

English	Kingston	Quinn
Eshoo	Klecзка	Radanovich
Everett	Kolbe	Rahall
Ewing	Klug	Ramstad
Fawell	Knollenberg	Reed
Fazio	Kolbe	Regula
Fields (TX)	LaHood	Richardson
Flanagan	Largent	Riggs
Foley	Latham	Rivers
Forbes	LaTourette	Roberts
Fowler	Laughlin	Roemer
Fox	Lazio	Rogers
Franks (CT)	Leach	Rohrabacher
Franks (NJ)	Levin	Ros-Lehtinen
Frelinghuysen	Lewis (CA)	Rose
Frisa	Lewis (KY)	Roth
Frost	Lightfoot	Roukema
Funderburk	Lincoln	Royce
Galleghy	Linder	Salmon
Ganske	Lipinski	Sanford
Gekas	Livingston	Saxton
Gephardt	LoBiondo	Scarborough
Geren	Longley	Schaefer
Gilchrist	Lowe	Schiff
Gillmor	Lucas	Schumer
Gilman	Luther	Seastrand
Gonzalez	Maloney	Sensenbrenner
Goodlatte	Manton	Shadegg
Goodling	Manzullo	Shaw
Gordon	Markey	Shays
Goss	Martini	Shuster
Graham	Mascara	Skeen
Green	McCollum	Skelton
Greenwood	McCrery	Smith (MI)
Gunderson	McHale	Smith (NJ)
Gutierrez	McHugh	Smith (TX)
Gutknecht	McInnis	Smith (WA)
Hall (TX)	McIntosh	Solomon
Hamilton	McKeon	Souder
Hancock	McNulty	Spratt
Hansen	Meehan	Stearns
Hastert	Menendez	Stenholm
Hastings (WA)	Metcalf	Stockman
Hayes	Meyers	Stump
Hayworth	Mica	Stupak
Hefley	Miller (FL)	Talent
Hefner	Minge	Tanner
Heineman	Molinari	Tate
Heger	Mollohan	Tauzin
Hilleary	Montgomery	Taylor (MS)
Hobson	Moorhead	Taylor (NC)
Hoekstra	Myers	Thomas
Hoke	Myrick	Thornberry
Holden	Neal	Thornton
Hostettler	Nethercutt	Tiahrt
Houghton	Neumann	Torkildsen
Hoyer	Ney	Torricelli
Hunter	Norwood	Upton
Hutchinson	Nussle	Visclosky
Hyde	Oberstar	Vucanovich
Inglis	Obey	Waldholtz
Istook	Ortiz	Walker
Jacobs	Oxley	Walsh
Johnson (CT)	Packard	Wamp
Johnson (SD)	Pallone	Ward
Johnson, Sam	Paxon	Weldon (PA)
Johnston	Payne (VA)	Weller
Jones	Peterson (MN)	Wicker
Kanjorski	Petri	Wise
Kaptur	Pickett	Wolf
Kasich	Pombo	Wyden
Kelly	Pomeroy	Young (AK)
Kennedy (RI)	Porter	Young (FL)
Kennelly	Portman	Zeliff
Kildee	Poshard	Zimmer
Kim	Pryce	
King	Quillen	

NOT VOTING—18

Bateman	Harman	Tucker
Boucher	Rangel	Volkmer
Brown (CA)	Spence	Weldon (FL)
Chapman	Stark	White
Fields (LA)	Studds	Whitfield
Furse	Tejeda	Wilson

So the amendment in the nature of a substitute was not agreed to.

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

When Mr. BEREUTER, Chairman, pursuant to House Resolution 237, 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. DISAPPROVAL OF AMENDMENTS RELATING TO LOWERING OF CRACK SENTENCES AND SENTENCES FOR MONEY LAUNDERING AND TRANSACTIONS IN PROPERTY DERIVED FROM UNLAWFUL ACTIVITY.

In accordance with section 994(p) of title 28, United States Code, Amendments number 5 and 18 of the "Amendments to the Sentencing Guidelines, Policy Statements, and Official Commentary", submitted by the United States Sentencing Commission to Congress on May 1, 1995, is hereby disapproved and shall not take effect.

SEC. 2. REDUCTION OF SENTENCING DISPARITY.

(A) RECOMMENDATIONS.—
(1) IN GENERAL.—The United States Sentencing Commission shall submit to Congress recommendations (and an explanation therefor), regarding changes to the statutes and sentencing guidelines governing sentences for unlawful manufacturing, importing, exporting, and trafficking of cocaine, and like offenses, including unlawful possession, possession with intent to commit any of the forgoing offenses, and attempt and conspiracy to commit any of the forgoing offenses. The recommendations shall reflect the following considerations—

(A) the sentence imposed for trafficking in a quantity of crack cocaine should generally exceed the sentence imposed for trafficking in a like quantity of powder cocaine;

(B) high-level wholesale cocaine traffickers, organizers, and leaders, of criminal activities should generally receive longer sentences than low-level retail cocaine traffickers and those who played a minor or minimal role in such criminal activity;

(C) if the Government establishes that a defendant who traffics in powder cocaine has knowledge that such cocaine will be converted into crack cocaine prior to its distribution to individual users, the defendant should be treated at sentencing as though the defendant had trafficked in crack cocaine; and

(D) an enhanced sentence should generally be imposed on a defendant who, in the course of an offense described in this subsection—

- (i) murders or causes serious bodily injury to an individual;
- (ii) uses a dangerous weapon;
- (iii) uses or possesses a firearm;
- (iv) involves a juvenile or a woman who the defendant knows or should know to be pregnant;
- (v) engages in a continuing criminal enterprise or commits other criminal offenses in order to facilitate his drug trafficking activities;
- (vi) knows, or should know, that he is involving an unusually vulnerable person;
- (vii) restrains a victim;
- (viii) traffics in cocaine within 500 feet of a school;
- (ix) obstructs justice;
- (x) has a significant prior criminal record; or
- (xi) is an organizer or leader of drug trafficking activities involving five or more persons.

(2) RATIO.—The recommendations described in the preceding subsection shall propose revision of the drug quantity ratio of crack cocaine to powder cocaine under the relevant statutes and guidelines in a manner consistent with the ratios set for other drugs and consistent with the objectives set forth in section 3553(a) of title 28 United States Code.

(b) STUDY.—No later than May 1, 1996, the Department of Justice shall submit to the

Judiciary Committees of the Senate and House of Representatives a report on the charging and plea practices of Federal prosecutors with respect to the offense of money laundering. Such study shall include an account of the steps taken or to be taken by the Justice Department to ensure consistency and appropriateness in the use of the money laundering statute. The Sentencing Commission shall submit to the Judiciary Committees comments on the study prepared by the Department of Justice.

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

Mr. WATT of North Carolina moved to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with the following amendment:

In Section 2(a)(1), strike "The United States" where it appears immediately after "IN GENERAL..." and insert "Not later than March 1, 1996, the United States".

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.

Mr. WATT of North Carolina 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	149
	Nays	266

¶130.27

[Roll No. 724]

AYES—149

Abercrombie	Farr	Matsui
Andrews	Fattah	McCarthy
Bachus	Fazio	McDade
Baesler	Filner	McDermott
Baker (CA)	Flake	McKinney
Baldacci	Foglietta	Meehan
Barrett (WI)	Ford	Meek
Becerra	Frank (MA)	Mfume
Beilenson	Frost	Miller (CA)
Bentsen	Gejdenson	Minge
Bevill	Gephardt	Mink
Bishop	Gibbons	Moakley
Bonior	Gonzalez	Moran
Browder	Green	Morella
Brown (CA)	Gutierrez	Nadler
Brown (FL)	Hall (OH)	Neal
Brown (OH)	Hastings (FL)	Oberstar
Bryant (TX)	Hefner	Obey
Cardin	Hilliard	Olver
Clay	Hinchee	Ortiz
Clayton	Horn	Orton
Clement	Houghton	Owens
Clyburn	Hoyer	Pastor
Coleman	Jackson-Lee	Payne (NJ)
Collins (IL)	Jacobs	Payne (VA)
Collins (MI)	Jefferson	Pelosi
Conyers	Johnson (SD)	Peterson (FL)
Coyne	Johnson, E.B.	Pickett
de la Garza	Johnston	Pomeroy
DeFazio	Kennedy (MA)	Richardson
Dellums	Kennedy (RI)	Rivers
Dicks	Kennelly	Rose
Dingell	Kildee	Roybal-Allard
Dixon	Klecзка	Rush
Doggett	Lantos	Sabo
Dooley	Levin	Sanders
Doolittle	Lewis (GA)	Sawyer
Duncan	Lincoln	Schroeder
Ehlers	Lofgren	Scott
Engel	Lowey	Serrano
Ensign	Maloney	Sisisky
Eshoo	Markey	Skaggs
Evans	Martinez	Slaughter

Spratt
Stenholm
Stokes
Thompson
Thornton
Thurman
Torres

Towns
Traficant
Velazquez
Vento
Visclosky
Waters
Watt (NC)

Watts (OK)
Waxman
Williams
Woolsey
Wynn
Yates

Bateman
Berman
Boucher
Chapman
Fields (LA)
Furse

Harman
Rangel
Royce
Smith (MI)
Spence
Stark

Studds
Tejeda
Tucker
Volkmer
Wilson

McCollum
McCrery
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Minge
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Ortiz
Orton
Oxley
Pallone
Parker
Pastor
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pomeroy

Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Ros-Lehtinen
Rose
Roth
Roukema
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)

Solomon
Souder
Spratt
Stearns
Stenholm
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torricelli
Upton
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wyden
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—17

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce, Will the House pass said bill? The SPEAKER pro tempore, Mr. WALKER, announced that the yeas had it.

Mr. MCCOLLUM demanded a recorded vote on passage of said bill 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 affirmative { Yeas 332 Nays 83

NOES—266

Ackerman
Allard
Archer
Armev
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehert
Boehner
Bonilla
Bono
Borski
Brewster
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
Costello
Cox
Cramer
Crane
Crapo
Creameans
Cubin
Cunningham
Danner
Davis
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dornan
Doyle
Dreier
Durbin
Edwards
Ehrlich
Emerson
English
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas

Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Luther
Manton
Manzullo
Martini
Mascara
McCollum
McCrery
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myers

Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Pallone
Parker
Peterson (MN)
Petri
Pombo
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Reed
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Schumer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Stearns
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Torricelli
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wyden
Young (AK)
Young (FL)
Zeliff
Zimmer

130.28

[Roll No. 725]

AYES—332

Ackerman
Allard
Andrews
Archer
Armev
Bachus
Baesler
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bereuter
Bevill
Billbray
Bilirakis
Bliley
Blute
Boehert
Boehner
Bonilla
Bono
Borski
Brewster
Browder
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Collins (GA)
Combust
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Creameans
Cubin
Cunningham
Danner

Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Doggett
Dooley
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Istook
Ehrlich
Emerson
English
Ensign
Eshoo
Everett
Ewing
Farr
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gekas
Gephardt
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lowe
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martini
Mascara
Matsui

Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hinches
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
King
Kingston
Klecicka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lowe
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martini
Mascara
Matsui

NOES—83

Abercrombie
Baker (CA)
Becerra
Beilenson
Bishop
Bonior
Brown (CA)
Brown (FL)
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coyle
Dellums
Dingell
Dixon
Doolittle
Engel
Evans
Fattah
Fazio
Filner
Flake
Foglietta
Ford

Frank (MA)
Gejdenson
Hall (OH)
Hastings (FL)
Hilliard
Jackson-Lee
Jefferson
Johnson, E. B.
Kennedy (MA)
Kim
Lewis (CA)
Lewis (GA)
Lofgren
Martinez
McCarthy
McDade
McDermott
Meek
Mfume
Miller (CA)
Mink
Moran
Morella
Nadler
Oberstar
Olver
Owens
Packard

Payne (NJ)
Pelosi
Pombo
Rohrabacher
Roybal-Allard
Rush
Sabo
Sanders
Schroeder
Scott
Serrano
Skaggs
Stockman
Stokes
Thompson
Torres
Towns
Traficant
Velazquez
Vento
Waters
Watt (NC)
Watts (OK)
Waxman
Williams
Wynn
Yates

NOT VOTING—17

Bateman
Berman
Boucher
Chapman
Fields (LA)
Furse

Harman
McKinney
Rangel
Royce
Spence
Stark

Studds
Tejeda
Tucker
Volkmer
Wilson

So the bill was passed. On motion of Mr. MCCOLLUM, pursuant to House Resolution 237, the bill of the Senate (S. 1254) to disapprove of amendments to the Federal Sentencing Guidelines relating to lowering of crack sentences and sentences for money laundering and transactions in property derived from unlawful activity; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.