

ANSWERED "PRESENT"—1

Lowey

NOT VOTING—10

- | | | |
|----------|----------|--------|
| Bartlett | Hayes | Neal |
| Bilbray | McDade | Rangel |
| Clay | McKinney | |
| Gibbons | Meek | |

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

40.20 RECORDED VOTE

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

Page 7, beginning on line 19, strike subsection (c) through page 11, line 8, and insert the following:

"(C) AWARDS OF FEES AND EXPENSES.—

"(1) AUTHORITY TO AWARD FEES AND EXPENSES.—If the court in any private action arising under this title enters a final judgment against a party litigant on the basis of a default, a motion to dismiss, motion for summary judgment, or a trial on the merits, the court shall, upon motion by the prevailing party, determine whether—

"(A) The complaint or motion is being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;

"(B) the claims, defenses, and other legal contentions in the complaint or motion, taken as a whole, are unwarranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;

"(C) the allegations and other factual contentions in the complaint or motion, taken as a whole, lack any evidentiary support or would be likely to lack any evidentiary support after a reasonable opportunity for further investigation or discovery; or

"(D) the denials of factual contentions are unwarranted on the evidence or are not reasonably based on a lack of information or belief.

"(2) AWARD TO PREVAILING PARTY.—If the court determines that the losing party has violated any subparagraph of paragraph (1), the court shall award the prevailing party reasonable fees and other expenses incurred by that party. The determination of whether the losing party violated any such subparagraph shall be made on the basis of the record in the civil action for which fees and other expenses are sought.

"(3) APPLICATION FOR FEES.—A party seeking an award of fees and other expenses shall, within 30 days of a final, nonappealable judgment in the action, submit to the court an application for fees and other expenses that verifies that the party is entitled to such an award under paragraph (1) and the amount sought, including an itemized statement from any attorney or expert witness representing or appearing on behalf of the party stating the actual time expended and the rate at which fees and other expenses are computed.

"(4) SANCTIONS AGAINST ATTORNEY.—The court—

"(A) shall award the fees and expenses against the attorney for the losing party unless the court determines that the losing party was principally responsible for the actions described in subparagraph (A), (B), (C), or (D) of paragraph (1); and

"(B) may, in its discretion, reduce the amount to be awarded pursuant to this section, or deny an award, to the extent that the prevailing party during the course of the proceedings engaged in conduct that unduly and unreasonably protracted the final resolution of the matter in controversy.

"(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit or

impair the discretion of the court to award costs pursuant to other provisions of law.

"(6) DEFINITIONS.—For purposes of this subsection, the term 'fees and other expenses' includes the reasonable expenses of expert witnesses, the reasonable cost of any study, analysis, report, test, or project which is found by the court to be necessary for the preparation of the party's case, and reasonable attorney fees and expenses. The amount of fees awarded under this section shall be based upon prevailing market rates for the kind and quality of services furnished.

It was decided in the negative Yeas 167 Nays 254 Answered present 1

40.21 [Roll No. 214] AYES—167

- | | | |
|--------------|----------------|---------------|
| Ackerman | Ford | Nadler |
| Baldacci | Fox | Oberstar |
| Barcia | Frost | Obey |
| Barrett (WI) | Furse | Olver |
| Becerra | Gejdenson | Ortiz |
| Beilenson | Gephardt | Owens |
| Bentsen | Gonzalez | Pallone |
| Berman | Gordon | Pastor |
| Bevill | Green | Payne (NJ) |
| Bishop | Gutierrez | Pelosi |
| Bonior | Hall (OH) | Peterson (FL) |
| Borski | Hamilton | Pomeroy |
| Boucher | Hastings (FL) | Poshard |
| Brewster | Hefner | Rahall |
| Browder | Hilliard | Reed |
| Brown (CA) | Hinchee | Reynolds |
| Brown (FL) | Holden | Richardson |
| Brown (OH) | Hoyer | Rivers |
| Bryant (TX) | Jackson-Lee | Rose |
| Buyer | Jacobs | Roybal-Allard |
| Cardin | Johnson, E. B. | Rush |
| Chapman | Johnston | Sabo |
| Clay | Kanjorski | Sanders |
| Clayton | Kaptur | Sawyer |
| Clement | Kennedy (MA) | Schroeder |
| Clyburn | Kennedy (RI) | Schumer |
| Coburn | Kildee | Scott |
| Coleman | King | Serrano |
| Collins (IL) | Kleckza | Skaggs |
| Collins (MI) | Klink | Slaughter |
| Conyers | LaFalce | Spratt |
| Costello | Lantos | Stark |
| Coyne | Levin | Studds |
| Cramer | Lewis (GA) | Stupak |
| de la Garza | Lincoln | Taylor (MS) |
| DeFazio | Lipinski | Tejeda |
| DeLauro | Lofgren | Thompson |
| Dellums | Luther | Thornton |
| Deutsch | Maloney | Thurman |
| Dicks | Manton | Torres |
| Dingell | Markey | Torricelli |
| Dixon | Martinez | Towns |
| Doggett | Mascara | Traficant |
| Doyle | Matsui | Velazquez |
| Duncan | McCarthy | Vento |
| Durbin | McDermott | Visclosky |
| Edwards | McHale | Ward |
| Engel | McNulty | Waters |
| Eshoo | Meehan | Watt (NC) |
| Evans | Menendez | Waxman |
| Fattah | Mfume | Wise |
| Fazio | Miller (CA) | Woolsey |
| Fields (LA) | Mineta | Wyden |
| Filner | Moakley | Wynn |
| Flake | Mollohan | Yates |
| Foglietta | Murtha | |

NOES—254

- | | | |
|--------------|-------------|--------------|
| Abercrombie | Blute | Chenoweth |
| Allard | Boehlert | Christensen |
| Andrews | Boehner | Chrysler |
| Armey | Bonilla | Clinger |
| Bachus | Bono | Coble |
| Baesler | Brownback | Collins (GA) |
| Baker (CA) | Bryant (TN) | Combust |
| Baker (LA) | Bunn | Condit |
| Ballenger | Bunning | Cooley |
| Barr | Burr | Cox |
| Barrett (NE) | Burton | Crane |
| Bartlett | Callahan | Crapo |
| Barton | Calvert | Cremeans |
| Bass | Camp | Cubin |
| Bateman | Canady | Cunningham |
| Bereuter | Castle | Danner |
| Bilirakis | Chabot | Davis |
| Bliley | Chambliss | Deal |

- | | | |
|---------------|---------------|---------------|
| DeLay | Johnson, Sam | Ramstad |
| Diaz-Balart | Jones | Regula |
| Dickey | Kasich | Riggs |
| Dooley | Kelly | Roberts |
| Doolittle | Kennelly | Roemer |
| Dornan | Kim | Rogers |
| Dreier | Kingston | Rohrabacher |
| Dunn | Klug | Ros-Lehtinen |
| Ehlers | Knollenberg | Roth |
| Ehrlich | Kolbe | Roukema |
| Emerson | LaHood | Royce |
| English | Largent | Salmon |
| Ensign | Latham | Sanford |
| Everett | LaTourrette | Saxton |
| Ewing | Laughlin | Scarborough |
| Farr | Lazio | Schaefer |
| Fawell | Leach | Schiff |
| Fields (TX) | Lewis (CA) | Sensenbrenner |
| Flanagan | Lewis (KY) | Shadegg |
| Foley | Lightfoot | Shaw |
| Forbes | Linder | Shays |
| Fowler | Livingston | Shuster |
| Frank (MA) | LoBiondo | Sisisky |
| Franks (CT) | Longley | Skeen |
| Franks (NJ) | Lucas | Skelton |
| Frelinghuysen | Manzullo | Smith (MI) |
| Frisa | Martini | Smith (NJ) |
| Funderburk | McCollum | Smith (TX) |
| Gallegly | McCrery | Smith (WA) |
| Ganske | McHugh | Solomon |
| Gekas | McInnis | Souder |
| Geren | McIntosh | Spence |
| Gilchrest | McKeon | Stearns |
| Gillmor | Metcalfe | Stenholm |
| Gilman | Meyers | Stockman |
| Goodlatte | Mica | Stump |
| Goodling | Miller (FL) | Talent |
| Goss | Minge | Tanner |
| Graham | Mink | Tate |
| Greenwood | Molinari | Tauzin |
| Gunderson | Montgomery | Taylor (NC) |
| Gutknecht | Moorhead | Thomas |
| Hall (TX) | Moran | Thornberry |
| Hancock | Morella | Tiahrt |
| Hansen | Myers | Torkildsen |
| Harman | Myrick | Tucker |
| Hastert | Nethercutt | Upton |
| Hastings (WA) | Neumann | Volkmer |
| Hayes | Ney | Vucanovich |
| Hayworth | Norwood | Waldholtz |
| Hefley | Nussle | Walker |
| Heineman | Orton | Walsh |
| Hерger | Oxley | Wamp |
| Hilleary | Packard | Watts (OK) |
| Hobson | Parker | Weldon (FL) |
| Hoekstra | Paxon | Weldon (PA) |
| Hoke | Payne (VA) | Weller |
| Horn | Peterson (MN) | White |
| Hostettler | Petri | Whitfield |
| Houghton | Pickett | Wicker |
| Hunter | Pombo | Williams |
| Hutchinson | Porter | Wilson |
| Hyde | Portman | Wolf |
| Inglis | Pryce | Young (AK) |
| Istook | Quillen | Young (FL) |
| Johnson (CT) | Quinn | Zeliff |
| Johnson (SD) | Radanovich | |

ANSWERED "PRESENT"—1

Lowey

NOT VOTING—12

- | | | |
|-----------|----------|-----------|
| Archer | McDade | Rangel |
| Bilbray | McKinney | Seastrand |
| Gibbons | Meek | Stokes |
| Jefferson | Neal | Zimmer |

So the amendment was not agreed to. The SPEAKER pro tempore, Mr. MCINNIS, assumed the Chair.

When Mr. COMBEST, Chairman, pursuant to House Resolution 105, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

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

Page 28, after line 2, insert the following new section (and redesignate the succeeding sections and conform the table of contents accordingly):

SEC. 6. AMENDMENT TO RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT.

Section 1964(c) of title 18, United States Code, is amended by inserting “, except that no person may bring an action under this provision if the racketeering activity, as defined in section 1961(1)(D), involves conduct actionable as fraud in the purchase or sale of securities” before the period.

Page 9, line 5, strike “verifies” and insert “certifies”.

Page 11, line 21, and page 13, line 20, strike “any settlement” and insert “any proposed or final settlement”.

Page 12, line 9, insert “per share” after “potential damages”.

Page 14, beginning on line 18, strike “The order shall bar” and all that follows through line 23, and insert the following:

The order shall bar all future claims for contribution arising out of the action—

“(A) by any person against the settling defendant; and

“(B) by the settling defendant against any person older than a person whose liability has been extinguished by the settling defendant’s settlement.

Page 16, line 20, insert “section 10(b) of” after “under”.

Page 17, line 6, insert “to state” after “or omits”.

Page 17, line 25, strike “or sellers” and insert “, sellers, or security holders”.

Page 18, line 2, strike “consciously”.

Page 19, line 25, insert “knowledge and” after “paragraph (1),”.

Page 18, beginning on line 2, strike “For example” and all that follows through line 5 and insert the following: “Deliberately refraining from taking steps to discover whether one’s statements are false or misleading constitutes recklessness, but if the failure to investigate was not deliberate, such conduct shall not be considered to be reckless.”

Page 26, beginning on line 1, strike section 37 through page 28, line 2, and insert the following:

“SEC. 37. APPLICATION OF SAFE HARBOR FOR FORWARD-LOOKING STATEMENTS.

“(a) SAFE HARBOR IN GENERAL.—In any private action arising under this title based on a fraudulent statement (as defined in section 10A), a person shall not be liable with respect to any forward-looking statement if and to the extent that the statement—

“(1) contains a projection, estimate, or description of future events; and

“(2) refers clearly (or is understood by the recipient to refer) to—

“(A) such projections, estimates, or descriptions as forward-looking statements; and

“(B) the risk that such projections, estimates, or descriptions may not be realized. The safe harbor for forward-looking statements established under this subsection shall be in addition to any safe harbor the Commission may establish by rule or regulation.

“(b) DEFINITION OF FORWARD-LOOKING STATEMENT.—For the purpose of this section, the term ‘forward-looking statement’ shall include (but not be limited to) projections, estimates, and descriptions of future events, whether made orally or in writing, voluntarily or otherwise.

“(c) NO DUTY TO MAKE CONTINUING PROJECTIONS.—In any private action arising under this title, no person shall be deemed to have any obligation to update a forward-looking statement made by such person unless such person has expressly and substantially contemporaneously undertaken to update such statement.

“(d) AUTOMATIC PROCEDURE FOR STAYING DISCOVERY; EXPEDITED PROCEDURE FOR CONSIDERATION OF MOTION ON APPLICABILITY OF SAFE HARBOR.—

“(1) STAY PENDING DECISION ON MOTION.—Upon motion by a defendant to dismiss on the ground that the statement or omission upon which the complaint is based is a forward-looking statement within the meaning of this section and that the safe harbor provisions of this section preclude a claim for relief, the court shall stay discovery until such motion is decided.

“(2) PROTECTIVE ORDERS.—If the court denies a motion to dismiss to which paragraph (1) is applicable, or if no such motion is made and a party makes a motion for a protective order, at any time beginning after the filing of the complaint and ending 10 days after the filing of such party’s answer to the complaint, asserting that the safe harbor provisions of this section apply to the action, a protective order shall issue forthwith to stay all discovery as to any party to whom the safe harbor provisions of this section may apply, except that which is directed to the specific issue of the applicability of the safe harbor. A hearing on the applicability of the safe harbor shall be conducted within 45 days of the issuance of the protective order. At the conclusion of the hearing, the court shall either dismiss the portion of the action based upon the use of the forward-looking information or determine that the safe harbor is unavailable in the circumstances.

“(e) REGULATORY AUTHORITY.—The Commission shall exercise its authority to describe conduct with respect to the making of forward-looking statements that will be deemed not to provide a basis for liability in private actions under this title. Such rules and regulations shall—

“(1) include clear and objective guidance that the Commission finds sufficient for the protection of investors;

“(2) prescribe such guidance with sufficient particularity that compliance shall be readily ascertainable by issuers prior to issuance of securities; and

“(3) provide that forward-looking statements that are in compliance with such guidance and that concern the future economic performance of an issuer of securities registered under section 12 of this title will be deemed not to be in violation of this title. Nothing in this section shall be deemed to limit, either expressly or by implication, the authority of the Commission to exercise similar authority or to adopt similar rules and regulations with respect to forward-looking statements under other statutes under which the Commission exercises rule-making authority.”

Page 28, after line 2, insert the following new section (and redesignate the succeeding sections and conform the table of contents accordingly).

SEC. 6. FINANCIAL FRAUD DETECTION AND DISCLOSURE.

(a) AMENDMENTS TO THE SECURITIES EXCHANGE ACT OF 1934.—The Securities Exchange Act of 1934 is amended by inserting after section 13 (15 U.S.C. 78m) the following new section:

“SEC. 13A. FRAUD DETECTION AND DISCLOSURE.

“(a) AUDIT REQUIREMENTS.—Each audit required pursuant to this title of an issuer’s financial statements by an independent public accountant shall include, in accordance with generally accepted auditing standards, as may be modified or supplemented from time to time by the Commission, the following:

“(1) procedures designed to provide reasonable assurance of detecting illegal acts that would have a direct and material effect on the determination of financial statement amounts;

“(2) procedures designed to identify related party transactions which are material to the financial statements or otherwise require disclosure therein; and

“(3) an evaluation of whether there is substantial doubt about the issuer’s ability to

continue as a going concern over the ensuing fiscal year.

“(b) REQUIRED RESPONSE TO AUDIT DISCOVERIES.—

“(1) INVESTIGATION AND REPORT TO MANAGEMENT.—If, in the course of conducting any audit pursuant to this title to which subsection (a) applies, the independent public accountant detects or otherwise becomes aware of information indicating that an illegal act (whether or not perceived to have a material effect on the issuer’s financial statements) has or may have occurred, the accountant shall, in accordance with generally accepted auditing standards, as may be modified or supplemented from time to time by the Commission—

“(A)(i) determine whether it is likely that an illegal act has occurred, and (ii) if so, determine and consider the possible effect of the illegal act on the financial statements of the issuer, including any contingent monetary effects, such as fines, penalties, and damages; and

“(B) as soon as practicable inform the appropriate level of the issuer’s management and assure that the issuer’s audit committee, or the issuer’s board of directors in the absence of such a committee, is adequately informed with respect to illegal acts that have been detected or otherwise come to the attention of such accountant in the course of the audit, unless the illegal act is clearly inconsequential.

“(2) RESPONSE TO FAILURE TO TAKE REMEDIAL ACTION.—If, having first assured itself that the audit committee of the board of directors of the issuer or the board (in the absence of an audit committee) is adequately informed with respect to illegal acts that have been detected or otherwise come to the accountant’s attention in the course of such accountant’s audit, the independent public accountant concludes that—

“(A) any such illegal act has a material effect on the financial statements of the issuer,

“(B) senior management has not taken, and the board of directors has not caused senior management to take, timely and appropriate remedial actions with respect to such illegal act, and

“(C) the failure to take remedial action is reasonably expected to warrant departure from a standard auditor’s report, when made, or warrant resignation from the audit engagement,

the independent public accountant shall, as soon as practicable, directly report its conclusions to the board of directors.

“(3) NOTICE TO COMMISSION; RESPONSE TO FAILURE TO NOTIFY.—An issuer whose board of directors has received a report pursuant to paragraph (2) shall inform the Commission by notice within one business day of receipt of such report and shall furnish the independent public accountant making such report with a copy of the notice furnished the Commission. If the independent public accountant making such report shall fail to receive a copy of such notice within the required one-business-day period, the independent public accountant shall—

“(A) resign from the engagement; or

“(B) furnish to the Commission a copy of its report (or the documentation of any oral report given) within the next business day following such failure to receive notice.

“(4) REPORT AFTER RESIGNATION.—An independent public accountant electing resignation shall, within the one business day following a failure by an issuer to notify the Commission under paragraph (3), furnish to the Commission a copy of the accountant’s report (or the documentation of any oral report given).

“(c) AUDITOR LIABILITY LIMITATION.—No independent public accountant shall be lia-

ble in a private action for any finding, conclusion, or statement expressed in a report made pursuant to paragraph (3) or (4) of subsection (b), including any rules promulgated pursuant thereto.

“(d) CIVIL PENALTIES IN CEASE-AND-DESIST PROCEEDINGS.—If the Commission finds, after notice and opportunity for hearing in a proceeding instituted pursuant to section 21C of this title, that an independent public accountant has willfully violated paragraph (3) or (4) of subsection (b) of this section, then the Commission may, in addition to entering an order under section 21C, impose a civil penalty against the independent public accountant and any other person that the Commission finds was a cause of such violation. The determination whether to impose a civil penalty, and the amount of any such penalty, shall be governed by the standards set forth in section 21B of this title.

“(e) PRESERVATION OF EXISTING AUTHORITY.—Except for subsection (d), nothing in this section limits or otherwise affects the authority of the Commission under this title.

“(f) DEFINITIONS.—As used in this section, the term ‘illegal act’ means any action or omission to act that violates any law, or any rule or regulation having the force of law.”.

“(b) EFFECTIVE DATES.—As to any registrant that is required to file selected quarterly financial data pursuant to item 302(a) of Regulation S-K (17 CFR 229.302(a)) of the Securities and Exchange Commission, the amendments made by subsection (a) of this section shall apply to any annual report for any period beginning on or after January 1, 1996. As to any other registrant, such amendment shall apply for any period beginning on or after January 1, 1997.

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

Mr. MARKEY moved to recommit the bill to the Committee on Commerce with instructions to report the bill back to the House forthwith with the following amendments:

Page 7, beginning on line 19, strike subsection (c) through page 11, line 8, and insert the following:

“(c) AWARD OF FEES AND EXPENSES.—

“(1) AUTHORITY TO AWARD FEES AND EXPENSES.—If the court in any private action arising under this title enters a final judgment against a party litigant on the basis of a default, a motion to dismiss, motion for summary judgment, or a trial on the merits, the court shall, upon motion by the prevailing party, determine whether—

“(A) the compliant or motion is being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;

“(B) the claims, defenses, and other legal contentions in the complaint or motion, taken as a whole, are unwarranted by existing law of by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;

“(C) the allegations and other factual contentions in the complaint or motion, taken as a whole, lack any evidentiary support or would be likely to lack any evidentiary support after a reasonable opportunity for further investigation or discovery; or

“(D) the denials of factual contentions are unwarranted on the evidence or are not reasonably based on a lack of information or belief.

“(2) AWARD TO PREVAILING PARTY.—If the court determines that the losing party has violated any subparagraph (1), the court shall award the prevailing party reasonable fees and other expenses incurred by that

party. The determination of whether the losing party violated any such subparagraph shall be made on the basis of the record in the civil action for which fees and other expenses are sought.

“(3) APPLICATION FOR FEES.—A party seeking an award of fees and other expenses shall, within 30 days of a final, non appealable judgment in the action submit to the court an application for fees and other expenses that verifies that the party is entitled to such an award under paragraph (1) and the amount sought, including an itemized statement from any attorney or expert witness representing or appearing on behalf of the party stating the actual time expended and the rate at which fees and other expenses are computed.

“(4) SANCTIONS AGAINST ATTORNEY.—The court—

“(A) shall award the fees and expenses against the attorney for the losing party unless the court determines that the losing party was principally responsible for the actions described in subparagraph (A), (B), (C), or (D) of paragraph (1); and

“(B) may, in its discretion, reduce the amount to be awarded pursuant to this section, or deny an award, to the extent that the prevailing party during the course of the proceedings engaged in conduct that unduly and unreasonably protracted the final resolution of the matter in controversy.

“(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit or impair the discretion of the court to award costs pursuant to other provisions of law.

“(6) DEFINITIONS.—For purpose of this subsection, the term ‘fees and other expenses’ includes the reasonable expenses of expert witnesses, the reasonable cost of any study, analysis, report, test, or project which is found by the court to be necessary for the preparation of the party’s case, and reasonable attorney fees and expenses. The amount of fees awarded under this section shall be based upon prevailing market rates for the kind and quality of services furnished.

Page 28, line 12, insert before the period the following: “, except that this Act and the amendments made by this Act shall not apply to any action commenced by any State or local government, or any agency or instrumentality of any State or local government, before the date which is 3 years after such date of enactment.”.

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. MCINNIS, announced that the nays had it.

Mr. MARKEY 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 Nays 251 Answered present 1
negative	

¶40.22 [Roll No. 215]
AYES—172

Abercrombie	Becerra	Bishop
Ackerman	Bellenson	Bonior
Andrews	Bentsen	Borski
Baldacci	Berman	Boucher
Barrett (WI)	Bevill	Browder

Brown (CA)	Hastings (FL)	Owens
Brown (FL)	Hilliard	Pallone
Brown (OH)	Hinchee	Pastor
Bryant (TX)	Holden	Payne (NJ)
Cardin	Hoyer	Pelosi
Chapman	Jackson-Lee	Peterson (FL)
Clay	Jacobs	Pomeroy
Clayton	Jefferson	Poshard
Clement	Johnson (SD)	Rahall
Clyburn	Johnson, E. B.	Reed
Coleman	Kanjorski	Reynolds
Collins (IL)	Kaptur	Rivers
Collins (MI)	Kennedy (MA)	Roemer
Conyers	Kennedy (RI)	Roybal-Allard
Costello	Kennelly	Rush
Coyne	Kildee	Sabo
Cramer	King	Sanders
de la Garza	Kleczka	Sawyer
DeFazio	Klink	Schroeder
DeLauro	LaFalce	Schumer
Dellums	Lantos	Scott
Deutsch	Laughlin	Serrano
Dicks	Levin	Skaggs
Dingell	Lewis (GA)	Spratt
Dixon	Lincoln	Stark
Doggett	Lipinski	Stokes
Dooley	Lofgren	Studds
Doyle	Luther	Stupak
Duncan	Maloney	Tanner
Durbin	Manton	Taylor (MS)
Edwards	Markey	Tejeda
Engel	Martinez	Thompson
Eshoo	Mascara	Thornton
Evans	Matsui	Thurman
Fattah	McCarthy	Torres
Fazio	McDermott	Torricelli
Fields (LA)	McHale	Towns
Filner	McNulty	Trafficant
Flake	Meehan	Tucker
Foglietta	Menendez	Vento
Ford	Mfume	Visclosky
Frank (MA)	Miller (CA)	Volkmmer
Frost	Mineta	Waters
Furse	Mink	Watt (NC)
Gejdenson	Moakley	Waxman
Gephardt	Mollohan	Williams
Gonzalez	Moran	Wise
Gordon	Murtha	Woolsey
Green	Nadler	Wyden
Gutierrez	Oberstar	Wynn
Hall (OH)	Obey	Yates
Hall (TX)	Olver	
Hamilton	Ortiz	

NOES—251

Allard	Combest	Gilman
Archer	Condit	Goodlatte
Armey	Cooley	Goodling
Bachus	Cox	Goss
Baessler	Crane	Graham
Baker (CA)	Crapo	Greenwood
Baker (LA)	Cremeans	Gunderson
Ballenger	Cubin	Gutknecht
Barcia	Cunningham	Hancock
Barr	Danner	Hansen
Barrett (NE)	Davis	Harman
Bartlett	Deal	Hastert
Barton	DeLay	Hastings (WA)
Bass	Diaz-Balart	Hayes
Bateman	Dickey	Hayworth
Bereuter	Doolittle	Hefley
Bilirakis	Dornan	Hefner
Bliley	Dreier	Heineman
Blute	Dunn	Herger
Boehlert	Ehlers	Hilleary
Boehner	Ehrlich	Hobson
Bonilla	Emerson	Hoekstra
Bono	English	Horn
Brewster	Ensign	Hostettler
Brownback	Everett	Houghton
Bryant (TN)	Ewing	Hunter
Bunn	Farr	Hutchinson
Bunning	Fawell	Hyde
Burr	Fields (TX)	Inglis
Burton	Flanagan	Istook
Buyer	Foley	Johnson (CT)
Callahan	Forbes	Johnson, Sam
Calvert	Fowler	Jones
Camp	Fox	Kasich
Canady	Franks (CT)	Kelly
Castle	Franks (NJ)	Kim
Chabot	Frelinghuysen	Kingston
Chambliss	Frisa	Klug
Chenoweth	Funderburk	Knollenberg
Christensen	Gallely	Kolbe
Chrysler	Ganske	LaHood
Clinger	Gekas	Largent
Coble	Geren	Latham
Coburn	Gilchrest	LaTourette
Collins (GA)	Gillmor	Lazio