

Ewing Fields (TX) Flanagan Forbes Franks (CT) Franks (NJ) Frisa Funderburk Gallegly Geren Gillmor Goodlatte Goodling Gordon Graham Gutknecht Hall (TX) Hancock Hansen Hastert Hastings (WA) Hayes Hayworth Hefley Hefner Heineman Herger Hillery Hobson Hoekstra Hoke Horn Hostettler Houghton Hutchinson Hyde Inglis Istook Johnson, Sam Jones Kasich Kim King Kleczka LaHood Largent

Latham LaTourette Laughlin Lewis (CA) Lewis (KY) Lightfoot Linder Livingston LoBiondo Longley Lucas McCollum McCreery McDade McHugh McInnis McIntosh McKeon Meehan Metcalf Mica Mollohan Montgomery Myers Myrick Neumann Ney Norwood Nussle Ortiz Orton Oxley Packard Parker Paxon Peterson (FL) Pombro Poshard Pryce Quillen Quinn Radanovich Riggs Rogers Rohrabacher Rose

Roth Royce Salmon Sanford Scarborough Schaefer Seastrand Shadegg Shuster Sisisky Skeen Skelton Smith (NJ) Smith (TX) Smith (WA) Solomon Souder Spence Stearns Stenholm Stockman Stump Talent Tanner Tate Tauzin Taylor (NC) Tejada Thomas Thornberry Thurman Tiahrt Upton Vucanovich Waldholtz Watts (OK) Weldon (FL) Weller White Whitfield Wicker Wilson Young (AK) Young (FL) Zeliff

Pomeroy Porter Portman Rahall Ramstad Rangel Reed Regula Reynolds Richardson Rivers Roberts Roemer Ros-Lehtinen Roukema Roybal-Allard Sabo Sanders Sawyer Saxton Schiff Schroeder

Schumer Scott Sensenbrenner Serrano Shaw Shays Skaggs Slaughter Smith (MI) Spratt Stark Stokes Studts Stupak Stupak Taylor (MS) Thompson Thornton Torckildsen Torres Torricelli Towns Traficant

Tucker Velazquez Vento Visclosky Volkmer Walker Walsh Wamp Waters Watt (NC) Waxman Weldon (PA) Williams Wise Wolf Woolsey Wyden Wynne Yates Zimmer

Maloney Manton Markey Martinez Mascara Matsui McCarthy McDermott McHale McKinney McNulty Meehan Meek Meyers Mfume Mineta Minge Moakley Moran Morella Murtha Schumer Scott Serrano Obey Olver Owens Pallone

Pastor Payne (NJ) Payne (VA) Pelosi Porter Poshard Rahall Ramstad Reed Reynolds Richardson Rivers Roemer Rose Roukema Roybal-Allard Sabo Sanders Sanford Sawyer Schroeder Schumer Scott Serrano Obey Olver Owens Spratt

Stark Stokes Studts Stupak Tanner Taylor (MS) Thompson Thornton Thurman Torckildsen Torricelli Towns Tucker Velazquez Vento Visclosky Volkmer Waters Watt (NC) Waxman Wise Woolsey Wyden Wynne Yates Zimmer

NOT VOTING—8

Gonzalez Gutierrez Hunter Lipinski Miller (CA) Pickett Rush Ward

So the amendment was not agreed to. After some further time,

34.14 RECORDED VOTE

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

Page 29, strike line 18 and all that follows through line 6 on page 30, and insert in lieu thereof the following:

(1) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to modify any statutory standard or requirement or to alter any statutory or judicial deadline. No failure or inability of an agency to make the certifications required under this section shall be construed to bar an agency from acting, or to authorize an agency to fail to act, under other statutory authorities.

(2) FAILURE TO CERTIFY.—In the event that the agency head cannot make any certification required under this section, the agency head shall report to Congress that such certification cannot be made and shall include a statement of the reasons therefore in such report and publish such statement together with the final rule.

It was decided in the Yeas 181 negative Nays 238

34.15 [Roll No. 180] AYES—181

Abercrombie Ackerman Andrews Baldacci Barrett (WI) Bartlett Bateman Becerra Beilenson Bentsen Bereuter Berman Blute Boehlert Bonior Borski Boucher Boucher Brown (CA) Brown (FL) Brown (OH) Bryant (TX) Bunning Cardin Castle Clay Clayton Clinger Clyburn Coleman Collins (IL) Collins (MI) Conyers Coyne Danner Davis de la Garza DeFazio DeLauro Dellums Deutsch Diaz-Balart Dingell Dixon Doggett Doyle Durbin Ehlers Engel English Eshoo Evans Farr

NOES—220

Fattah Fawell Fazio Fields (LA) Filner Flake Foglietta Foley Ford Fowler Fox Frank (MA) Frelinghuysen Frost Furse Ganske Gejdenson Gekas Gephardt Gibbons Gilchrist Gilman Goss Green Greenwood Gunderson Hall (OH) Hamilton Harman Hastings (FL) Hilliard Hinchey Holden Hoyer Jackson-Lee Jacobs Jefferson Johnson (CT) Johnson (SD) Johnson, E. B. Johnston Kanjorski Kaptur Kelly Kennedy (MA) Kennedy (RI) Kennelly Kildee Kingston Klink Klug Knollenberg

Kolbe LaFalce Lantos Lazio Leach Levin Lewis (GA) Lincoln Lofgren Lowey Luther Maloney Manton Manzullo Markey Martinez Martini Mascara Matsui McCarthy McDermott McHale McKinney McNulty Meek Menendez Meyers Mfume Miller (FL) Mineta Minge Mink Moakley Molinari Moorhead Moran Morella Murtha Nadler Neal Nethercutt Oberstar Obey Olver Owens Pallone Pastor Payne (NJ) Payne (VA) Pelosi Peterson (MN) Petri

Abercrombie Ackerman Andrews Baldacci Barrett (WI) Becerra Beilenson Bentsen Berman Bishop Blute Boehlert Bonior Borski Boucher Brown (CA) Brown (FL) Brown (OH) Bryant (TX) Cardin Castle Clay Clayton Clinger Clyburn Coleman Collins (IL) Collins (MI) Conyers Coyne DeFazio DeLauro

Dellums Deutsch Dicks Dingell Dixon Doggett Doyle Durbin Engel Eshoo Evans Farr Fattah Fazio Fields (LA) Filner Flake Foglietta Ford Fox Frank (MA) Frost Furse Gejdenson Gephardt Gibbons Gilchrist Gilman Gordon Goss Hall (OH) Hamilton Harman

Hastings (FL) Hayes Hefner Hilliard Hinchey Holden Hoyer Jackson-Lee Jacobs Jefferson Johnson (CT) Johnson (SD) Johnson, E. B. Johnston Kanjorski Kaptur Kelly Kennedy (MA) Kennedy (RI) Kennelly Kildee Kleczka Klink Klug LaFalce Lantos Lazio Levin Lewis (GA) Lincoln Lofgren Lowey Luther

Allard Archer Arney Bachus Baker (CA) Baker (LA) Ballenger Barcia Barr Barrett (NE) Bartlett Barton Bass Bateman Bereuter Bevil Bilbray Bilirakis Bliley Boehner Bonilla Bono Browder Brownback Bryant (TN) Bunn Bunning Burr Burton Buyer Callahan Calvert Camp Canady Chabot Chambliss Chapman Chenoweth Christensen Chrysler Clinger Coble Coburn Collins (GA) Combust Condit Cooley Cramer Crane Crapo Cremeans Cubin Cunningham Danner Davis de la Garza Deal DeLay Diaz-Balart Dickey Dooley Doolittle Dornan Dreier Dunbar Dunn Edwards Ehlers Ehrlich Emerson

NOES—238

English Ensign Everett Ewing Fawell Fields (TX) Flanagan Foley Forbes Fowler Franks (CT) Franks (NJ) Frelinghuysen Frisa Funderburk Gallegly Ganske Gekas Geren Gillmor Goodlatte Graham Green Greenwood Gunderson Gutknecht Hall (TX) Hancock Hansen Hastert Hastings (WA) Hayworth Hefley Heineman Herger Hillery Hobson Hoke Horn Hostettler Houghton Hutchinson Hyde Inglis Istook Johnson, Sam Jones Kasich Kim King Kingston Knollenberg Kolbe LaHood Largent Latham LaTourette Laughlin Leach Lewis (CA) Lewis (KY) Lightfoot Linder LoBiondo Longley Lucas Manzullo Martini

McCollum McCreery McDade McHugh McInnis McIntosh McKeon Menendez Metcalf Mica Miller (FL) Molinari Mollohan Montgomery Moorhead Myers Myrick Nethercutt Neumann Ney Norwood Nussle Ortiz Orton Oxley Packard Parker Paxon Peterson (FL) Peterson (MN) Petri Pickett Pombro Pomeroy Portman Pryce Quillen Quinn Radanovich Regula Riggs Roberts Rogers Rohrabacher Ros-Lehtinen Roth Royce Salmon Saxton Scarborough Schaefer Schiff Seastrand Sensenbrenner Shadegg Shaw Shuster Largent Latham Skelton Smith (MI) Smith (NJ) Smith (TX) Smith (WA) Solomon Souder Spence Stearns Stenholm Stockman