

It was decided in the negative { Yeas 168 Nays 254

32.13 [Roll No. 171] AYES—168

- Abercrombie, Ackerman, Baldacci, Barcia, Barrett (WI), Beilenson, Bentsen, Berman, Bishop, Bonior, Borski, Boucher, Brown (CA), Brown (FL), Brown (OH), Bryant (TX), Cardin, Chapman, Clay, Clayton, Clement, Clyburn, Coleman, Collins (IL), Collins (MI), Conyers, Coyne, Danner, de la Garza, DeFazio, DeLauro, Dellums, Deutsch, Dicks, Dingell, Dixon, Doggett, Doyle, Durbin, Edwards, Engel, Eshoo, Gejdenson, Gephardt, Gordon, Green, Gutierrez, Hall (OH), Hastings (FL), Hefner, Hilliard, Hinchey, Hoke, Holden, Hoyer, Jackson-Lee, Jefferson, Johnson (SD), Johnson, E. B., Johnston, Kanjorski, Kaptur, Kennedy (MA), Kennedy (RI), Kennelly, Kildee, Kleczka, Klink, LaFalce, Lantos, Levin, Lewis (GA), Lincoln, Lofgren, Lowey, Luther, Maloney, Manton, Markey, Martinez, Mascara, Matsui, McDermott, McHale, McKinney, McNulty, Meehan, Menendez, Mfume, Miller (CA), Mineta, Minge, Mink, Moakley, Mollohan, Moran, Murtha, Nadler, Neal, Oberstar, Obey, Olver, Owens, Pallone, Pastor, Payne (NJ), Pelosi, Peterson (FL), Pomeroy, Poshard, Rahall, Rangel, Reed, Reynolds, Richardson, Rivers, Rose, Roybal-Allard, Sabo, Sanders, Sawyer, Schroeder, Schumer, Scott, Serrano, Skaggs, Skelton, Slaughter, Spratt, Stark, Stokes, Studds, Thompson, Thornton, Thurman, Torres, Torricelli, Towns, Traficant, Tucker, Velazquez, Vento, Visclosky, Volkmer, Ward, Waters, Watt (NC), Waxman, Williams, Wise, Woolsey, Wyden, Wynn, Yates

NOES—254

- Allard, Archer, Arney, Bachus, Baesler, Baker (CA), Baker (LA), Ballenger, Barr, Barrett (NE), Bartlett, Bass, Bateman, Bereuter, Bevill, Bilbray, Bilirakis, Blute, Boehlert, Boehner, Bonilla, Bono, Brewster, Browder, Brownback, Bryant (TN), Bunn, Bunning, Burr, Burton, Buyer, Callahan, Calvert, Camp, Canady, Castle, Chabot, Chambliss, Chenoweth, Christensen, Chrysler, Clinger, Coble, Coburn, Collins (GA), Combust, Condit, Cooley, Cox, Cramer, Crane, Crapo, Cremeans, Cubin, Cunningham, Davis, Deal, DeLay, Diaz-Balart, Dickey, Dooley, Doolittle, Dornan, Dreier, Duncan, Dunn, Ehrlich, Emerson, English, Ensign, Everett, Ewing, Fawell, Fields (TX), Flanagan, Foley, Forbes, Fowler, Fox, Franks (CT), Franks (NJ), Frelinghuysen, Frisa, Funderburk, Gallegly, Ganske, Gekas, Geren, Gilchrist, Gillmor, Gilman, Goodlatte, Goodling, Goss, Graham, Greenwood, Gunderson, Gutknecht, Hall (TX), Hamilton, Hancock, Hansen, Harman, Hastert, Hastings (WA), Hayes, Hayworth

- Hefley, Heineman, Herger, Hilleary, Hobson, Hoekstra, Horn, Hostettler, Houghton, Hunter, Hutchinson, Hyde, Inglis, Istook, Jacobs, Johnson (CT), Johnson, Sam, Jones, Kasich, Kelly, Kim, King, Kingston, Klug, Knollenberg, Kolbe, LaHood, Largent, Latham, LaTourette, Laughlin, Lazio, Leach, Lewis (CA), Lewis (KY), Lightfoot, Linder, Lipinski, Livingston, LoBiondo, Longley, Lucas, Manzullo, Martini, McCollum, McCrery, McDade, McHugh, McInnis, McIntosh, McKeon, Metcalf, Meyers, Mica, Miller (FL), Molinari, Montgomery, Moorhead, Morella, Myers, Myrick, Nethercutt, Neumann, Ney, Norwood, Nussle, Orton, Oxley, Packard, Parker, Paxon, Payne (VA), Peterson (MN), Petri, Pickett, Pombo, Porter, Portman, Pryce, Quillen, Quinn, Radanovich, Ramstad, Regula, Riggs, Roberts, Roemer, Rogers, Rohrabacher, Ros-Lehtinen, Roth, Roukema, Royce, Salmon, Sanford, Saxton, Scarborough, Schaefer, Schiff, Seastrand, Sensenbrenner, Shadegg, Shaw, Shays, Shuster, Sisisky, Skeeen, Smith (MI), Smith (NJ), Smith (TX), Solomon, Souder, Spence, Stearns, Stenholm, Stockman, Stump, Talent, Tanner, Tate, Tauzin, Taylor (MS), Taylor (NC), Thomas, Thornberry, Tiahrt, Torkildsen, Upton, Vucanovich, Waldholtz, Walker, Walsh, Wamp, Watts (OK), Weldon (FL), Weldon (PA), Weller, White, Whitfield, Wicker, Wilson, Wolf, Young (AK), Young (FL), Zeliff, Zimmer

NOT VOTING—12

- Andrews, Barton, Becerra, Costello, Ehlers, Gibbons, Gonzalez, McCarthy, Meek, Ortiz, Rush, Smith (WA)

So the amendment was not agreed to.

32.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. VOLKMER:

At the end of Section 5, add the following new subsection:

“(c) SPECIAL RULEMAKING.—Section 3(a) or 4(a), or both, shall not apply to a regulatory rulemaking action by the Secretary of Agriculture pursuant to the Sheep Promotion, Research and Information Act of 1994 (P.L. 103-407).”.

It was decided in the negative { Yeas 168 Nays 253

32.15 [Roll No. 172] AYES—168

- Abercrombie, Ackerman, Baesler, Baldacci, Barcia, Barrett (WI), Bartlett, Beilenson, Bentsen, Berman, Bevill, Bishop, Bonilla, Bonior, Borski, Boucher, Brewster, Browder, Brown (CA), Brown (FL), Brown (OH), Bryant (TX), Cardin, Chapman, Clay, Clayton, Clement, Clyburn, Coleman, Collins (IL), Collins (MI), Condit, Conyers, Coyne, Cramer, Cubin, Ehrlich, Emerson, English, de la Garza, DeFazio, Dellums, Deutsch, Dicks, Dingell, Dixon, Doggett, Dooley, Doyle, Durbin, Edwards, Engel, Evans, Farr, Fattah, Fazio, Fields (LA), Filner, Flake, Foglietta, Ford, Frank (MA)

- Gejdenson, Gephardt, Geren, Gordon, Gutierrez, Hall (TX), Hastings (FL), Hayes, Hefner, Hilliard, Hinchey, Holden, Hoyer, Jackson-Lee, Jefferson, Johnson (SD), Johnson, E. B., Kennedy (MA), Kennedy (RI), Kildee, Klink, LaFalce, Lantos, Laughlin, Lewis (GA), Lincoln, Lipinski, Lowey, Maloney, Manton, Markey, Martinez, Mascara, Matsui, McDermott, McKinney, Meehan, Mfume, Miller (CA), Mineta, Minge, Mink, Moakley, Mollohan, Montgomery, Moran, Murtha, Nadler, Neal, Oberstar, Obey, Olver, Owens, Parker, Pastor, Payne (NJ), Pelosi, Peterson (FL), Peterson (MN), Pombo, Pomeroy, Poshard, Rahall, Rangel, Reed, Reynolds, Richardson, Rivers, Rose, Roybal-Allard, Sabo, Sanders, Sawyer, Schroeder, Scott, Serrano, Skaggs, Skelton, Slaughter, Stark, Stenholm, Stokes, Studds, Stupak, Tauzin, Tejada, Thomas, Thompson, Thornton, Thurman, Torres, Torricelli, Towns, Traficant, Tucker, Velazquez, Vento, Volkmer, Ward, Waters, Watt (NC), Waxman, Williams, Wise, Woolsey, Wynn, Yates

NOES—253

- Allard, Archer, Arney, Bachus, Baker (CA), Baker (LA), Ballenger, Barrett (NE), Bass, Bateman, Bereuter, Bilbray, Bilirakis, Bliley, Blute, Boehlert, Boehner, Bono, Brownback, Bryant (TN), Bunn, Bunning, Burr, Burton, Buyer, Callahan, Calvert, Camp, Canady, Castle, Chabot, Chambliss, Chenoweth, Christensen, Chryser, Clinger, Coble, Coburn, Collins (GA), Combust, Cooley, Cox, Cramer, Crane, Crapo, Cremeans, Cubin, Cunningham, Davis, Deal, DeLauro, DeLay, Diaz-Balart, Dickey, Doolittle, Dornan, Dreier, Duncan, Dunn, Ehrlich, Emerson, English, Eshoo, Everrett, Ewing, Fawell, Fields (TX), Flanagan, Foley, Forbes, Fowler, Fox, Franks (CT), Franks (NJ), Frelinghuysen, Frisa, Frost, Funderburk, Furse, Gallegly, Ganske, Gekas, Gilchrist, Gillmor, Gilman, Goodlatte, Goodling, Goss, Graham, Green, Greenwood, Gunderson, Gutknecht, Hall (OH), Hamilton, Hancock, Hansen, Harman, Hastert, Hastings (WA), Hayworth, Hefley, Heineman, Herger, Hilleary, Hobson, Hoekstra, Hoke, Hostettler, Houghton, Hunter, Hutchinson, Hyde, Ingllis, Istook, Jacobs, Johnson (CT), Johnson, Sam, Johnston, Jones, Kanjorski, Kasich, Kelly, Kennelly, King, Kingston, Kleczka, Klug, Knollenberg, Kolbe, LaHood, Largent, Latham, LaTourette, Lazio, Leach, Levin, Lewis (CA), Lewis (KY), Lightfoot, Linder, Livingston, LoBiondo, Lofgren, Longley, Lucas, Manzullo, Martini, McCollum, McCrery, McDade, McHale, McHugh, McInnis, McIntosh, McKeon, McNulty, Menendez, Metcalf, Meyers, Mica, Miller (FL), Molinari, Moorhead, Morella, Myers, Myrick, Nethercutt, Neumann, Ney, Norwood, Nussle, Orton, Oxley, Packard, Pallone, Paxon, Payne (VA), Petri, Pickett, Porter, Portman, Pryce, Quillen, Quinn

Radanovich	Shays	Upton
Ramstad	Shuster	Visclosky
Regula	Sisisky	Vucanovich
Riggs	Skeen	Waldholtz
Roberts	Smith (MI)	Walker
Roemer	Smith (NJ)	Walsh
Rogers	Smith (TX)	Wamp
Rohrabacher	Smith (WA)	Watts (OK)
Ros-Lehtinen	Solomon	Weldon (FL)
Roth	Souder	Weldon (PA)
Roukema	Spence	Weller
Royce	Spratt	White
Salmon	Stearns	Whitfield
Sanford	Stockman	Wicker
Saxton	Stump	Wilson
Scarborough	Talent	Wolf
Schaefer	Tanner	Wyden
Schiff	Tate	Young (AK)
Schumer	Taylor (MS)	Young (FL)
Seastrand	Taylor (NC)	Zeliff
Sensenbrenner	Thornberry	Zimmer
Shadegg	Tiahrt	
Shaw	Torkildsen	

NOT VOTING—13

Andrews	Ehlers	Meek
Barr	Gibbons	Ortiz
Barton	Gonzalez	Rush
Becerra	Luther	
Costello	McCarthy	

So the amendment was not agreed to.

The SPEAKER pro tempore, Mr. WALKER, assumed the Chair.

When Mr. LAHOOD, Chairman, pursuant to House Resolution 93, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The question being put, *viva voce*,

Will the House agree to the following amendment, reported from the Committee of the Whole House on the State of the Union?

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Regulatory Transition Act of 1995".

SEC. 2. FINDING.

The Congress finds that effective steps for improving the efficiency and proper management of Government operations, including enactment of a new law or laws to require (1) that the Federal rulemaking process include cost/benefit analysis, including analysis of costs resulting from the loss of property rights, and (2) for those Federal regulations that are subject to risk analysis and risk assessment that those regulations undergo standardized risk analysis and risk assessment using the best scientific and economic procedures, will be promoted if a moratorium on new rulemaking actions is imposed and an inventory of such action is conducted.

SEC. 3. MORATORIUM ON REGULATIONS.

(a) MORATORIUM.—Until the end of the moratorium period, a Federal agency may not take any regulatory rulemaking action, unless an exception is provided under section 5. Beginning 30 days after the date of the enactment of this Act, the effectiveness of any regulatory rulemaking action taken or made effective during the moratorium period but before the date of the enactment shall be suspended until the end of the moratorium period, unless an exception is provided under section 5.

(b) INVENTORY OF RULEMAKINGS.—Not later than 30 days after the date of the enactment of this Act, the President shall conduct an inventory and publish in the Federal Register a list of all regulatory rulemaking actions covered by subsection (a) taken or made effective during the moratorium period but before the date of the enactment.

SEC. 4. SPECIAL RULE ON STATUTORY, REGULATORY, AND JUDICIAL DEADLINES.

(a) IN GENERAL.—Any deadline for, relating to, or involving any action dependent upon,

any regulatory rulemaking actions authorized or required to be taken before the end of the moratorium period is extended for 5 months or until the end of the moratorium period, whichever is later.

(b) DEADLINE DEFINED.—The term "deadline" means any date certain for fulfilling any obligation or exercising any authority established by or under any Federal statute or regulation, or by or under any court order implementing any Federal statute or regulation.

(c) IDENTIFICATION OF POSTPONED DEADLINES.—Not later than 30 days after the date of the enactment of this Act, the President shall identify and publish in the Federal Register a list of deadlines covered by subsection (a).

SEC. 5. EMERGENCY EXCEPTIONS; EXCLUSIONS.

(a) EMERGENCY EXCEPTION.—Section 3(a) or 4(a), or both, shall not apply to a regulatory rulemaking action if—

(1) the head of a Federal agency otherwise authorized to take the action submits a written request to the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget and submits a copy thereof to the appropriate committees of each House of the Congress;

(2) the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget finds in writing that a waiver for the action is (A) necessary because of an imminent threat to health or safety or other emergency, or (B) necessary for the enforcement of criminal laws; and

(3) the Federal agency head publishes the finding and waiver in the Federal Register.

(b) EXCLUSIONS.—The head of an agency shall publish in the Federal Register any action excluded because of a certification under section 6(3)(B).

(c) CIVIL RIGHTS EXCEPTION.—Section 3(a) or 4(a), or both, shall not apply to a regulatory rulemaking action to establish or enforce any statutory rights against discrimination on the basis of age, race, religion, gender, national origin, or handicapped or disability status except such rulemaking actions that establish, lead to, or otherwise rely on the use of a quota or preference based on age, race, religion, gender, national origin, or handicapped or disability status.

SEC. 6. DEFINITIONS.

For purposes of this Act:

(1) FEDERAL AGENCY.—The term "Federal agency" means any agency as that term is defined in section 551(l) of title 5, United States Code (relating to administrative procedure).

(2) MORATORIUM PERIOD.—The term "moratorium period" means the period of time—

(A) beginning November 20, 1994; and

(B) ending on the earlier of—

(i) the first date on which there have been enacted one or more laws that—

(I) require that the Federal rulemaking process include cost/benefit analysis, including analysis of costs resulting from the loss of property rights; and

(II) for those Federal regulations that are subject to risk analysis and risk assessment, require that those regulations undergo standardized risk analysis and risk assessment using the best scientific and economic procedures; or

(ii) December 31, 1995;

except that in the case of a regulatory rulemaking action with respect to determining that a species is an endangered species or a threatened species under section 4(a)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(a)(1)) or designating critical habitat under section 4(a)(3) of that Act (16 U.S.C. 1533(a)(3)), the term means the period of time beginning on the date described in subpara-

graph (A) and ending on the earlier of the first date on which there has been enacted after the date of the enactment of this Act a law authorizing appropriations to carry out the Endangered Species Act of 1973, or December 31, 1996.

(3) REGULATORY RULEMAKING ACTION.—

(A) IN GENERAL.—The term "regulatory rulemaking action" means any rulemaking on any rule normally published in the Federal Register, including—

(i) the issuance of any substantive rule, interpretative rule, statement of agency policy, notice of inquiry, advance notice of proposed rulemaking, or notice of proposed rulemaking, and

(ii) any other action taken in the course of the process of rulemaking (except a cost benefit analysis or risk assessment, or both).

(B) EXCLUSIONS.—The term "regulatory rulemaking action" does not include—

(i) any agency action that the head of the agency and the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget certify in writing is limited to repealing, narrowing, or streamlining a rule, regulation, or administrative process or otherwise reducing regulatory burdens;

(ii) any agency action that the head of the agency and the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget certify in writing is limited to matters relating to military or foreign affairs functions, statutes implementing international trade agreements, including all agency actions required by the Uruguay Round Agreements Act, or agency management, personnel, or public property, loans, grants, benefits, or contracts;

(iii) any agency action that the head of the agency and the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget certify in writing is limited to a routine administrative function of the agency;

(iv) any agency action that—

(I) is taken by an agency that supervises and regulates insured depository institutions, affiliates of such institutions, credit unions, or government sponsored housing enterprises; and

(II) the head of the agency certifies would meet the standards for an exception or exclusion described in this Act; or

(v) any agency action that the head of the agency certifies is limited to interpreting, implementing, or administering the internal revenue laws of the United States.

(4) RULE.—The term "rule" means the whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy. Such term does not include the approval or prescription, on a case-by-case or consolidated case basis, for the future of rates, wages, corporation, or financial structures or reorganizations thereof, prices, facilities, appliances, services or allowances therefor, or of valuations, costs, or accounting, or practices bearing on any of the foregoing, nor does it include any action taken in connection with the safety of aviation or any action taken in connection with the implementation of monetary policy or to ensure the safety and soundness of federally insured depository institutions, any affiliate of such an institution, credit unions, or government sponsored housing enterprises or to protect the Federal deposit insurance funds. Such term also does not include granting an application for a license, registration, or similar authority, granting or recognizing an exemption, granting a variance or petition

for relief from a regulatory requirement, or other action relieving a restriction (including any agency action which establishes, modifies, or conducts a regulatory program for a recreational or subsistence activity, including but not limited to hunting, fishing, and camping, if a Federal law prohibits the recreational or subsistence activity in the absence of the agency action) or taking any action necessary to permit new or improved applications of technology or allow the manufacture, distribution, sale, or use of a substance or product.

(5) RULEMAKING.—The term “rulemaking” means agency process for formulating, amending, or repealing a rule.

(6) LICENSE.—The term “license” means the whole or part of an agency permit, certificate, approval, registration, charter, membership, statutory exemption, or other form of permission.

(7) IMMINENT THREAT TO HEALTH OR SAFETY.—The term “imminent threat to health or safety” means the existence of any condition, circumstance, or practice reasonably expected to cause death, serious illness, or severe injury to humans, or substantial endangerment to private property during the moratorium period.

SEC. 7. LIMITATION ON CIVIL ACTIONS.

No private right of action may be brought against any Federal agency for a violation of this Act. This prohibition shall not affect any private right of action or remedy otherwise available under any other law.

SEC. 8. RELATIONSHIP TO OTHER LAW; SEVERABILITY.

(a) APPLICABILITY.—This Act shall apply notwithstanding any other provision of law.

(b) SEVERABILITY.—If any provision of this Act, or the application of any provision of this Act to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this Act, shall not be affected thereby.

SEC. 9. REGULATIONS TO AID BUSINESS COMPETITIVENESS.

Section 3(a) or 4(a), or both, shall not apply to any of the following regulatory rulemaking actions (or any such action relating thereto):

(1) CONDITIONAL RELEASE OF TEXTILE IMPORTS.—A final rule published on December 2, 1994 (59 Fed. Reg. 61798), to provide for the conditional release by the Customs Service of textile imports suspected of being imported in violation of United States quotas.

(2) TEXTILE IMPORTS.—Any action which the head of the relevant agency and the Administrator of the Office of Information and Regulatory Affairs certify in writing is a substantive rule, interpretive rule, statement of agency policy, or notice of proposed rulemaking to interpret, implement, or administer laws pertaining to the import of textiles and apparel including section 334 of the Uruguay Round Agreements Act (P.L. 103-465), relating to textile rules of origin.

(3) CUSTOMS MODERNIZATION.—Any action which the head of the relevant agency and the Administrator of the Office of Information and Regulatory Affairs certify in writing is a substantive rule, interpretive rule, statement of agency policy, or notice of proposed rulemaking to interpret, implement, or administer laws pertaining to the customs modernization provisions contained in title VI of the North American Free Trade Agreement Implementation Act (P.L. 103-182).

(4) ACTIONS WITH RESPECT TO CHINA REGARDING INTELLECTUAL PROPERTY PROTECTION AND MARKET ACCESS.—A regulatory rulemaking action providing notice of a determination that the People’s Republic of China’s failure to enforce intellectual property rights and to provide market access is unreasonable and constitutes a burden or restriction on United

States commerce, and a determination that trade action is appropriate and that sanctions are appropriate, taken under section 304(a)(1)(A)(ii), section 304(a)(1)(B), and section 301(b) of the Trade Act of 1974 and with respect to which a notice of determination was published on February 7, 1995 (60 Fed. Reg. 7230).

(5) TRANSFER OF SPECTRUM.—A regulatory rulemaking action by the Federal Communications Commission to transfer 50 megahertz of spectrum below 5 GHz from government use to private use, taken under the Omnibus Budget Reconciliation Act of 1993 and with respect to which notice of proposed rulemaking was published at 59 Federal Register 59393.

(6) PERSONAL COMMUNICATIONS SERVICES LICENSES.—A regulatory rulemaking action by the Federal Communications Commission to establish criteria and procedures for issuing licenses utilizing competitive bidding procedures to provide personal communications services—

(A) taken under section 309(j) of the Communications Act and with respect to which a final rule was published on December 7, 1994 (59 Fed. Reg. 63210); or

(B) taken under sections 3(n) and 332 of the Communications Act and with respect to which a final rule was published on December 2, 1994 (59 Fed. Reg. 61828).

(7) WIDE-AREA SPECIALIZED MOBILE RADIO LICENSES.—A regulatory rulemaking action by the Federal Communications Commission to provide for competitive bidding for wide-area specialized mobile radio licenses, taken under section 309(j) of the Communications Act and with respect to which a proposed rule was published on February 14, 1995 (60 Fed. Reg. 8341).

(8) IMPROVED TRADING OPPORTUNITIES FOR REGIONAL EXCHANGES.—A regulatory rulemaking action by the Securities and Exchange Commission to provide for increased competition among the stock exchanges, taken under the Unlisted Trading Privileges Act of 1994 and with respect to which proposed rulemaking was published on February 9, 1995 (60 Fed. Reg. 7718).

SEC. 10. DELAYING EFFECTIVE DATE OF RULES WITH RESPECT TO SMALL BUSINESSES.

(a) DELAY EFFECTIVENESS.—For any rule resulting from a regulatory rulemaking action that is suspended or prohibited by this Act, the effective date of the rule with respect to small businesses may not occur before six months after the end of the moratorium period.

(b) SMALL BUSINESS DEFINED.—In this section, the term “small business” means any business with 100 or fewer employees.

The SPEAKER pro tempore, Mr. WALKER, announced that the nays had it.

On a division demanded by Mr. CLINGER, there appeared, yeas—132, nays—91.

So the amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mrs. COLLINS of Illinois, moved to recommit the bill to the Committee on Government Reform and Oversight with instructions to report the bill back to the House forthwith with the following amendment:

At the end of section 5, add the following new subsection:

(c) DRINKING WATER SAFETY.—Section 3(a) or 4(a), or both, shall not apply to any regulatory rulemaking action begun by the Administrator of the Environmental Protection Agency before the date of the enactment of

this Act that relates to control of microbial and disinfection by-product risks in drinking water supplies.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce, Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. WALKER, announced that the nays had it.

Mrs. COLLINS of Illinois demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 172
negative Nays 250

32.16 [Roll No. 173]
AYES—172

Abercrombie	Gutierrez	Owens
Ackerman	Hall (OH)	Pallone
Baldacci	Harman	Pastor
Barrett (WI)	Hastings (FL)	Payne (NJ)
Beilenson	Hefner	Pelosi
Bentsen	Hilliard	Peterson (FL)
Berman	Hinchey	Pomeroy
Bevill	Holden	Poshard
Bishop	Hoyer	Rahall
Boehlert	Jackson-Lee	Rangel
Bonior	Jacobs	Reed
Borski	Jefferson	Reynolds
Boucher	Johnson (SD)	Richardson
Brown (CA)	Johnson, E. B.	Rivers
Brown (FL)	Johnston	Rose
Brown (OH)	Kanjorski	Roukema
Bryant (TX)	Kennedy (MA)	Roybal-Allard
Cardin	Kennedy (RI)	Sabo
Chapman	Kennelly	Sanders
Clay	Kildee	Sawyer
Clayton	Kleczka	Schroeder
Clement	Klink	Schumer
Clyburn	LaFalce	Scott
Coleman	Lantos	Serrano
Collins (IL)	Levin	Skaggs
Collins (MI)	Lewis (GA)	Skelton
Conyers	Lincoln	Slaughter
Coyne	Lipinski	Spratt
Danner	Lofgren	Stark
de la Garza	Lowe	Stokes
DeFazio	Luther	Studds
DeLauro	Maloney	Stupak
Dellums	Manton	Tanner
Deutsch	Markey	Tejeda
Dicks	Martinez	Thompson
Dingell	Mascara	Thornton
Dixon	Matsui	Thurman
Doggett	McDermott	Torres
Doyle	McHale	Torricelli
Durbin	McKinney	Towns
Engel	McNulty	Trafficant
Eshoo	Meehan	Tucker
Evans	Menendez	Velazquez
Farr	Mfume	Vento
Fattah	Miller (CA)	Visclosky
Fazio	Mineta	Volkmer
Fields (LA)	Minge	Ward
Filner	Mink	Waters
Flake	Moakley	Watt (NC)
Foglietta	Mollohan	Waxman
Ford	Moran	Williams
Frank (MA)	Morella	Wise
Frost	Murtha	Woolsey
Furse	Nadler	Wyden
Gejdenson	Neal	Wynn
Gephardt	Oberstar	Yates
Gordon	Obey	
Green	Olver	

NOES—250

Allard	Barcia	Bilirakis
Archer	Barr	Bliley
Armey	Barrett (NE)	Blute
Bachus	Bartlett	Boehner
Baesler	Bass	Bonilla
Baker (CA)	Bateman	Bono
Baker (LA)	Bereuter	Brewster
Ballenger	Bilbray	Browder