

Fazio Long Rostenkowski
Fields (LA) Lowey Rowland
Filner Machtley Roybal-Allard
Flake Maloney Rush
Foglietta Mann Sabo
Ford (MI) Manton Sanders
Ford (TN) Margolis- Sangmeister
Frank (MA) Mezvinsky Santorum
Frost Markey Sarpalius
Furse Martinez Sawyer
Gejdenson Matsui Schenk
Gephardt Mazzoli Schroeder
Geren McCloskey Schumer
Gillmor McCurdy Scott
Gilman McDade Serrano
Gonzalez McDermott Sharp
Gordon McKinney Shepherd
Green McNulty Skaggs
Gutierrez Meehan Skelton
Hall (OH) Meek Slattery
Hall (TX) Menendez Slaughter
Hamburg Mfume Smith (IA)
Hamilton Miller (CA) Spratt
Harman Mineta Stark
Hastings Minge Stenholm
Hayes Mink Strickland
Hefner Moakley Studds
Hilliard Mollohan Stupak
Hinchey Montgomery Swett
Hoagland Moran Swift
Hochbrueckner Murphy Synar
Hoke Murtha Tanner
Holden Myers Tauzin
Hoyer Neal (MA) Taylor (MS)
Hughes Norton (DC) Tejeda
Hutto Oberstar Thompson
Inslee Obey Thornton
Istook Olver Thurman
Jacobs Ortiz Torres
Jefferson Orton Torricelli
Johnson (GA) Owens Towns
Johnson (SD) Pallone Traficant
Johnson, E. B. Pastor Tucker
Johnston Payne (NJ) Underwood (GU)
Kanjorski Payne (VA) Unsoeld
Kaptur Pelosi Valentine
Kennedy Peterson (FL) Velazquez
Kennelly Peterson (MN) Vento
Kildee Pickett Visclosky
Klecza Pickle Volkmer
Klein Pomeroy Waters
Klink Poshard Watt
Kopetski Price (NC) Waxman
Kreidler Quinn Wheat
LaFalce Rahall Whitten
Lambert Rangel Williams
Lancaster Reed Wilson
Lantos Reynolds Wise
LaRocco Richardson Woolsey
Laughlin Ridge Wyden
Lehman Roemer Wynn
Levin Rogers Yates
Lewis (GA) Romero-Barcelo
Lipinski (PR)
Lloyd Rose

NOT VOTING—11

Blackwell Gibbons Stokes
Dixon Grandy Washington
Emerson Nadler
Faleomavaega Neal (NC)
(AS) Parker

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

52.19 RECORDED VOTE

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

Strike section 8 and redesignate sections 9,
10, and 11 as sections 8, 9, and 10, respec-
tively.

It was decided in the { Yeas 166
negative } Nays 258

52.20 [Roll No. 185]
AYES—166

Allard Ballenger Bilirakis
Archer Barrett (NE) Bliley
Armey Bartlett Blute
Bachus (AL) Barton Boehner
Baker (CA) Bateman Bonilla
Baker (LA) Bereuter Bunning

Burton Hoekstra Packard
Buyer Hoke Paxon
Callahan Horn Penny
Calvert Houghton Petri
Camp Huffington Pombo
Canady Hunter Porter
Castle Hutchinson Portman
Clinger Hyde Pryce (OH)
Coble Inglis Quinn
Collins (GA) Inhofe Ramstad
Combust Istook Ravenel
Cox Johnson (CT) Ridge
Crane Johnson, Sam Roberts
Crapo Kasich Rohrabacher
Cunningham Kim Roth
Deal King Roukema
DeLay Kingston Royce
Dickey Klug Santorum
Doolittle Knollenberg Saxton
Dornan Kolbe Schaefer
Dreier Kyl Schiff
Duncan Lazio Sensenbrenner
Dunn Leach Shaw
Ehlers Levy Shays
Everett Lewis (CA) Shuster
Ewing Lightfoot Skeen
Fawell Linder Smith (OR)
Fields (TX) Livingston Smith (TX)
Fish Lucas Snowe
Fowler Machtley Solomon
Franks (CT) Mann Spence
Franks (NJ) Manullo Stearns
Gallegly Margolis- Stenholm
Gallo Mezvinsky Stump
Gekas McCandless Talent
Geren McColium Taylor (NC)
Gilchrist McCrery Thomas (WY)
Gillmor McHugh Torkildsen
Gingrich McInnis Upton
Goodlatte McKeon Valentine
Goss Meyers Vucanovich
Grams Mica Walker
Greenwood Michel Walsh
Gunderson Miller (FL) Weldon
Hancock Wolf Wolf
Hansen Moorhead Young (AK)
Hastert Morella Young (FL)
Hefley Nussle Zeliff
Herger Orton Zimmer
Hobson Oxley

NOES—258

Abercrombie Coyne Harman
Ackerman Cramer Hastings
Andrews (ME) Danner Hayes
Andrews (NJ) Darden Hefner
Andrews (TX) de la Garza Hilliard
Applegate de Lugo (VI) Hinchey
Bacchus (FL) DeFazio Hoagland
Baesler DeLauro Hochbrueckner
Barca Dellums Holden
Barcia Derrick Hoyer
Barlow Deutsch Hughes
Barrett (WI) Diaz-Balart Inslee
Becerra Dicks Jacobs
Beilenson Dingell Jefferson
Bentley Dooley Johnson (GA)
Berman Durbin Johnson (SD)
Bevill Edwards (CA) Johnson, E. B.
Bilbray Edwards (TX) Johnston
Bishop Engel Kanjorski
Blackwell English Kaptur
Boehlert Eshoo Kennedy
Bonior Evans Kennelly
Borski Farr Kildee
Boucher Fazio Klecza
Brewster Fields (LA) Klein
Brooks Filner Klink
Brownder Fingerhut Kopetski
Brown (CA) Flake Kreidler
Brown (FL) Foglietta LaFalce
Brown (OH) Ford (MI) Lambert
Bryant Ford (TN) Lancaster
Byrne Frank (MA) Lantos
Cantwell Frost LaRocco
Cardin Furse Laughlin
Carr Gejdenson Lehman
Chapman Gephardt Levin
Clay Gibbons Lewis (GA)
Clayton Gilman Lipinski
Clement Glickman Lloyd
Clyburn Gonzalez Long
Coleman Goodling Lowey
Collins (IL) Gordon Maloney
Collins (MI) Green Manton
Condit Gutierrez Martinez
Conyers Hall (OH) Matsui
Cooper Hall (TX) Mazzoli
Coopersmith Hamburg McCloskey
Costello Hamilton McCurdy

McDade Quillen Stokes
McDermott Rahall Strickland
McHale Rangel Studds
McKinney Reed Stupak
McNulty Regula Sundquist
Meehan Reynolds Swett
Meek Richardson Swift
Menendez Roemer Synar
Mfume Rogers Tanner
Miller (CA) Romero-Barcelo Tauzin
Mineta (PR) Taylor (MS)
Minge Ros-Lehtinen Tejeda
Mink Rose Thompson
Moakley Rostenkowski Thornton
Mollohan Rowland Thurman
Montgomery Roybal-Allard Torricelli
Moran Rush Towns
Murphy Sabo Traficant
Murtha Sanders Tucker
Myers Sangmeister Underwood (GU)
Neal (MA) Sarpalius Unsoeld
Norton (DC) Sawyer Velazquez
Oberstar Schenk Vento
Obey Schroeder Visclosky
Olver Schumer Volkmer
Ortiz Scott Waters
Owens Serrano Watt
Pallone Sharp Waxman
Pastor Shepherd Wheat
Payne (NJ) Sisisky Whitten
Payne (VA) Skaggs Williams
Pelosi Skelton Wilson
Peterson (FL) Slattery Wise
Peterson (MN) Slaughter Woolsey
Pickett Smith (IA) Wyden
Pickle Smith (MI) Wynn
Pomeroy Smith (NJ) Yates
Poshard Spratt
Price (NC) Stark

NOT VOTING—14

Dixon Hutto Neal (NC)
Emerson Lewis (FL) Parker
Faleomavaega Markey Thomas (CA)
(AS) McMillan Torres
Grandy Nadler Washington

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

When Mr. WISE, Chairman, pursuant
to House Resolution 428, reported the
bill back to the House with an amend-
ment 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. SHORT TITLE; REFERENCE

(a) SHORT TITLE.—This Act may be cited as
the "Black Lung Benefits Restoration Act of
1994".

(b) REFERENCE.—Whenever in this Act
(other than section 9(a)(1)) an amendment or
repeal is expressed in terms of an amend-
ment to, or repeal of, a section or other pro-
vision, the reference shall be considered to
be made to a section or other provision of
the Black Lung Benefits Act.

SEC. 2. BENEFIT OVERPAYMENT.

Part C is amended by adding at the end the
following:

"SEC. 436 (a) The repayment of benefits
paid on a claim filed under this part before
the final adjudication of the claim shall not
be required if the claim was finally denied,
unless fraud or deception was used to pro-
cure the payment of such benefits.

"(b) The trust fund shall refund any pay-
ments made to it as a reimbursement of ben-
efits paid on a claim filed under this part be-
fore the final adjudication of the claim, un-
less fraud or deception was used to procure
the payment of such benefits.

"(c) The trust fund shall reimburse an op-
erator for any benefits paid on a claim filed
under this part before the final adjudication
of the claim if the claim was finally denied.