

Barrett (NE)	Gordon	Pease
Bartlett	Goss	Peterson (MN)
Barton	Graham	Peterson (PA)
Bass	Granger	Pickering
Bereuter	Greenwood	Pickett
Berry	Gutknecht	Pitts
Bilbray	Hall (TX)	Pombo
Bilirakis	Hamilton	Pomeroy
Blagojevich	Hansen	Porter
Bliley	Hastert	Portman
Blunt	Hastings (WA)	Poshard
Boehner	Hayworth	Pryce (OH)
Bonilla	Hefley	Quinn
Bono	Herger	Rahall
Boucher	Hill	Rangel
Boyd	Hilleary	Redmond
Brady	Hinojosa	Regula
Brown (FL)	Hobson	Reyes
Brown (OH)	Hoekstra	Riggs
Bryant	Holden	Riley
Bunning	Horn	Rivers
Burr	Houghton	Rodriguez
Burton	Hulshof	Roemer
Buyer	Hunter	Rogan
Callahan	Hutchinson	Rogers
Calvert	Hyde	Rohrabacher
Camp	Inglis	Ros-Lehtinen
Campbell	Istook	Rothman
Canady	Jenkins	Roukema
Cannon	John	Royce
Chabot	Johnson (CT)	Ryun
Chambliss	Johnson, Sam	Salmon
Chenoweth	Jones	Sanchez
Clement	Kasich	Sanford
Coble	Kennelly	Sawyer
Coburn	Kildee	Saxton
Collins	Kim	Scarborough
Combest	King (NY)	Schaefer, Dan
Condit	Kingston	Schaffer, Bob
Cook	Klink	Scott
Cooksey	Klug	Sensenbrenner
Costello	Knollenberg	Sessions
Cox	Kolbe	Shadegg
Coyne	LaHood	Shaw
Cramer	Largent	Shays
Crane	Latham	Shimkus
Crapo	Lazio	Shuster
Cubin	Leach	Sisisky
Cummings	Levin	Skeen
Cunningham	Lewis (CA)	Skelton
Danner	Lewis (KY)	Smith (MI)
Davis (FL)	Linder	Smith (NJ)
Deal	Lipinski	Smith (OR)
DeGette	Livingston	Smith (TX)
Delahunt	LoBiondo	Smith, Linda
DeLauro	Lofgren	Snowbarger
DeLay	Lowey	Solomon
Deutsch	Lucas	Spence
Diaz-Balart	Manton	Spratt
Dickey	Manzullo	Stabenow
Dicks	Markey	Stearns
Dingell	Mascara	Stenholm
Doggett	Matsui	Strickland
Dooley	McCarthy (MO)	Stump
Doolittle	McCarthy (NY)	Stupak
Doyle	McCollum	Sununu
Duncan	McCrery	Talent
Dunn	McDade	Tanner
Edwards	McGovern	Tauscher
Ehlers	McHugh	Tauzin
Ehrlich	McIntyre	Taylor (MS)
Emerson	McKeon	Taylor (NC)
Engel	McNulty	Thomas
English	Menendez	Thornberry
Ensign	Metcalf	Thune
Etheridge	Mica	Tiahrt
Everett	Miller (FL)	Towns
Ewing	Minge	Trafficant
Fawell	Mink	Turner
Fazio	Moran (KS)	Upton
Foley	Morella	Walsh
Forbes	Murtha	Wamp
Ford	Nadler	Watkins
Fossella	Neal	Watts (OK)
Fowler	Nethercutt	Waxman
Fox	Neumann	Weldon (FL)
Franks (NJ)	Ney	Weldon (PA)
Frelinghuysen	Northup	Weller
Frost	Norwood	Wexler
Furse	Nussle	White
Gallegly	Oxley	Whitfield
Ganske	Packard	Wicker
Gejdenson	Pallone	Wise
Gekas	Pappas	Wolf
Gephardt	Parker	Wynn
Gillmor	Pascrell	Yates
Gilman	Paul	Young (AK)
Goodling	Paxon	Young (FL)

NOT VOTING—11

Bateman	Gonzalez	Kilpatrick
Christensen	Harman	Radanovich
Clay	Hefner	Skaggs
Gilchrest	Hilliard	

So the amendment was not agreed to. After some further time, The Committee rose informally to receive a message from the President. The SPEAKER pro tempore, Mr. NETHERCUTT, assumed the Chair.

¶44.18 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

The Committee resumed its sitting; and after some further time spent therein,

¶44.19 RECORDED VOTE

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

After section 181, insert the following new sections (and conform the table of contents accordingly):

SEC. 182. CRA AMENDMENT.

Section 803(2) of the Community Reinvestment Act of 1977 (12 U.S.C. 2902(2)) is amended by inserting "which has total assets of more than \$100,000,000" before the semicolon at the end.

In section 305 of the Amendment in the Nature of a Substitute, strike "If a national bank" and insert "(a) IN GENERAL.—If a national bank".

In section 305 of the Amendment in the Nature of a Substitute, insert the following new subsections after subsection (a) (as so redesignated):

(b) STATE WAIVER.—If, in any community served by a national bank or a subsidiary of a national bank, there is no company licensed by the appropriate State regulator to provide insurance as agent which is available for acquisition, the State insurance regulator may, upon application by the national bank or subsidiary, waive the limitation of subsection (a) with respect to the provision of insurance as agent by such bank or subsidiary within such community.

(c) SUNSET.—This section shall cease to be effective at the end of the 3-year period beginning on the date of the enactment of this Act.

In paragraph (1) of section 45(d) of the Federal Deposit Insurance Act, as added by section 308(a) of the Amendment in the Nature of a Substitute, strike "and the making of loans".

In paragraph (2) of section 45(g) of the Federal Deposit Insurance Act, as added by section 308(a) of the Amendment in the Nature of a Substitute, strike "Regulations prescribed" and insert "Subject to section 104, regulations prescribed".

After section 309 of the Amendment in the Nature of a Substitute, add the following new section (and conform the table of contents accordingly):

SEC. 310. STUDY OF EFFECTIVENESS OF SAFE HARBOR.

(a) STUDY REQUIRED.—3 years after the date of the enactment of this Act, the Comptroller of the Currency shall study, in conjunction with the National Association of Insurance Commissioners should such Association choose to participate, the effectiveness of the provisions of section 104(b)(2)(A) in establishing a safe harbor for the regulation by States of insurance sales and solicitation activity.

(b) REPORT.—The Comptroller of the Currency, together with the National Association of Insurance Commissioners should such Association choose to participate, shall submit a report to the Congress before the end of the 6-month period beginning 3 years after the date of the enactment of this Act on findings made and conclusions reached with regard to the study required under subsection (a), together with such recommendations for legislative or administrative action as the Comptroller and the Association determine to be appropriate.

Paragraph (9) of section 10(c) of the Home Owners' Loan Act, as added by section 401 of the Amendment in the Nature of a Substitute, is amended by adding at the end the following new subparagraph:

"(C) NO ACQUISITION OF GRANDFATHERED UNITARIES BY UNREGULATED NONFINANCIAL COMPANIES.—Notwithstanding subparagraph (B), paragraph (3) shall not apply to any company described in subparagraph (B)(i)(II) which is not, at the time of the acquisition referred to in such subparagraph, subject to licensing, regulation, or examination by a Federal banking agency, the Securities and Exchange Commission, the Commodities Futures Trading Commission, or a State insurance regulator."

Strike the heading of subtitle C of title I of the Amendment in the Nature of a Substitute and insert the following new heading (and amend the table of contents accordingly):

SUBTITLE C—SUBSIDIARIES OF INSURED DEPOSITORY INSTITUTIONS

Strike section 121 of the Amendment in the Nature of a Substitute and insert the following new sections (and redesignate subsequent sections and amend the table of contents accordingly):

SEC. 121. SUBSIDIARIES OF NATIONAL BANKS AUTHORIZED TO ENGAGE IN FINANCIAL ACTIVITIES.

(a) FINANCIAL SUBSIDIARIES OF NATIONAL BANKS.—Chapter one of title LXII of the Revised Statutes of United States (12 U.S.C. 21 et seq.) is amended—

(1) by redesignating section 5136A as section 5136C; and

(2) by inserting after section 5136 (12 U.S.C. 24) the following new section:

"SEC. 5136A. FINANCIAL SUBSIDIARIES OF NATIONAL BANKS.

"(a) SUBSIDIARIES OF NATIONAL BANKS AUTHORIZED TO ENGAGE IN FINANCIAL ACTIVITIES.—

"(1) IN GENERAL.—A subsidiary of a national bank may engage in an activity that is not permissible for a national bank to engage in directly, but only if—

"(A) the activity is a financial activity (as defined in paragraph (4));

"(B) the national bank is well capitalized, well managed, and achieved a rating of 'satisfactory record of meeting community credit needs', or better, at the most recent examination of the bank;

"(C) all depository institution affiliates of such national bank are well capitalized, well managed, and have achieved a rating of 'satisfactory record of meeting community credit needs', or better, at the most recent examination of each such institution; and

"(D) the bank has received the approval of the Comptroller of the Currency.

"(2) NO EFFECT ON EDGE ACT OR AGREEMENT CORPORATIONS.—Paragraph (1) shall not apply with respect to any subsidiary which is a corporation organized under section 25A of the Federal Reserve Act or a corporation operating under section 25 of such Act.

"(3) OTHER SUBSIDIARIES PROHIBITED.—A national bank may not control any subsidiary other than a subsidiary—

"(A) which engages solely in activities that are permissible for a national bank to

engage in directly or are authorized under paragraph (I); or

“(B) which a national bank may control pursuant to section 25 or 25A of the Federal Reserve Act, the Bank Service Company Act, or any other Act that expressly by its terms authorizes national banks to control subsidiaries.

“(4) FINANCIAL ACTIVITY DEFINED.—For purposes of this section and subject to paragraphs (5) and (6), the term ‘financial activity’ means any activity determined under section 6(c) of the Bank Holding Company Act of 1956 to be financial in nature or incidental to financial activities.

“(5) OTHER DEFINITIONS.—For purposes of this section, the following definitions shall apply:

“(A) FINANCIAL SUBSIDIARY.—The term ‘financial subsidiary’ means a company which—

“(i) is a subsidiary of a national bank (other than a corporation organized under section 25A of the Federal Reserve Act or a corporation operating under section 25 of such Act); and

“(ii) is engaged in a financial activity pursuant to paragraph (I) that is not a permissible activity for a national bank to engage in directly.

“(B) SUBSIDIARY.—The term ‘subsidiary’ has the meaning given to such term in section 2 of the Bank Holding Company Act of 1956.

“(C) WELL CAPITALIZED.—The term ‘well capitalized’ has the same meaning as in section 38 of the Federal Deposit Insurance Act and, for purposes of this section, the Comptroller shall have exclusive jurisdiction to determine whether a national bank is well capitalized.

“(D) WELL MANAGED.—The term ‘well managed’ means—

“(i) in the case of a bank that has been examined, unless otherwise determined in writing by the Comptroller, the achievement of—

“(I) a composite rating of 1 or 2 under the Uniform Financial Institutions Rating System (or an equivalent rating under an equivalent rating system) in connection with the most recent examination or subsequent review of the bank; and

“(II) at least a rating of 2 for management, if that rating is given; or

“(ii) in the case of any national bank that has not been examined, the existence and use of managerial resources that the Comptroller determines are satisfactory.

“(6) INSURANCE UNDERWRITING, MERCHANT BANKING, AND DIRECT INVESTMENT.—Except as provided in title III of the Financial Services Act of 1998, no subsidiary of a national bank (other than a corporation organized under section 25A of the Federal Reserve Act or a corporation operating under section 25 of such Act) may underwrite noncredit-related insurance, engage in real estate investment or development activities (except to the extent a national bank is specifically authorized by statute to engage in any such activity directly), or engage in merchant banking (as described in section 6(c)(3)(H) of the Bank Holding Company Act of 1956).

“(7) LIMITED EXCLUSIONS FROM COMMUNITY NEEDS REQUIREMENTS FOR NEWLY ACQUIRED DEPOSITORY INSTITUTIONS.—Any depository institution which becomes affiliated with a national bank during the 12-month period preceding the submission of an application to acquire a financial subsidiary and any depository institution which becomes so affiliated after the approval of such application may be excluded for purposes of paragraph (I)(C) during the 12-month period beginning on the date of such acquisition if—

“(A) the national bank has submitted an affirmative plan to the Comptroller of the Currency to take such action as may be necessary in order for such institution to

achieve a ‘satisfactory record of meeting community credit needs’, or better, during the most next examination of the institution; and

“(B) the plan has been accepted by the Comptroller.

“(b) CAPITAL DEDUCTION REQUIRED.—

“(1) IN GENERAL.—In determining compliance with applicable capital standards—

“(A) the amount of a national bank’s equity investment in a financial subsidiary shall be deducted from the national bank’s assets and tangible equity; and

“(B) the financial subsidiary’s assets and liabilities shall not be consolidated with those of the national bank.

“(2) REGULATIONS REQUIRED.—The Comptroller shall prescribe regulations implementing this subsection.

“(c) SAFEGUARDS FOR THE BANK.—A national bank that establishes or maintains a financial subsidiary shall assure that—

“(1) the bank’s procedures for identifying and managing financial and operational risks within the bank and financial subsidiaries of the bank adequately protect the bank from such risks;

“(2) the bank has, for the protection of the bank, reasonable policies and procedures to preserve the separate corporate identity and limited liability of the bank and subsidiaries of the bank; and

“(3) the bank complies with this section.

“(d) NATIONAL BANKS WHICH DO NOT COMPLY WITH REQUIREMENTS OF THIS SECTION.—

“(1) IN GENERAL.—If the Comptroller determines that a national bank which controls a financial subsidiary, or a depository institution affiliate of such national bank, does not continue to meet the requirements of subsection (a), the Comptroller shall give notice to the bank to that effect, describing the conditions giving rise to the notice.

“(2) AGREEMENT TO CORRECT CONDITIONS REQUIRED.—

“(A) CONTENT OF AGREEMENT.—Within 45 days of the receipt by a depository institution of a notice given under paragraph (1) (or such additional period as the Comptroller may permit), the depository institution failing to meet the requirements of subsection (a) shall execute an agreement with the appropriate Federal banking agency for such institution to correct the conditions described in the notice.

“(B) COMPTROLLER MAY IMPOSE LIMITATIONS.—Until the conditions giving rise to the notice are corrected, the Comptroller may impose such limitations on the conduct of the business of the national bank or subsidiary of such bank as the Comptroller determines to be appropriate under the circumstances.

“(3) FAILURE TO CORRECT.—If the conditions described in the notice are not corrected within 180 days after the bank receives the notice, the Comptroller may require, under such terms and conditions as may be imposed by the Comptroller and subject to such extensions of time as may be granted in the discretion of the Comptroller—

(A) the national bank to divest control of each subsidiary engaged in an activity that is not permissible for the bank to engage in directly; or

“(B) each subsidiary of the national bank to cease any activity that is not permissible for the bank to engage in directly.

“(e) FUNCTIONAL REGULATION.—

“(1) IN GENERAL.—A financial subsidiary of a national bank shall not be treated as a bank for purposes of any definition of bank in the Federal securities laws.

“(2) DEFERENCE TO SEC.—The Comptroller shall defer to the Securities and Exchange Commission with regard to all interpretations of, and the enforcement of, applicable Federal securities laws relating to the ac-

tivities, conduct, and operations of registered brokers, dealers, investment advisers, and investment companies.

“(3) DEFERENCE TO EXAMINATIONS.—In the case of a financial subsidiary of a national bank which is a registered broker or dealer or a registered investment adviser, the Comptroller shall, to the fullest extent possible, address the circumstances which might otherwise permit or require an examination by the Comptroller by forgoing an examination and instead reviewing the reports of examination made of such subsidiary by or on behalf of the Securities and Exchange Commission.”

(b) CLERICAL AMENDMENT.—The table of sections for chapter one of title LXII of the Revised Statutes of the United States is amended—

(1) by redesignating the item relating to section 5136A as section 5136C; and

(2) by inserting after the item relating to section 5136 the following new item:

“5136A. Financial subsidiaries of national banks.”

SEC. 122. ACTIVITIES OF SUBSIDIARIES OF INSURED STATE BANKS.

Section 24(d) of the Federal Deposit Insurance Act (12 U.S.C. 1831a(d)) is amended—

(1) by adding at the end the following new paragraphs:

“(3) CONDITIONS ON CERTAIN ACTIVITIES.—

“(A) IN GENERAL.—A subsidiary of a State bank may engage in an activity in which a subsidiary of a national bank may engage as principal pursuant to subsection (a)(1) of section 5136A of the Revised Statutes of the United States but only if the State bank meets the same requirements which are applicable to national banks under subparagraphs (B) and (C) of such subsection and subsections (b) and (c) of such section.

“(B) APPLICATION OF SECTION 5136A OF REVISED STATUTES.—For purposes of applying section 5136A of the Revised Statutes of the United States with regard to the activities of a subsidiary of a State bank, all references in such section to the Comptroller of the Currency, or regulations and orders of the Comptroller, shall be deemed to be references to the appropriate Federal banking agency with respect to such State bank, and regulations and orders of such agency.

“(4) STATE BANKS WHICH FAIL TO COMPLY WITH PARAGRAPH (3) CONDITIONS.—

“(A) IN GENERAL.—If the appropriate Federal banking agency determines that a State bank that controls a subsidiary which is engaged as principal in financial activities pursuant to paragraph (3) does not meet the requirements of subparagraph (A) of such paragraph, the appropriate Federal banking agency shall give notice to the bank to that effect, describing the conditions giving rise to the notice.

“(A) AGREEMENT TO CORRECT CONDITIONS REQUIRED.—

“(i) CONTENT OF AGREEMENT.—Within 45 days of the receipt by a bank of a notice given under paragraph (1) (or such additional period as the appropriate Federal banking agency for such bank may permit), the bank failing to meet the requirements of paragraph (3)(A) shall execute an agreement with the appropriate Federal banking agency for such bank to correct the conditions described in the notice.

“(B) AGENCY MAY IMPOSE LIMITATIONS.—Until the conditions giving rise to the notice are corrected, the appropriate Federal banking agency for the State bank may impose such limitations on the conduct of the business of the bank or a subsidiary of the bank as the agency determines to be appropriate under the circumstances.

“(C) FAILURE TO CORRECT.—If the conditions described in the notice are not corrected within 180 days after the bank re-

ceives the notice, the appropriate Federal banking agency for the State may require, under such terms and conditions as may be imposed by such agency and subject to such extensions of time as may be granted in the discretion of the agency—

“(i) the bank to divest control of each subsidiary engaged in an activity as principal that is not permissible for the bank to engage in directly; or

“(ii) each subsidiary of the bank to cease any activity as principal that is not permissible for the bank to engage in directly.”.

SEC. 123. RULES APPLICABLE TO FINANCIAL SUBSIDIARIES.

(a) TRANSACTIONS BETWEEN FINANCIAL SUBSIDIARIES AND OTHER AFFILIATES.—Section 23A of the Federal Reserve Act (12 U.S.C. 371c) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d), the following new subsection:

“(e) RULES RELATING TO BANKS WITH FINANCIAL SUBSIDIARIES.—

“(1) FINANCIAL SUBSIDIARY DEFINED.—For purposes of this section and section 23B, the term ‘financial subsidiary’ means a company which—

“(A) is a subsidiary of a bank (other than a corporation organized under section 25A of the Federal Reserve Act or a corporation operating under section 25 of such Act); and

“(B) is engaged in a financial activity (as defined in section 5136A(a)(4)) that is not a permissible activity for a national bank to engage in directly.

“(2) APPLICATION TO TRANSACTIONS BETWEEN A FINANCIAL SUBSIDIARY OF A BANK AND THE BANK.—For purposes of applying this section and section 23B to a transaction between a financial subsidiary of a bank and the bank (or between such financial subsidiary and any other subsidiary of the bank which is not a financial subsidiary) and notwithstanding subsection (b)(2) and section 23B(d)(1), the financial subsidiary of the bank—

“(A) shall be an affiliate of the bank and any other subsidiary of the bank which is not a financial subsidiary; and

“(B) shall not be treated as a subsidiary of the bank.

“(3) APPLICATION TO TRANSACTIONS BETWEEN FINANCIAL SUBSIDIARY AND NONBANK AFFILIATES.—

“(A) IN GENERAL.—A transaction between a financial subsidiary and an affiliate of the financial subsidiary shall not be deemed to be a transaction between a subsidiary of a national bank and an affiliate of the bank for purposes of section 23A or section 23B of the Federal Reserve Act.

“(B) CERTAIN AFFILIATES EXCLUDED.—For purposes of subparagraph (A) and notwithstanding paragraph (4), the term ‘affiliate’ shall not include a bank, or a subsidiary of a bank, which is engaged exclusively in activities permissible for a national bank to engage in directly.

“(4) EQUITY INVESTMENTS EXCLUDED SUBJECT TO THE APPROVAL OF THE BANKING AGENCY.—Subsection (a)(1) shall not apply so as to limit the equity investment of a bank in a financial subsidiary of such bank, except that any investment that exceeds the amount of a dividend that the bank could pay at the time of the investment without obtaining prior approval of the appropriate Federal banking agency and is in excess of the limitation which would apply under subsection (a)(1), but for this paragraph, may be made only with the approval of the appropriate Federal banking agency (as defined in section 3(q) of the Federal Deposit Insurance Act) with respect to such bank.”.

(b) TREATMENT OF FINANCIAL SUBSIDIARIES UNDER OTHER PROVISIONS OF LAW.—

(1) BANK HOLDING COMPANY ACT AMENDMENTS OF 1970.—Section 106(a) of the Bank Holding Company Act Amendments of 1970 is amended by adding at the end the following new sentence: “For purposes of this section, a financial subsidiary (as defined in section 5136A(a)(5)(A) of the Revised Statutes of the United States or referenced in the 20th undesignated paragraph of section 9 of the Federal Reserve Act or section 24(d)(3)(A) of the Federal Deposit Insurance Act) shall be deemed to be a subsidiary of a bank holding company, and not a subsidiary of a bank.”; and

(2) FEDERAL RESERVE ACT.—The 20th undesignated paragraph of section 9 of the Federal Reserve Act (12 U.S.C. 335) is amended by adding at the end of the following new sentence: “To the extent permitted under State law, a State member bank may acquire or establish and retain a financial subsidiary (as defined in section 5136A(a)(3)(A) of the Revised Statutes of the United States, except that all references in that section to the Comptroller of the Currency, the Comptroller, or regulations or orders of the Comptroller shall be deemed to be references to the Board or regulations or orders of the Board.”.

It was decided in the negative Yea 140 Nays 281 Answered present 1

44.20 [Roll No. 145] AYES—140

- Aderholt Everett Myrick Archer Ewing Nethercutt Arney Fawell Neumann Bachus Foley Norwood Baker Fox Nussle Barrett (NE) Gallegly Paul Gilchrist Pease Goode Peterson (MN) Goodlatte Peterson (PA) Goss Petri Graham Picking Granger Pombo Boehner Portman Goehner Gutknecht Bonilla Hansen Pryce (OH) Bono Hayworth Ramstad Boucher Hefley Redmond Brady Hill Regula Bryant Hilleary Riley Bunning Hoekstra Rogers Buyer Horn Rohrabacher Callahan Hostettler Ryun Camp Hulshof Scarborough Canady Hunter Schaffer, Bob Cannon Hutchinson Sensenbrenner Castle Inglis Sessions Chambliss Istook Shadegg Chenoweth Jenkins Smith (MI) Coble Johnson, Sam Smith (TX) Coburn Jones Snowbarger Collins Kelly Souder Combust Kim Stearns Cook King (NY) Stenholm Cooksey Klug Stump Cox Largent Sununu Cramer Latham Talent Crapo LaTourette Tauzin Davis (VA) Lazio Taylor (MS) Deal Linder Taylor (NC) DeLay Lucas Thornberry Dickey McCollum Thune Doolittle McCrery Thiarh Dreier McNinnis Wamp Duncan McIntosh Watkins Ehrlich McKeon Watts (OK) Emerson Miller (FL) Weldon (FL) English Moran (KS) Wicker Ensign Moran (VA)

NOES—281

- Abercrombie Barrett (WI) Blumenauer Ackerman Bass Blunt Allen Becerra Bonior Andrews Bentsen Borski Baesler Berman Boswell Baldacci Berry Boyd Ballenger Bishop Brown (CA) Barcia Blagojevich Brown (FL) Barr Bliley Brown (OH)

- Burr Johnson (WI) Pomeroy Burton Johnson, E. B. Porter Calvert Kanjorski Poshard Campbell Kaptur Price (NC) Capps Kasich Quinn Cardin Kennedy (MA) Rahall Carson Kennedy (RI) Rangel Chabot Kennelly Reyes Clay Kildee Riggs Clayton Kilpatrick Rivers Clement Kind (WI) Rodriguez Clyburn Kingston Roemer Condit Kleczka Rogan Conyers Klink Ros-Lehtinen Costello Knollenberg Rothman Coyne Kolbe Roukema Crane Kucinich Roybal-Allard Cubin LaFalce Royce Cummings LaHood Rush Cunningham Lampson Sabo Danner Lantos Salmon Davis (FL) Leach Sanchez Davis (IL) Lee Sanders DeFazio Levin Sandlin DeGette Lewis (CA) Sanford Delahunt Lewis (GA) Sawyer DeLauro Lewis (KY) Saxton Deutsch Lipinski Schaefer, Dan Diaz-Balart Livingston Schumer Dicks LoBiondo Scott Dingell Lofgren Serrano Dixon Lowey Shaw Doggett Luther Shays Dooley Maloney (CT) Sherman Doyle Maloney (NY) Shimkus Dunn Manton Shuster Edwards Manzullo Sisisky Ehlers Markey Skeen Engel Martinez Skelton Eshoo Mascara Slaughter Etheridge Matsui Smith (NJ) Evans McCarthy (MO) Smith (OR) Farr McCarthy (NY) Smith, Adam Fattah McDade Smith, Linda Fazio McDermott Snyder Filner McGovern Solomon Forbes McHale Spence Ford McHugh Spratt Fossella McIntyre Stabenow Fowler McKinney Stark Frank (MA) McNulty Stokes Franks (NJ) Meehan Strickland Frelinghuysen Meek (FL) Stupak Frost Meeks (NY) Tanner Furse Menendez Tauscher Ganske Metcalf Thomas Gejdenson Mica Thompson Gekas Millender Thurman Gephardt McDonald Tierney Gibbons Miller (CA) Torres Gillmor Minge Towns Gilman Mink Traficant Goodling Moakley Turner Gordon Mollohan Upton Greenwood Morella Velazquez Gutierrez Murtha Vento Hall (OH) Nadler Visclosky Hamilton Neal Walsh Hastings (FL) Hastert Ney Waters Hastings (WA) Northrup Watt (NC) Herger Oberstar Waxman Obey Olver Weldon (PA) Hinchey Ortiz Weller Hinojosa Owens Wexler Hobson Oxley Weygand Holden Packard White Hooley Pallone White Houghton Pappas Wolf Hoyer Pappas Wolf Hyde Parker Woolsey Jackson (IL) Pascrell Wynn Jackson-Lee Pastor Yates Jefferson Payne Young (AK) John Pelosi Young (FL) Johnson (CT) Pickett Pitts

ANSWERED “PRESENT”—1

Hall (TX)

NOT VOTING—10

- Bateman Harman Radanovich Christensen Hefner Skaggs Gonzalez Hilliard Green Paxon

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