

year after year, have raised their premiums, raised their copays, and raised their deductibles, all while slashing their benefits.

They don't trust Medicare HMOs any farther than they can throw them. Our seniors don't want HMOs, and this Congress shouldn't force them on them.

Now on the government fallback provision, you don't need to be an insurance expert to know that insurers aren't going to sell a policy that everyone is going to make claims against.

And we know that 86 percent of seniors have prescription drug costs. So we know that individuals buying these policies are going to use them.

The risks of individual claims far outweigh any potential profits from these policies. Insurers know that, seniors know that and I think even my colleagues on the other side of the aisle know that.

But if they admit that, than I guess they'd have to admit that the private market just does not work for Medicare beneficiaries.

So they've refused to allow for even the possibility that private insurers won't participate in this plan.

But I would argue that, if the private market really works for this population, than they shouldn't have any objection to a government fall-back, because—if they're right—they're never going to need it.

Mr. Speaker, when it comes down to it, fixing these two provisions would clear the way for passage of this legislation. I think anyone who has campaigned that they would be the ones to fight for a prescription drug benefit should vote for this motion to instruct conferees so that we can move this process forward, get a prescription drug benefit enacted and actually start providing some help to our seniors.

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

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Maine (Mr. MICHAUD).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. MICHAUD. 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, further proceedings on this motion will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put each question on which further proceedings were postponed earlier today in the following order:

Motion to instruct on H.R. 1588, by the yeas and nays;

Motion to instruct on H.R. 1308, by the yeas and nays;

Motion to instruct on H.R. 1, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining

electronic votes will be conducted as 5-minute votes.

MOTION TO INSTRUCT CONFEREES OFFERED BY MR. EDWARDS ON H.R. 1588, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004

The SPEAKER pro tempore. The pending business is the question on the motion to instruct conferees on the bill, H.R. 1588.

The Clerk will designate the motion. The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Texas (Mr. EDWARDS) on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 406, nays 0, not voting 28, as follows:

[Roll No. 500]
YEAS—406

Abercrombie	Case	Gerlach
Aderholt	Castle	Gibbons
Akin	Chabot	Gilchrest
Alexander	Gillmor	Gingrey
Allen	Chocola	Gonzalez
Andrews	Clyburn	Goode
Baca	Coble	Goodlatte
Bachus	Cole	Gordon
Baird	Collins	Goss
Baker	Conyers	Granger
Baldwin	Cooper	Graves
Ballance	Costello	Green (TX)
Ballenger	Cox	Green (WI)
Barrett (SC)	Cramer	Greenwood
Bartlett (MD)	Crane	Grijalva
Barton (TX)	Crenshaw	Gutierrez
Bass	Crowley	Gutknecht
Beauprez	Cubin	Hall
Becerra	Culberson	Harman
Bell	Cunningham	Harris
Bereuter	Davis (AL)	Hart
Berkley	Davis (CA)	Hastings (FL)
Berman	Davis (FL)	Hastings (WA)
Berry	Davis (TN)	Hayes
Biggart	Davis (TN)	Hayworth
Bilirakis	Davis, Jo Ann	Hefley
Bishop (GA)	Davis, Tom	Hensarling
Bishop (NY)	Deal (GA)	Herger
Bishop (UT)	DeFazio	Hill
Blackburn	DeGette	Hinchev
Blumenauer	DeLauro	Hinojosa
Blunt	DeLay	Hobson
Boehmert	DeMint	Hoeffel
Boehner	Deutsch	Holden
Bonilla	Diaz-Balart, L.	Holt
Bonner	Diaz-Balart, M.	Honda
Bono	Dicks	Hostettler
Boozman	Dingell	Houghton
Boswell	Doggett	Hoyer
Boucher	Doolittle	Hulshof
Boyd	Doyle	Hunter
Bradley (NH)	Dreier	Hyde
Brady (PA)	Duncan	Inslee
Brady (TX)	Dunn	Isakson
Brown (OH)	Edwards	Israel
Brown (SC)	Ehlers	Issa
Brown, Corrine	Emanuel	Istook
Brown-Waite,	Engel	Jackson (IL)
Ginny	English	Jackson-Lee
Burgess	Eshoo	(TX)
Burns	Etheridge	Jefferson
Burr	Evans	Jenkins
Burton (IN)	Everett	John
Buyer	Fattah	Johnson (CT)
Calvert	Feeney	Johnson (IL)
Camp	Ferguson	Johnson, E. B.
Cannon	Filner	Johnson, Sam
Cantor	Flake	Foley
Capito	Fletcher	Jones (OH)
Capps	Forbes	Kanjorski
Cardin	Ford	Kaptur
Cardoza	Fossella	Keller
Carson (IN)	Franks (AZ)	Kelly
Carson (OK)	Frelinghuysen	Kennedy (MN)
Carter	Frost	Kennedy (RI)
	Garrett (NJ)	

Kildee	Nethercutt	Sensenbrenner
Kilpatrick	Neugebauer	Serrano
Kind	Ney	Sessions
King (IA)	Northup	Shadegg
King (NY)	Norwood	Shaw
Kingston	Nunes	Shays
Kirk	Nussle	Sherman
Kline	Oberstar	Sherwood
Knollenberg	Obey	Shimkus
Kolbe	Olver	Shuster
Kucinich	Ortiz	Simmons
LaHood	Osborne	Simpson
Lampson	Ose	Skelton
Langevin	Otter	Slaughter
Lantos	Owens	Smith (MI)
Larsen (WA)	Oxley	Smith (NJ)
Larson (CT)	Pallone	Smith (TX)
Latham	Pascrell	Smith (WA)
LaTourette	Pastor	Snyder
Leach	Paul	Solis
Lee	Payne	Souder
Levin	Pearce	Spratt
Lewis (CA)	Pelosi	Stearns
Lewis (GA)	Peterson (MN)	Stenholm
Lewis (KY)	Peterson (PA)	Strickland
Linder	Petri	Stupak
LoBiondo	Pitts	Sullivan
Lofgren	Platts	Tancredo
Lowe	Pombo	Tanner
Lucas (KY)	Pomeroy	Tauscher
Lucas (OK)	Porter	Tauzin
Lynch	Portman	Taylor (MS)
Majette	Price (NC)	Taylor (NC)
Maloney	Pryce (OH)	Terry
Manzullo	Putnam	Thomas
Marshall	Quinn	Thompson (CA)
Matheson	Radanovich	Thompson (MS)
McCarthy (MO)	Rahall	Thornberry
McCarthy (NY)	Ramstad	Tiahrt
McCollum	Regula	Tiberi
McCotter	Rehberg	Tierney
McCrery	Renzi	Toomey
McDermott	Reyes	Towns
McGovern	Reynolds	Turner (OH)
McHugh	Rodriguez	Turner (TX)
McInnis	Rogers (AL)	Udall (NM)
McIntyre	Rogers (KY)	Upton
McKeon	Rogers (MI)	Van Hollen
McNulty	Rohrabacher	Velazquez
Meehan	Ros-Lehtinen	Vislosky
Meek (FL)	Ross	Vitter
Meeke (NY)	Rothman	Walden (OR)
Menendez	Roybal-Allard	Walsh
Mica	Royce	Wamp
Michaud	Ruppersberger	Watson
Millender-	Rush	Watt
McDonald	Ryan (OH)	Waxman
Miller (FL)	Ryan (WI)	Weiner
Miller (MI)	Ryun (KS)	Weldon (FL)
Miller (NC)	Sabo	Weldon (PA)
Miller, Gary	Sanchez, Linda	Weller
Miller, George	T.	Wexler
Mollohan	Sanchez, Loretta	Whitfield
Moore	Sanders	Wicker
Moran (KS)	Sandlin	Wilson (NM)
Moran (VA)	Saxton	Wilson (SC)
Murphy	Schakowsky	Wolf
Musgrave	Schiff	Wu
Myrick	Schrock	Wynn
Napolitano	Scott (GA)	Young (FL)
Neal (MA)	Scott (VA)	

NOT VOTING—28

Ackerman	Hoekstra	Pickering
Clay	Hookey (OR)	Rangel
Cummins	Janklow	Stark
Davis (IL)	Klecza	Sweeney
Dooley (CA)	Lipinski	Udall (CO)
Emerson	Markey	Waters
Farr	Matsui	Woolsey
Frank (MA)	Murtha	Young (AK)
Galleghy	Nadler	
Gephardt	Pence	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington) (during the vote). Members are advised there are 2 minutes remaining in the vote.

□ 2300

Messrs. SIMMONS, BONILLA, LINDER, SAM JOHNSON OF TEXAS, KING OF IOWA, ROHRBACHER, GINGREY, SMITH of Michigan, HUNTER and Mrs. BLACKBURN

changed their vote from “nay” to “yea.”

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on each question on which the Chair has postponed further proceedings.

MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

The SPEAKER pro tempore. The pending business is the question on the motion to instruct conferees on the bill, H.R. 1308.

The Clerk will designate the motion. The Clerk designated the motion.

Mr. SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Tennessee (Mr. DAVIS) on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 195, nays 214, not voting 25, as follows:

[Roll No. 501]
YEAS—195

Abercrombie	Deutsch	Kanjorski
Alexander	Dicks	Kaptur
Allen	Dingell	Kennedy (RI)
Andrews	Doggett	Kildee
Baca	Doyle	Kilpatrick
Baird	Edwards	Kind
Baldwin	Ehlers	Kucinich
Ballance	Emanuel	Lampson
Becerra	Engel	Langevin
Bell	Eshoo	Lantos
Bereuter	Etheridge	Larsen (WA)
Berkley	Evans	Larson (CT)
Berry	Farr	Leach
Bishop (GA)	Fattah	Lee
Bishop (NY)	Filner	Levin
Blumenauer	Ford	Lewis (GA)
Boswell	Frank (MA)	Lofgren
Boucher	Frost	Lowey
Boyd	Gonzalez	Lucas (KY)
Brady (PA)	Gordon	Lynch
Brown (OH)	Green (TX)	Majette
Brown, Corrine	Grijalva	Maloney
Capps	Gutierrez	Marshall
Capuano	Hall	Matheson
Cardin	Harman	McCarthy (MO)
Cardoza	Hastings (FL)	McCarthy (NY)
Carson (IN)	Hill	McCollum
Carson (OK)	Hinchev	McDermott
Case	Hinojosa	McGovern
Castle	Hoefel	McIntyre
Clyburn	Holden	McNulty
Conyers	Holt	Meehan
Cooper	Honda	Meek (FL)
Costello	Hoolley (OR)	Meeks (NY)
Cramer	Hoyer	Menendez
Crowley	Inslee	Michaud
Cummings	Israel	Millender-
Davis (AL)	Jackson (IL)	McDonald
Davis (CA)	Jackson-Lee	Miller (NC)
Davis (FL)	(TX)	Miller, George
Davis (TN)	Jefferson	Mollohan
DeFazio	John	Moore
DeGette	Johnson, E. B.	Moran (VA)
Delahunt	Jones (NC)	Napolitano
DeLauro	Jones (OH)	Neal (MA)

Oberstar	Ryan (OH)	Stupak
Obey	Sabo	Tanner
Olver	Sanchez, Linda	Tauscher
Ortiz	T.	Taylor (MS)
Owens	Sanchez, Loretta	Thompson (CA)
Pallone	Sanders	Thompson (MS)
Pascarell	Sandlin	Tierney
Pastor	Schakowsky	Towns
Payne	Schiff	Turner (TX)
Pelosi	Scott (GA)	Udall (NM)
Peterson (MN)	Scott (VA)	Upton
Pomeroy	Serrano	Van Hollen
Price (NC)	Sherman	Velazquez
Rahall	Skelton	Visclosky
Reyes	Slaughter	Watson
Rodriguez	Smith (WA)	Watt
Ross	Snyder	Waxman
Rothman	Solis	Weiner
Roybal-Allard	Spratt	Wexler
Ruppersberger	Stenholm	Wu
Rush	Strickland	Wynn

NAYS—214

Aderholt	Gibbons	Osborne
Akin	Gilchrest	Ose
Bachus	Gillmor	Otter
Baker	Gingrey	Oxley
Ballenger	Goode	Paul
Barrett (SC)	Goodlatte	Pearce
Bartlett (MD)	Goss	Peterson (PA)
Barton (TX)	Granger	Petri
Bass	Graves	Pitts
Beauprez	Green (WI)	Platts
Biggett	Greenwood	Pombo
Bilirakis	Gutknecht	Porter
Bishop (UT)	Harris	Portman
Blackburn	Hart	Pryce (OH)
Blunt	Hastings (WA)	Putnam
Boehert	Hayes	Quinn
Boehner	Hayworth	Radanovich
Bonilla	Hefley	Ramstad
Bonner	Hensarling	Regula
Bono	Herger	Rehberg
Boozman	Hobson	Renzi
Bradley (NH)	Hostettler	Reynolds
Brady (TX)	Houghton	Rogers (AL)
Brown (SC)	Hulshof	Rogers (KY)
Brown-Waite,	Hunter	Rogers (MI)
Ginny	Hyde	Rohrabacher
Burgess	Isakson	Ros-Lehtinen
Burns	Issa	Royce
Burr	Istook	Ryan (WI)
Burton (IN)	Jenkins	Ryun (KS)
Buyer	Johnson (CT)	Saxton
Calvert	Johnson (IL)	Schrock
Camp	Johnson, Sam	Sensenbrenner
Cannon	Keller	Sessions
Cantor	Kelly	Shadegg
Capito	Kennedy (MN)	Shaw
Carter	King (IA)	Shays
Chabot	King (NY)	Sherwood
Chocola	Kingston	Shimkus
Coble	Kirk	Shuster
Cole	Kline	Simmons
Collins	Knollenberg	Simpson
Cox	Kolbe	Smith (MI)
Crane	LaHood	Smith (NJ)
Crenshaw	Latham	Smith (TX)
Cubin	LaTourette	Souder
Culberson	Lewis (CA)	Stearns
Cunningham	Lewis (KY)	Sullivan
Davis, Jo Ann	Linder	Tancredo
Davis, Tom	LoBiondo	Tauzin
Deal (GA)	Lucas (OK)	Taylor (NC)
DeLay	Manzullo	Terry
DeMint	McCotter	Thomas
Diaz-Balart, L.	McCrery	Thornberry
Diaz-Balart, M.	McHugh	Tiahrt
Doolittle	McInnis	Tiberi
Dreier	McKeon	Toomey
Duncan	Mica	Turner (OH)
Dunn	Miller (FL)	Vitter
English	Miller (MI)	Walden (OR)
Everett	Miller, Gary	Walsh
Feeney	Moran (KS)	Wamp
Ferguson	Murphy	Weldon (FL)
Flake	Musgrave	Weldon (PA)
Fletcher	Myrick	Weller
Foley	Nethercutt	Whitfield
Forbes	Neugebauer	Wicker
Fossella	Ney	Wilson (NM)
Franks (AZ)	Northup	Wilson (SC)
Frelinghuysen	Norwood	Wolf
Garrett (NJ)	Nunes	Young (FL)
Gerlach	Nussle	

NOT VOTING—25

Ackerman	Clay	Dooley (CA)
Berman	Davis (IL)	Emerson

Gallegly	Matsui	Sweeney
Gephardt	Murtha	Udall (CO)
Hoekstra	Nadler	Waters
Janklow	Pence	Woolsey
Klecza	Pickering	Young (AK)
Lipinski	Rangel	
Markey	Stark	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 2308

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

The SPEAKER pro tempore. The pending business is the vote on the motion to instruct conferees on the bill, H.R. 1.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Maine (Mr. MICHAUD) on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 189, nays 220, not voting 25, as follows:

[Roll No. 502]
YEAS—189

Abercrombie	Dingell	Kind
Alexander	Doggett	Kucinich
Allen	Doyle	Lampson
Andrews	Edwards	Langevin
Baca	Emanuel	Lantos
Baird	Engel	Larsen (WA)
Baldwin	Eshoo	Larson (CT)
Ballance	Etheridge	Lee
Becerra	Evans	Levin
Bell	Farr	Lewis (GA)
Berkley	Fattah	Lofgren
Berman	Filner	Lowey
Berry	Ford	Lucas (KY)
Bishop (GA)	Frank (MA)	Lynch
Bishop (NY)	Frost	Majette
Blumenauer	Gonzalez	Maloney
Boswell	Gordon	Marshall
Boucher	Green (TX)	Matheson
Boyd	Grijalva	McCarthy (MO)
Brady (PA)	Gutierrez	McCarthy (NY)
Brown (OH)	Hall	McCollum
Brown, Corrine	Harman	McDermott
Capps	Hastings (FL)	McGovern
Capuano	Hill	McIntyre
Cardin	Hinchev	McNulty
Cardoza	Hinojosa	Meehan
Carson (IN)	Hoefel	Meek (FL)
Carson (OK)	Holden	Meeks (NY)
Case	Holt	Menendez
Clyburn	Honda	Michaud
Conyers	Hoolley (OR)	Millender-
Cooper	Hoyer	McDonald
Costello	Inslee	Miller (NC)
Cramer	Israel	Miller, George
Crowley	Jackson (IL)	Mollohan
Cummings	Jackson-Lee	Moore
Davis (AL)	(TX)	Moran (VA)
Davis (CA)	Jefferson	Napolitano
Davis (FL)	John	Neal (MA)
Davis (TN)	Johnson, E. B.	Oberstar
DeFazio	Jones (OH)	Obey
DeGette	Kanjorski	Olver
Delahunt	Kaptur	Ortiz
DeLauro	Kennedy (RI)	Owens
Deutsch	Kildee	Pallone
Dicks	Kilpatrick	Pascarell