

Wise
Wolf

Woolsey
Wu

Wynn
Young (AK)

NAYS—70

Abercrombie	Jackson (IL)	Owens
Archer	Jones (OH)	Oxley
Baca	Kanjorski	Paul
Baldwin	Kolbe	Payne
Barrett (WI)	Kucinich	Peterson (MN)
Blumenauer	LaFalce	Pickett
Boehner	Lantos	Pomeroy
Borski	Lee	Roemer
Capuano	Lewis (CA)	Rush
Condit	Lofgren	Sabo
Conyers	Matsui	Salmon
Davis (IL)	McDermott	Sanders
DeFazio	McGovern	Schakowsky
Delahunt	McKinney	Scott
Doggett	Meek (FL)	Serrano
Dooley	Minge	Skelton
Ehlers	Mink	Snyder
Evans	Moran (VA)	Stark
Filner	Nadler	Strickland
Hastings (FL)	Neal	Thompson (CA)
Hill (IN)	Nussle	Tierney
Hinchey	Oberstar	Waters
Hooley	Obey	
Houghton	Olver	

NOT VOTING—23

Barrett (NE)	DeMint	Myrick
Bass	Fattah	Rivers
Brown (FL)	Graham	Sanchez
Brown (OH)	Gutierrez	Sanford
Bryant	Hinojosa	Tiahrt
Campbell	Jackson-Lee	Turner
Carson	(TX)	Vento
Chambliss	Kaptur	Young (FL)

□ 1513

Mr. PAYNE and Mr. RUSH changed their vote from "yea" to "nay."

Ms. EDDIE BERNICE JOHNSON of Texas and Mr. FORD changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SANCHEZ. Mr. Speaker, during rollcall vote No. 5 on February 1, 2000 I was unavoidably detained. Had I been present, I would have voted "yea."

□

CORRECTING TECHNICAL ERRORS IN ENROLLMENT OF H.R. 764, CHILD ABUSE PREVENTION AND ENFORCEMENT ACT

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (H. Con. Res. 245) to correct technical errors in the enrollment of the bill H.R. 764, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

Mr. SCOTT. Mr. Speaker, reserving the right to object, I yield to the gentleman from Florida (Mr. MCCOLLUM) to explain the purpose of the resolution.

Mr. MCCOLLUM. Mr. Speaker, the purpose of this request is to direct the Enrolling Clerk to correct a minor drafting error in the bill, H.R. 764, we just passed on child abuse.

□ 1515

Failure to do so would result in a defective bill being sent to the President,

which none of us want. It is strictly that: To correct a minor drafting error.

Mr. SCOTT. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 245

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H.R. 764) to amend the Victims of Crimes Act of 1984, with respect to certain increases in funds, the Clerk of the House shall make the following corrections:

In section 104(a)(1), in the matter amending section 1402(d)(2) of the Victims of Crimes Act of 1984—

(1) strike "the next" the first place it appears and insert "The first"; and

(2) strike "the next" the second place it appears and insert "the first".

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

□

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Shermon Williams, one of his secretaries.

□

COMMUNICATION FROM CHAIRMAN OF DEMOCRATIC CAUCUS

The Speaker pro tempore (Mr. HASTINGS of Washington) laid before the House the following communication from the Hon. MARTIN FROST, Chairman of the Democratic Caucus:

DEMOCRATIC CAUCUS, HOUSE OF REPRESENTATIVES, LONGWORTH HOUSE OFFICE BUILDING, WASHINGTON, DC,

January 27, 2000.

Hon. DENNIS HASTERT,
Speaker, House of Representatives, The Capitol, Washington, DC.

DEAR MR. SPEAKER: This is to notify you that the Honorable Virgil Goode of Virginia has resigned as a Member of the Democratic Caucus.

Sincerely,

MARTIN FROST,
Chairman, Democratic Caucus.

□

RESIGNATION AS MEMBER OF COMMITTEE ON APPROPRIATIONS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Appropriations:

JANUARY 31, 2000.

SPEAKER OF THE HOUSE,

DEAR SPEAKER HASTERT. It has been a privilege to serve on the Appropriations Committee at such an important time.

I appreciate your confidence in me and look forward to other opportunities to advance our agenda for America.

Please consider this letter my resignation from the Appropriations Committee as of the above date.

Sincere Regard,

ROY BLUNT.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

□

COMMUNICATION FROM THE SPEAKER

The SPEAKER pro tempore laid before the House the following communication from the Speaker of the House of Representatives:

OFFICE OF THE SPEAKER,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 1, 2000.

Hon. LARRY COMBEST,
Committee on Agriculture, Washington, DC.

DEAR MR. CHAIRMAN: This is to advise you that Representative VIRGIL GOODE'S election to the Committee on Agriculture has been automatically vacated pursuant to clause 5(b) of rule X effective today.

Sincerely,

J. DENNIS HASTERT,
Speaker of the House.

□

COMMUNICATION FROM THE SPEAKER

The SPEAKER pro tempore laid before the House the following communication from the Speaker of the House of Representatives:

OFFICE OF THE SPEAKER,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 1, 2000.

Hon. JAMES A. LEACH,
Committee on Banking, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This is to advise you that Representative Virgil Goode's election to the Committee on Banking has been automatically vacated pursuant to clause 5(b) of rule X effective today.

Sincerely,

J. DENNIS HASTERT,
Speaker of the House.

□

ELECTION OF MEMBER TO COMMITTEE ON APPROPRIATIONS

Mr. WATTS of Oklahoma. Mr. Speaker, I offer a resolution (H. Res. 410) and I ask unanimous consent for its immediate consideration in the House.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 410

Resolved, That the following named Member be, and he is hereby, elected to the following standing committee of the House of Representatives:

Committee on Appropriations: Mr. Goode of Virginia.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□

ELECTION OF MEMBER TO COMMITTEE ON BANKING AND FINANCIAL SERVICES

Mr. FROST. Mr. Speaker, I offer a resolution (H. Res. 411) and ask unanimous consent for its immediate consideration in the House.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 411

Resolved, that the following named Member be, and is hereby, elected to the following standing Committee on the House of Representatives:

Committee on Banking; Ms. Lee of California to rank immediately after Mr. Meeks of New York.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2005, WORKPLACE GOODS JOB GROWTH AND COMPETITIVENESS ACT OF 1999

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 106-491) on the resolution (H. Res. 412) providing for consideration of the bill (H.R. 2005) to establish a statute of repose for durable goods used in a trade or business, which was referred to the House Calendar and ordered to be printed.

□

MOTION TO INSTRUCT CONFEREES ON H.R. 2990, QUALITY CARE FOR THE UNINSURED ACT OF 1999

Mr. BERRY. Mr. Speaker, I offer a privileged motion to instruct conferees on the bill (H.R. 2990) to amend the Internal Revenue Code of 1986 to allow individuals greater access to health insurance through a health care tax deduction, a long-term care deduction, and other health-related tax incentives, to amend the Employee Retirement Income Security Act of 1974 to provide access to and choice in health care through association health plans, to amend the Public Health Service Act to create new pooling opportunities for small employers to obtain greater access to health coverage through HealthMarts; to amend title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage; and for other purposes.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. BERRY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2990 be instructed.

(1) to take all necessary steps to begin meetings of the conference committee in order to report back expeditiously to the House; and

(2) to insist on the provisions of the Bipartisan Consensus Managed Care Improvement Act of 1999 (Division B of H.R. 2990 as passed by the House), and within the scope of con-

ference to insist that such provisions be paid for.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. BERRY) and the gentleman from California (Mr. THOMAS), each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it has been 3 months since the House passed a bipartisan Patients' Bill of Rights legislation. The American people still do not have protections they want and deserve. Mr. Speaker, last night, I offered the motion to instruct conferees. The conferees deserve the opportunity to meet on this legislation. We need to get to work on finishing the job the American people sent us here to do.

Last October, the House passed a strong bill. That is what I am asking the House to do now. Let the conferees meet. Let the Congress vote on a strong bill that will give the American people the patient protection they deserve and are asking for.

While we delay, millions of American families needlessly suffer from the consequences of allowing HMO bureaucrats to make medical decisions. Let us allow medical decisions to be made by doctors and patients, not someone behind a desk. Americans want a bill that has a strong independent review of HMO decision. They want a bill that is going to address the unfortunate case when the HMO causes injury or wrongful death, that they will be held responsible like any other business in America.

Congress needs to take action on passing the bipartisan legislation to provide the American people with basic protections and basic guarantees when it comes to managed care.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is, once again, the kind of political move that belies the argument that people want to come to a successful conclusion on a Senate-passed bill and a House-passed bill. We would have no ability whatsoever to reconcile the differences between the bills if the Senate were to insist on its position and, in fact, the House voted, as this measure indicates they want us to vote, to lock ourselves into our position.

Now, first of all, we know that motions to instruct are not binding; that Members do not have to follow the vote one way or the other. But it is a clear indication that somebody wants political game playing rather than a solution.

Mr. Speaker, I stand prepared as a conferee, as I am sure all the other conferees are prepared, to sit down and, over some very difficult subject matter, come to mutual agreement so that, as the Constitution requires, bills that differ in passing the House and Senate

can be reconciled, repassed by the House and Senate so the legislation can actually go to the President for his signature.

If somebody wants a patient protection bill with solid standards and with the acceptable practices that several years ago we voted very noncontroversially in the Medicare provisions, like emergency rooms, like no-gag rules, like the other provisions that we have already passed, then this is exactly the wrong motion to offer.

If Members want to keep a football kicking even after the Superbowl, if they want to play politics with the issue, this is exactly the kind of motion that they would offer.

So, Mr. Speaker, I am sorry that we are beginning this year with this kind of deceptive action, and I certainly would urge Members that what they ought to do is allow the conference to do its work, come to a successful conclusion, and not inhibit it by making demands that on their face cannot be met.

Mr. Speaker, I reserve the balance of my time.

Mr. BERRY. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. DINGELL).

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, this is a very simple resolution. It is one upon which the House has, in substance, voted not once, but twice before. It is a good resolution. It simply says two things: One, that the conference should commence its business quickly; and two, that the conference should keep in mind and support the House-adopted position with regard to Patients' Bill of Rights.

I am rather distressed to hear the gentleman from California (Mr. THOMAS), my old friend, talk about this as being political. It is not. It is simply orderly business of the House provided for in the rules. It is a resolution which is going to expedite the process. There is no politics here.

The House has spoken on this matter not once, but twice. The people want it. The country needs it. The House should vote affirmatively on this so that we can proceed in an orderly and speedy fashion towards the adoption of a piece of legislation that the people have said is not only needed, necessary, but badly wanted and very, very useful to the people in the country.

Mr. Speaker, I urge a favorable vote on the resolution, I commend my good friend for his resolution and I urge my colleagues to vote affirmatively and to do so amicably and in the goodwill that is deserved.

Mr. THOMAS. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. NORWOOD), the cosponsor of the legislation. And I would tell the gentleman from Michigan (Mr. DINGELL) that my point is substantiated by the next speaker. Most of us referred to that bill as the Dingell-Norwood bill.