manzullo	Pryce	Studds
Markey	Quillen	Stump
Martini	Quinn	Talent
Matsui	Radanovich	Tate
McCarthy	Ramstad	Tejeda
McColum	Regula	Thomas
McCrery	Reynolds	Thornberry
McDade	Richardson	Thornton
McHugh	Riggs	Tiahrt
McInnis	Roberts	Torkildsen
McIntosh	Rogers	Torres
McKeon	Ros-Lehtinen	Torricelli
Meehan	Roth	Upton
Metcalfe	Roukema	Vento
Meyers	Roybal-Allard	Volkmer
Mfume	Royce	Vucanovich
Mica	Rush	Waldholtz
Miller (FL)	Salmon	Walker
Mineta	Sanford	Walsh
Moakley	Sawyer	Wamp
Molinari	Saxton	Ward
Moorhead	Scarborough	Waters
Moran	Schaefer	Watts (OK)
Morella	Schiff	Waxman
Myrick	Schumer	Weldon (FL)
Neal	Seastrand	Weller
Nethercutt	Sensenbrenner	White
Neumann	Serrano	Wicker
Ney	Shadegg	Williams
Norwood	Shaw	Wolf
Nussle	Shays	Young (AK)
Olver	Shuster	Young (FL)
Ortiz	Skaggs	Zeliff
Oxley	Skeen	Zimmer

NAYS—143

Abercrombie	Gonzalez	Obey
Ackerman	Gordon	Orton
Andrews	Hall (OH)	Owens
Baelsler	Hall (TX)	Pallone
Barcia	Harman	Parker
Barrett (WI)	Hastings (FL)	Payne (NJ)
Bevill	Hayes	Peterson (FL)
Billbray	Hefner	Peterson (MN)
Bishop	Hilliard	Pomeroy
Borski	Hinchee	Poshard
Brewster	Holden	Rahall
Browder	Hoyer	Rangel
Brown (CA)	Hunter	Reed
Brown (FL)	Istook	Rivers
Brown (OH)	Jacobs	Roemer
Bryant (TX)	Johnson (SD)	Rohrabacher
Chapman	Johnson, E. B.	Rose
Clay	Kanjorski	Sabo
Clayton	Kaptur	Sanders
Clement	Kennedy (RI)	Schroeder
Clyburn	Kildee	Scott
Coble	Klecza	Sisisky
Collins (IL)	Klink	Slaughter
Collins (MI)	Klug	Spratt
Condit	Lantos	Stark
Conyers	Largent	Stearns
Costello	Lincoln	Stokes
Coyne	Lipinski	Stupak
Cramer	Lofgren	Tanner
Danner	Lowe	Tauzin
Deal	Luther	Taylor (MS)
DeFazio	Martinez	Taylor (NC)
Dellums	Mascara	Thompson
Deutsch	McDermott	Thurman
Dingell	McHale	Towns
Doyle	McKinney	Trafficant
Duncan	McNulty	Tucker
Durbin	Meeke	Velazquez
Engel	Menendez	Visclosky
English	Miller (CA)	Watt (NC)
Eshoo	Minge	Weldon (PA)
Evans	Mink	Whitfield
Farr	Mollohan	Wilson
Fattah	Montgomery	Wise
Fields (LA)	Murtha	Woolsey
Filner	Myers	Wyden
Furse	Nadler	Wynn
Gibbons	Oberstar	

NOT VOTING—3

Dornan	Frost	Yates
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So the motion to lay the appeal on the table was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶21.8 PROVIDING FOR THE
CONSIDERATION OF H.R. 665

Ms. PRYCE, by direction of the Committee on Rules, called up the following resolution (H. Res. 60):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 665) to control crime by mandatory victim restitution. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instruction.

When said resolution was considered. After debate,

On motion of Ms. PRYCE, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶21.9 VICTIM RESTITUTION

The SPEAKER pro tempore, Mr. HEFLEY, pursuant to House Resolution 60 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 665) to control crime by mandatory victim restitution.

The SPEAKER pro tempore, Mr. HEFLEY, by unanimous consent, designated Mr. RIGGS as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mrs. VUCANOVICH, assumed the Chair.

When Mr. RIGGS, Chairman, pursuant to House Resolution 60, reported

the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Victim Restitution Act of 1995".

SEC. 2. MANDATORY RESTITUTION AND OTHER PROVISIONS.

(a) ORDER OF RESTITUTION.—Section 3663 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking "may order, in addition to or, in the case of a misdemeanor, in lieu of any other penalty authorized by law" and inserting "shall order"; and

(ii) by adding at the end the following: "The requirement of this paragraph does not affect the power of the court to impose any other penalty authorized by law. In the case of a misdemeanor, the court may impose restitution in lieu of any other penalty authorized by law.";

(B) by adding at the end the following:

"(4) In addition to ordering restitution to the victim of the offense of which a defendant is convicted, a court may order restitution to any person who, as shown by a preponderance of evidence, was harmed physically, emotionally, or pecuniarily, by unlawful conduct of the defendant during—

"(A) the criminal episode during which the offense occurred; or

"(B) the course of a scheme, conspiracy, or pattern of unlawful activity related to the offense.";

(2) in subsection (b)(1)(B) by striking "impractical" and inserting "impracticable";

(3) in subsection (b)(2) by inserting "emotional or" after "resulting in";

(4) in subsection (b)—

(A) by striking "and" at the end of paragraph (4);

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following new paragraph:

"(5) in any case, reimburse the victim for lost income and necessary child care, transportation, and other expenses related to participation in the investigation or prosecution of the offense or attendance at proceedings related to the offense; and";

(5) in subsection (c) by striking "If the court decides to order restitution under this section, the" and inserting "The";

(6) by striking subsections (d), (e), (f), (g), and (h);

(7) by redesignating subsection (i) as subsection (m); and

(8) by inserting after subsection (c) the following:

"(d)(1) The court shall order restitution to a victim in the full amount of the victim's losses as determined by the court and without consideration of—

"(A) the economic circumstances of the offender; or

"(B) the fact that a victim has received or is entitled to receive compensation with respect to a loss from insurance or any other source.

"(2) Upon determination of the amount of restitution owed to each victim, the court shall specify in the restitution order the manner in which and the schedule according to which the restitution is to be paid, in consideration of—

"(A) the financial resources and other assets of the offender;