

Speaker's table the bill (H.R. 1833) to amend title 18, United States Code, to ban partial-birth abortions, with Senate amendments thereto, and to consider in the House a single motion to concur in each of the Senate amendments. The Senate amendments and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

When said resolution was considered. After debate,

By unanimous consent, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

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

Mrs. WALDHOLTZ objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 269
Nays 148

¶36.11

[Roll No. 93]

YEAS—269

Allard	Costello	Hamilton
Archer	Cox	Hancock
Armey	Cramer	Hansen
Bachus	Crane	Hastert
Baesler	Crapo	Hastings (WA)
Baker (CA)	Cremeans	Hayes
Baker (LA)	Cubin	Hayworth
Ballenger	Cunningham	Hefley
Barcia	Danner	Hefner
Barr	Davis	Heineman
Barrett (NE)	de la Garza	Hergert
Bartlett	Deal	Hilleary
Barton	DeLay	Hobson
Bass	Diaz-Balart	Hoekstra
Bateman	Dickey	Hoke
Bereuter	Dingell	Holden
Bevill	Doolittle	Hostettler
Bilbray	Doyle	Hunter
Bilirakis	Dreier	Hutchinson
Bliley	Duncan	Hyde
Blute	Dunn	Inglis
Boehner	Ehlers	Istook
Bonilla	Ehrlich	Johnson, Sam
Bonior	Emerson	Jones
Bono	English	Kanjorski
Borski	Ensign	Kasich
Brewster	Everett	Kelly
Browder	Ewing	Kildee
Brownback	Fawell	Kim
Bryant (TN)	Fields (TX)	King
Bunn	Flanagan	Kingston
Bunning	Foley	Klecicka
Burr	Forbes	Klink
Burton	Fox	Klug
Buyer	Franks (NJ)	Knollenberg
Callahan	Frisa	Kolbe
Calvert	Frost	LaFalce
Camp	Funderburk	LaHood
Campbell	Gallely	Largent
Canady	Ganske	Latham
Castle	Gekas	LaTourette
Chabot	Geren	Laughlin
Chambliss	Gilchrest	Lazio
Chenoweth	Gillmor	Leach
Christensen	Goodlatte	Lewis (CA)
Chrysler	Goodling	Lewis (KY)
Clement	Gordon	Lightfoot
Clinger	Goss	Linder
Coble	Graham	Lipinski
Coburn	Gunderson	Livingston
Collins (GA)	Gutknecht	LoBiondo
Combest	Hall (OH)	Longley
Cooley	Hall (TX)	Lucas

Manton	Petri	Smith (TX)
Manzullo	Pombo	Solomon
Martini	Porter	Souder
Mascara	Portman	Spence
McCollum	Poshard	Stearns
McCrery	Pryce	Stenholm
McDade	Quillen	Stockman
McHugh	Quinn	Stump
McInnis	Radanovich	Stupak
McIntosh	Rahall	Talent
McKeon	Ramstad	Tanner
McNulty	Regula	Tate
Metcalf	Riggs	Tauzin
Mica	Roberts	Taylor (MS)
Miller (FL)	Roemer	Taylor (NC)
Molinari	Rogers	Tejeda
Mollohan	Rohrabacher	Thornberry
Montgomery	Ros-Lehtinen	Thornton
Moorhead	Roth	Tiahrt
Moran	Roukema	Upton
Murtha	Royce	Volkmer
Myers	Salmon	Vucanovich
Myrick	Sanford	Waldholtz
Nethercutt	Saxton	Walker
Neumann	Scarborough	Walsh
Ney	Schaefer	Wamp
Norwood	Schiff	Watts (OK)
Nussle	Seastrand	Weldon (FL)
Oberstar	Sensenbrenner	Weller
Ortiz	Shadegg	White
Orton	Shaw	Whitfield
Oxley	Shuster	Wicker
Packard	Sisisky	Wolf
Parker	Skeen	Young (AK)
Paxon	Skelton	Young (FL)
Payne (VA)	Smith (MI)	Zeliff
Peterson (MN)	Smith (NJ)	

NAYS—148

Abercrombie	Gonzalez	Olver
Ackerman	Green	Owens
Andrews	Greenwood	Pallone
Baldacci	Gutierrez	Pastor
Barrett (WI)	Hastings (FL)	Payne (NJ)
Becerra	Hilliard	Pelosi
Beilenson	Hinchev	Peterson (FL)
Bentsen	Horn	Pickett
Berman	Houghton	Pomeroy
Bishop	Hoyer	Rangel
Boehlert	Jackson (IL)	Reed
Boucher	Jackson-Lee	Richardson
Brown (CA)	(TX)	Rivers
Brown (FL)	Jacobs	Rose
Brown (OH)	Jefferson	Roybal-Allard
Cardin	Johnson (CT)	Rush
Chapman	Johnson (SD)	Sabo
Clay	Johnson, E. B.	Sanders
Clayton	Johnston	Sawyer
Clyburn	Kaptur	Schroeder
Coleman	Kennedy (MA)	Schumer
Collins (MI)	Kennedy (RI)	Scott
Condit	Kennely	Serrano
Conyers	Lantos	Shays
Coyne	Levin	Skaggs
DeFazio	Lewis (GA)	Slaughter
DeLauro	Lincoln	Spratt
Dellums	Lofgren	Stark
Deutsch	Lowe	Studds
Dicks	Luther	Thompson
Dixon	Maloney	Thurman
Doggett	Markey	Torkildsen
Durbin	Martinez	Torres
Edwards	Matsui	Towns
Engel	McCarthy	Traficant
Eshoo	McDermott	Velazquez
Evans	McHale	Vento
Farr	McKinney	Visclosky
Fattah	Meehan	Ward
Fazio	Meek	Waters
Fields (LA)	Menendez	Watt (NC)
Flake	Meyers	Waxman
Foglietta	Miller (CA)	Williams
Frank (MA)	Minge	Wilson
Frank (CT)	Mink	Wise
Frelinghuysen	Moakley	Woolsey
Furse	Morella	Wynn
Gedjenson	Nadler	Yates
Gephardt	Neal	Zimmer
Gilman	Obey	

NOT VOTING—14

Bryant (TX)	Ford	Stokes
Collins (IL)	Fowler	Thomas
Dooley	Gibbons	Torricelli
Dorman	Harman	Weldon (PA)
Filner	Smith (WA)	

So 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.

¶36.12 PARTIAL-BIRTH ABORTION

Mr. CANADY, pursuant to House Resolution 389, moved to take from the Speaker's table the bill (H.R. 1833) to amend title 18, United States Code, to ban partial-birth abortions; together with the following amendments of the Senate thereto, and concur in each of the amendments:

Page 2, line 9, strike out [Whoever] and insert: *Any physician who*

Page 2, line 12, after "both," insert: *This paragraph shall not apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, illness, or injury: Provided, That no other medical procedure would suffice for that purpose. This paragraph shall become effective one day after enactment.*

Page 2, line 13, strike out [As] and insert: (1) As

Page 2, after line 16, insert:

"(2) As used in this section, the term 'physician' means a doctor of medicine or osteopathy legally authorized to practice medicine and surgery by the State in which the doctor performs such activity, or any other individual legally authorized by the State to perform abortions: Provided, however, That any individual who is not a physician or not otherwise legally authorized by the State to perform abortions, but who nevertheless directly performs a partial-birth abortion, shall be subject to the provision of this section.

Page 2, line 17, strike out [(c)(1) The father,] and insert: (c)(1) *The father, if married to the mother at the time she receives a partial-birth abortion procedure,*

Page 3, strike out lines 12 through 20.

After debate,

Pursuant to House Resolution 389 the previous question was considered as ordered.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. ROGERS, announced that the yeas had it.

Mr. CANADY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

It was decided in the affirmative { Yeas 286
Nays 129
Answered present 1

¶36.13

[Roll No. 94]

YEAS—286

Allard	Blute	Chambliss
Archer	Boehner	Chenoweth
Armey	Bonilla	Christensen
Bachus	Bonior	Chrysler
Baesler	Bono	Clement
Baker (CA)	Borski	Clinger
Baker (LA)	Brewster	Coble
Ballenger	Browder	Coburn
Barcia	Brownback	Collins (GA)
Barr	Bryant (TN)	Combest
Barrett (NE)	Bunn	Condit
Barrett (WI)	Bunning	Cooley
Bartlett	Burr	Costello
Barton	Burton	Cox
Bass	Buyer	Cramer
Bateman	Callahan	Crane
Bereuter	Calvert	Crapo
Bevill	Camp	Cremeans
Bilbray	Canady	Cubin
Bilirakis	Castle	Cunningham
Bliley	Chabot	Danner

Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flake
Flanagan
Foglietta
Foley
Forbes
Fox
Franks (NJ)
Frisa
Frost
Funderburk
Gallegly
Ganske
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Goodlatte
Goodling
Gordon
Goss
Graham
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Jefferson
Johnson (SD)
Johnson, Sam
Jones

Kanjorski
Kaptur
Kasich
Kennedy (RI)
Kildee
Kim
King
Kingston
Klecza
Klink
Klug
Knollenberg
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manton
Manzullo
Martinez
Martini
Mascara
McCollum
McCrery
Gillmor
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Mica
Miller (FL)
Minge
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Petri
Pombo

Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Sisisky
Skeel
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thornberry
Thornton
Tiahrt
Traficant
Upton
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff

NAYS—129

Abercrombie
Ackerman
Andrews
Baldacci
Becerra
Beilenson
Bentsen
Berman
Bishop
Boehlert
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Cardin
Chapman
Clay
Clayton
Coleman
Collins (MI)
Conyers

Coyne
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dixon
Doggett
Dooley
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Frank (MA)
Frank (CT)
Frelinghuysen
Furse
Gejdenson

Gilman
Gonzalez
Green
Greenwood
Gutierrez
Hastings (FL)
Hilliard
Hinchev
Horn
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Johnson (CT)
Johnson, E. B.
Johnston
Kelly
Kennedy (MA)
Kennelly
Kolbe
Lantos
Levin
Lewis (GA)

Lofgren
Lowey
Luther
Maloney
Markey
Matsui
McCarthy
McDermott
McKinney
Meehan
Meek
Menendez
Meyers
Miller (CA)
Mink
Morella
Nadler
Olver
Owens
Pallone
Pastor

Payne (NJ)
Pelosi
Peterson (FL)
Pickett
Rangel
Reed
Rivers
Rose
Roybal-Allard
Rush
Sabó
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Shays
Skaggs
Slaughter
Stark

Studds
Thompson
Thurman
Torkildsen
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wynn
Yates
Zimmer

ANSWERED "PRESENT"—1

Richardson

NOT VOTING—15

Bryant (TX)
Collins (IL)
Dornan
Filner
Ford

Fowler
Gibbons
Harman
Roukema
Smith (WA)

Stokes
Thomas
Torricelli
Ward
Weldon (PA)

So the motion was agreed to.

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

Ordered, That the Clerk notify the Senate thereof.

36.14 H. RES. 379—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. ROGERS, pursuant to clause 5, rule I, announced the unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 379) expressing the sense of the House of Representatives concerning the eighth anniversary of the massacre of over 5,000 Kurds as a result of a gas bomb attack by the Iraqi government.

The question being put,

Will the House suspend the rules and agree to said resolution?

The vote was taken by electronic device.

It was decided in the { Yeas 409
affirmative Nays 0

36.15 [Roll No. 95]

YEAS—409

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Billbray
Bilirakis
Bishop
Bilely
Blute

Boehlert
Boehner
Bonilla
Bonior
Bono
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambless
Chapman
Chenoweth
Christensen
Chrysler

Clay
Clayton
Clement
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (MI)
Combest
Condit
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Creameans
Cubert
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey

Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Fields (TX)
Flake
Flanagan
Foglietta
Foley
Forbes
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hilliard
Hinchev
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.

Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kim
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Klecza
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Linder
Lipinski
Livingston
LoBiondo
Longley
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mica
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor

Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabó
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Serrano
Shays
Skaggs
Slaughter
Stark