

may well be innocent law-biding citizens. The bill threatens states with the partial loss of their drug control grants if they do not test individuals accused of rape for HIV. These individuals have not been convicted of a crime therefore it is not right to subject them to a mandatory health test. This action is a violation of these individuals' due process rights that are afforded to them during a search and seizure.

This bill violates the privacy of United States citizens. The law requires states to provide health information of individuals' accused—not convicted—of rape to court officials and to the prosecutor. This information is private medical documentation that this law encourages States to make public. The release of this information to the public could adversely affect innocent law biding individuals who are found not guilty. With the public misconceptions and lack of understanding surrounding the HIV virus, these individuals could experience job discrimination and social exclusion if these records become public.

Moreover, this legislation unfairly targets individuals with HIV and gives the implication that having HIV as being a crime rather than a medical condition. It is time that this Congress began treating diseases such as HIV as a medical condition and not a crime.

It is disgraceful that the majority has decided to put such a controversial bill on the suspension calendar. This bill has not had a hearing or a mark-up in committee and it only has eleven Republican cosponsors. This is another example of the Majority trying to score election year points rather than passing thoughtful legislation that improves the health and respects the rights of all United States citizens.

Mrs. FOWLER. Mr. Speaker, today I rise in support of H.R. 3088. I believe that we in Congress must do everything possible to insure the emotional, mental and physical health of the victims of violent crime.

In recent years Congress has worked very hard to elevate the status of the victim in the criminal court process—by recognizing the need for victims' rights and writing those rights into law.

Now we have the opportunity to expand upon doing the right thing for the victims of violent crime. HIV testing of those charged with violent crimes is a step in the right direction. The second step—making it legal to tell the victims the medical test results—is essential for their emotional, mental and physical health. And, of course, timeliness of testing and notification of the victim is of the essence.

We will never be able to undo the harm that has been done to the victim, but we can take steps to control its long-term effects. I urge my colleagues on both sides of the aisle to take a stand on victims' rights. Vote yes on H.R. 3088.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Florida (Mr. CANADY) that the House suspend the rules and pass the bill, H.R. 3088.

The question was taken.

Mr. WELDON of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the

Chair's prior announcement, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m.

Accordingly (at 4 o'clock and 56 minutes p.m.), the House stood in recess until approximately 6 p.m.

□ 1800

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATOURETTE) at 6 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed today in the order in which that motion was entertained.

Votes will be taken in the following order:

H.R. 4049, by the yeas and nays;
H.R. 4147, by the yeas and nays; and
H.R. 3088, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

PRIVACY COMMISSION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4049, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HORN) that the House suspend the rules and pass the bill, H.R. 4049, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 250, nays 146, not voting 37, as follows:

[Roll No. 503]

YEAS—250

Aderholt	Bliley	Chenoweth-Hage
Allen	Blumenauer	Clement
Archer	Blunt	Coble
Armey	Boehlert	Collins
Bachus	Boehner	Combust
Baird	Bonilla	Cooksey
Baker	Bono	Costello
Ballenger	Boswell	Cramer
Barcia	Boyd	Crane
Barrett (NE)	Brady (TX)	Crowley
Barrett (WI)	Burton	Cunningham
Bartlett	Buyer	Davis (FL)
Bass	Callahan	Davis (VA)
Bentsen	Calvert	DeFazio
Bereuter	Camp	DeGette
Berkley	Canady	DeLay
Berry	Cannon	DeMint
Biggert	Capps	Diaz-Balart
Bilbray	Castle	Dickey
Bilirakis	Chabot	Dicks
Bishop	Chambliss	Dooley

Doolittle	Kuykendall	Rogers
Dreier	LaHood	Ros-Lehtinen
Duncan	Lampson	Roukema
Dunn	Largent	Ryan (WI)
Edwards	Larson	Ryun (KS)
Ehlers	Latham	Salmon
Emerson	LaTourette	Sandlin
English	Leach	Saxton
Etheridge	Lewis (CA)	Scarborough
Ewing	Lewis (KY)	Schaffer
Foley	Linder	Sensenbrenner
Forbes	Lipinski	Sessions
Fossella	LoBiondo	Shadegg
Fowler	Lucas (KY)	Shaw
Frelinghuysen	Lucas (OK)	Shays
Frost	Maloney (CT)	Sherwood
Gallegly	Maloney (NY)	Shimkus
Ganske	Manzullo	Shuster
Gekas	Mascara	Simpson
Gibbons	McCarthy (NY)	Sisisky
Gilman	McCrery	Skeen
Gonzalez	McHugh	Smith (MI)
Goode	McInnis	Smith (NJ)
Gordon	McIntyre	Smith (TX)
Goss	McKeon	Smith (WA)
Graham	McNulty	Souder
Granger	Meek (FL)	Spratt
Green (WI)	Metcalf	Stabenow
Greenwood	Mica	Stearns
Gutknecht	Miller (FL)	Stump
Hall (TX)	Miller, Gary	Sununu
Hansen	Minge	Sweeney
Hastings (WA)	Moore	Talent
Hayes	Moran (KS)	Tancredo
Hayworth	Moran (VA)	Tanner
Herger	Morella	Taylor (NC)
Hill (IN)	Myrick	Terry
Hill (MT)	Nethercutt	Ney
Hobson	Ney	Northrup
Hoekstra	Northrup	Nussle
Holt	Nussle	Ose
Hooley	Ose	Oxley
Horn	Oxley	Packard
Hostettler	Packard	Pascrell
Hulshof	Pascrell	Pastor
Hunter	Pastor	Pease
Hutchinson	Pease	Peterson (MN)
Hyde	Peterson (MN)	Peterson (PA)
Inslee	Peterson (PA)	Petri
Isakson	Petri	Phelps
Istook	Phelps	Pitts
Jenkins	Pitts	Porter
Johnson (CT)	Porter	Price (NC)
Johnson, Sam	Price (NC)	Pryce (OH)
Jones (NC)	Pryce (OH)	Quinn
Kasich	Quinn	Radanovich
Kelly	Radanovich	Ramstad
Kildee	Ramstad	Regula
Kind (WI)	Regula	Reynolds
Kingston	Reynolds	Rivers
Klecza	Rivers	Roemer
Knollenberg	Roemer	Rogan
Kolbe	Rogan	

NAYS—146

Abercrombie	Doggett	LaFalce
Ackerman	Doyle	Lantos
Baca	Ehrlich	Lee
Baldwin	Engel	Levin
Barr	Evans	Lewis (GA)
Barton	Farr	Lofgren
Becerra	Fattah	Lowe
Berman	Filner	Luther
Bonior	Ford	Markey
Borski	Frank (MA)	Matsui
Boucher	Gejdenson	McCarthy (MO)
Brady (PA)	Gephardt	McDermott
Brown (OH)	Gillmor	McGovern
Bryant	Goodlatte	McKinney
Burr	Green (TX)	Meehan
Capuano	Gutierrez	Meeks (NY)
Cardin	Hall (OH)	Menendez
Clayton	Hefley	Millender
Clyburn	Hilliard	McDonald
Coburn	Hinchee	Miller, George
Condit	Hinojosa	Mink
Conyers	Holden	Moakley
Cox	Hoyer	Mollohan
Coyne	Jackson (IL)	Murtha
Cubin	Jackson-Lee	Nadler
Cummings	(TX)	Napolitano
Danner	John	Norwood
Davis (IL)	Johnson, E. B.	Oberstar
Deal	Jones (OH)	Obey
Delahunt	Kanjorski	Olver
DeLauro	Kaptur	Ortiz
Deutsch	Kennedy	Pallone
Dingell	Kilpatrick	Payne
Dixon	Kucinich	Pelosi