

we kill it, what kind of confidence with good government do the people of this country have that we are doing our business here in this Congress?

□ 2330

There are compelling arguments to make that this body has an obligation to debate these issues, to consider them, and to vote on them. That is one of the reasons the gentleman from Mississippi (Mr. TAYLOR) has been making the motions that he has made all night long, so that Members of Congress can do their duty, their principled obligation, to bring ideas to the floor, get debate, work with Members of the Republican majority party, and get amendments put into bills or have them defeated.

Now, the Crusader has a military requirement that Napoleon may have used, may have benefited from; Ulysses S. Grant sure could have shortened the Civil War; John Pershing really could have used it probably in World War I. But Secretary Rumsfeld says he does not want it to fight terrorists. He does not need it in this new century to fight wars against our enemies. Why, then, does the Congress refuse to have a debate on this issue? Maybe the opponents would lose; maybe they can convince us. But not to have this debate in this great body says to the American people, and the headlines tomorrow will be Congress has never met a weapons system, even in war, that the Secretary does not want that they will not approve, that they cannot kill.

Now, the President of the United States has supported Secretary Rumsfeld. They have both said they do not want it. The military requirement is no longer there. What about using the \$11 billion that this Congress wants to spend on that and put it toward the war on terrorism? What about buying some more ships? What about health care? What about an additional pay raise for our military? Those are things that we could do with \$11 billion on a Crusader that we do not need, that is not a requirement, and that this administration does not want. But we cannot even debate it. We cannot even have a vote on that important amendment.

Mr. FRANK. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Chairman, the gentleman has asked the question why we cannot debate it, and he is entitled to an answer. It would be a little embarrassing for people who have been arguing almost all the time that with a war going on, we must rally around the President and support the Commander in Chief, give the Defense Department what it asks for. It would be embarrassing for them to then have to vote exactly contrary to that.

Now, the rules of this House do not require consistency. The rules do not require Members having stated a principle to live by it, so they could say

that, but it would be embarrassing. So that is the answer to the gentleman's question. The majority clearly could not simultaneously continue to argue that it is everybody's patriotic duty to rally around the Commander in Chief and the Secretary of Defense on military matters, and then vote to repudiate them. So the way they do this is by silence.

Mr. PAUL. Mr. Chairman, I yield myself the remaining time.

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

Mr. PAUL. Mr. Chairman, it is unprecedented to repudiate a signature on a treaty, but it is very important. They must have felt it was extremely important for the protection of our soldiers. So it is this discomfort we might feel about the repudiation of a signature versus doing what we think is best to protect our troops. I honestly believe that this is very necessary.

Now, the argument that all of a sudden we are going to capture Saddam Hussein and we are not going to have the international criminal court to deal with him, that is really not a good argument because the special tribunals for Yugoslavia as well as Rwanda can and still be set up. It has nothing to do with that, so that would still be available.

And it is the jurisdiction, it is the sovereignty, it is the civil liberties of the American soldier that we are dealing with. The gentleman from Georgia (Mr. BARR) brought this up, and this is very true. These trials, they do not have juries. The judges are appointed in secret. They cannot face their accusers. And we are going to join an organization like that, endorse it, send money and say that our troops may become subject to this? To me, it is an extremely dangerous situation that we have here now, because we did not even ratify the treaty. We have repudiated the signature and they are still saying this is going to apply to our soldiers. We have a serious problem on our hands and we should at least do this very little thing here, because this is a sense of Congress resolution that we would not like to have the President spend any money on this, and this would support his position.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. PAUL).

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. PAUL. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas (Mr. PAUL) will be postponed.

It is now in order to consider amendment No. 10 printed in part B of House report 107-450.

PART B AMENDMENT NO. 10 OFFERED BY MR. BEREUTER

Mr. BEREUTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 10 offered by Mr. BEREUTER:

At the end of subtitle D of title V (page 125, after line 9), insert the following new section:

SEC. 533. PREPARATION FOR, PARTICIPATION IN, AND CONDUCT OF ATHLETIC COMPETITIONS BY THE NATIONAL GUARD AND MEMBERS OF THE NATIONAL GUARD.

(a) ATHLETIC AND SMALL ARMS COMPETITIONS.—Section 504 of title 32, United States Code, is amended by adding at the end the following new subsection:

“(c) CONDUCT OF AND PARTICIPATION IN CERTAIN COMPETITIONS.—(1) Under regulations prescribed by the Secretary of Defense, members and units of the National Guard may conduct and compete in a qualifying athletic competition or a small arms competition so long as—

“(A) the conduct of, or participation in, the competition does not adversely affect the quality of training or otherwise interfere with the ability of a member or unit of the National Guard to perform the military functions of the member or unit;

“(B) National Guard personnel will enhance their military skills as a result of conducting or participating in the competition; and

“(C) the conduct of or participation in the competition will not result in a significant increase in National Guard costs.

“(2) Facilities and equipment of the National Guard, including military property and vehicles described in section 508(c) of this title, may be used in connection with the conduct of or participation in a qualifying athletic competition or a small arms competition under paragraph (1).”

(b) OTHER MATTERS.—Such section is further amended by adding after subsection (c), as added by subsection (a) of this section, the following new subsections:

“(d) AVAILABILITY OF FUNDS.—(1) Subject to paragraph (2) and such limitations as may be enacted in appropriations Acts and such regulations as the Secretary of Defense may prescribe, amounts appropriated for the National Guard may be used to cover—

“(A) the costs of conducting or participating in a qualifying athletic competition or a small arms competition under subsection (c); and

“(B) the expenses of members of the National Guard under subsection (a)(3), including expenses of attendance and participation fees, travel, per diem, clothing, equipment, and related expenses.

“(2) Not more than \$2,500,000 may be obligated or expended in any fiscal year under subsection (c).

“(e) QUALIFYING ATHLETIC COMPETITION DEFINED.—In this section, the term ‘qualifying athletic competition’ means a competition in athletic events that require skills relevant to military duties or involve aspects of physical fitness that are evaluated by the armed forces in determining whether a member of the National Guard is fit for military duty.”

(c) STYLISTIC AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting “AUTHORIZED ACTIVITIES.—” after “(a)”; and

(2) in subsection (b), by inserting “AUTHORIZED LOCATIONS.—” after “(b)”.

(d) CONFORMING AND CLERICAL AMENDMENTS.—(1) Subsection (a) of such section is amended—

(A) in paragraph (1), by inserting "and" after the semicolon;

(B) in paragraph (2), by striking "or" and inserting a period; and

(C) by striking paragraph (3).

(2) The heading of such section is amended to read as follows:

"§ 504. National Guard schools; small arms competitions; athletic competitions".

(3) The item relating to section 504 in the table of sections at the beginning of chapter 5 of title 10, United States Code, is amended to read as follows:

"504. National Guard schools; small arms competitions; athletic competitions."

The CHAIRMAN. Pursuant to House Resolution 415, the gentleman from Nebraska (Mr. BEREUTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this Member rises to offer an amendment which he is jointly presenting with the distinguished gentleman from Rhode Island (Mr. LANGEVIN). The Bereuter-Langevin amendment makes a minor change in current law which can reap significant benefits by allowing National Guard units to use already appropriated funds to sponsor competitions and send members to those competitions.

Currently only nonappropriated funds from post exchanges and other activities and from competition entry fees can be used to cover operating expenses for the events of all health, pay, and personal expenses for participating National Guard members. Indeed, the existing National Guard competition events program does provide National Guard members with an opportunity to hone their training-related skills such as running, swimming, and marksmanship in a competitive atmosphere. As the National Guard actively recruits new members, this can be another attractive feature in recruitment and retention programs for certain members of the National Guard.

Through these competitions, National Guard members can qualify for higher level national and international competitions, including the Pan American games and the Olympics. Also, National Guard members who compete in athletic and small arms competitions can now do so with members of the active duty military. Bringing active reserve and National Guard components together in this fashion builds better appreciation among the various components and overall force cohesiveness.

Additionally, some of the National Guard-sponsored competitions are open to participation by the entire civilian community for participation. The high visibility and the community interaction such events provide is key for providing support for local National Guard units.

While recruitment and retention and community support have always been important in maintaining the National Guard structure, they have become

even more critical as we wage the war on terrorism during which our men and women in the National Guard are more frequently called to duty overseas and to provide security in our homeland. For the National Guard competitive events programs to continue to thrive, greater funding flexibility, which this amendment provides, must be granted to the National Guard units sponsoring competition and sending members to those competitions.

Now, unlike active duty military personnel who have all health, pay and personal expenses covered while competing, National Guard members are not on duty while competing and, thus, are not covered. For example, if National Guard members suffer injuries while competing at the National Marksman Competition in Little Rock, Arkansas, they must pay for the incurred health care costs, even though they were competing with their National Guard unit.

Unfortunately, placing National Guard members on orders, as occurs with military reservists participating in these competitions, is not a solution to the coverage issue. Why? Because National Guard members placed on active duty cannot compete with their National Guard units team.

Mr. Chairman, it should be emphasized that the amendment does not create participation incentives for the National Guard members which are greater than those incentives for active duty military personnel, nor does it allow the National Guard to seek excessive funds for these activities. Indeed, the amendment limits the National Guard's use of appropriated funds for athletic and small arms competition to a very modest \$2.5 million annually.

□ 2340

Mr. Chairman, this Member urges his colleagues to vote for this amendment as an important way not only to recruit or retain motivated men and women for the National Guard, but also to show support for the men and women currently serving our country in our National Guard during this challenging time. I ask for Members' support.

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

Mr. SNYDER. Mr. Chairman, I am not opposed to the amendment. I do not believe there is any opposition. I would like to claim the customary division of time.

The CHAIRMAN. The gentleman from Arkansas (Mr. SNYDER) is recognized for 5 minutes.

Mr. SNYDER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the amendment offered by my fine colleague, the gentleman from Nebraska (Mr. BEREUTER). The amendment he offers would allow the National Guard to use appropriated funds to attend and compete in athletic events and small arms competition. I think it is a good amendment.

The problem we are having here today is there are many fine Members, like the gentleman from Nebraska, who also had ideas they would like to have presented to the House. Not all ideas are ones I would have agreed with. I did not support and will not support the amendment of the gentleman from Mississippi (Mr. TAYLOR) on base closure. I think we do need another round of base closures. I think the process we arrived at last year was a legitimate one.

But people should have their day in the sun to discuss these things, and the voters that sent these Members here should have their day to see these Members bring forth the ideas that they want to have discussed.

I think this is a very sad day for this House, at a time of international conflict, when the world depends on this country to fight the war on terrorism, that good people on the Democratic side were denied amendments to try to improve the bill that provides for the common defense of this country.

I do not think this is the kind of activity and arrogance that the American people are going to tolerate. I hope the lesson learned here through the day and through the night is that we have got to do a better job of acting in the spirit of bipartisanship and not just using it in our press releases back home.

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

Mr. BEREUTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I wanted to explain to my colleagues, in asking for their support, that I am going to be asking for a record vote, only because the gentleman from Rhode Island and I offered this same amendment last year and it was dropped in conference, I assume by our colleagues in the other body. So that is the reason I will be having a record vote. I thank my colleagues for their support.

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

Mr. SKELTON. Mr. Chairman, I move to strike the last word.

Mr. TAYLOR of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. SKELTON. I yield to the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Mr. Chairman, I want to thank the gentleman from Missouri for yielding to me and giving me this opportunity.

For about 12 hours now I have asked my colleagues, who were all elected by roughly the same number of people as I have been, for an opportunity for an up-or-down vote on whether or not we ought to have another round of base closures.

I am adamantly opposed to base closures. After the first three rounds of base closure, we cannot name one weapons system that has been purchased with base closure money. We cannot find one general, one admiral, one Secretary of Defense, one undersecretary, who would name one base that

they think ought to be closed. Yet my colleagues, particularly on the Republican side, have steadfastly refused even the simple courtesy of an up-or-down vote.

Last year the Senate, by the narrowest of margins, passed base closure language. The House never voted on it. It was part of the defense authorization bill which was brought to this House in the conference report well after September 11, when we were given the opportunity to say we are for the troops or against base closure. That really was not a fair fight, and they knew it was not.

Base closure ruins the lives of those military retirees, and over half of them, over half of them have retired near a base so they can use the commissaries and the hospitals. When we close the base, the commissary goes, the hospital goes; and we basically have ruined their lives. They are too old to move again.

Base closure puts every single employee in the Department of Defense wondering, starting tomorrow, whether or not his job is in jeopardy, whether or not he ought to borrow the money to send his kid to college or buy another car or fix up their house. For all the reasons that Members oppose A-76, they ought to be against base closure.

All I have asked is one simple thing today, because I think it is real fair that the business sections around America, all those cities and counties that we all used to serve in the local government that are spending millions, if not billions, of dollars trying to save those local bases from closure, all we want is an up-or-down vote.

We asked for the opportunity to stand up for our constituents. As a matter of fact, most of us begged for the opportunity to stand up for our constituents: send me to Washington so your voice can be heard loud and clear.

Why is it tonight that they hide behind the Speaker? Why is it tonight that they hide behind these silly rules, nine members of the Committee on Rules who will not give a straight up-or-down vote whether or not they think it makes sense to close bases?

We are in a war. How many times have I heard it tonight? Every one of the service chiefs says they need more people, not fewer. Right now, the military is looking for a base to put the Joint Strike Fighter. They are looking for a base to put the F-18E and F.

There is a base in Florida that has three 8,000-foot runways. It has a fourth runway that is 10,000 feet long. The planes can take off and they go straight out over the Atlantic Ocean. They can make all the noise they want. They can do all the dogfighting they want. God forbid, if something goes wrong and they have to eject, they know they can eject without fear of that plane falling on someone's house or a busload of kids.

That base is called Cecil Field. It is outside Jacksonville, Florida. It was

closed by a previous round of base closures, and now the taxpayers of America are going to spend over \$1 million to replace it because we gave the property away, just like we gave away the property at Governor's Island, just like we gave away the property at the Presidio, and just like we spent \$13 billion, let us remember, a thousand, thousand, thousand, thousand times 13 to clean up the bases that we gave away from the first three rounds of base closure.

If Members think that is a good idea, then have the guts to vote for it. But if Members think it is a bad idea, or if they think those of us who think it is a bad idea, who got elected by just as many people as them, ought to have an up-or-down vote on it, I thought I would ask just once tonight to give us a vote.

That is all I ask. If we lose, I understand the rule of the majority. But I think the Members of this House, when those bases start getting padlocked, ought to have the opportunity to look the citizens who are going to lose their bases, who are going to lose their jobs, I think we ought to have the opportunity to look them in the eye and say, I voted to keep this base open, or I voted to shut it down. But do not hide.

Mr. LANGEVIN. Mr. Chairman, today I join my colleague, Mr. BEREUTER, in offering an amendment that strengthens the athletic skill, unit cohesion and morale of our dedicated service members.

As my colleague has explained, this amendment authorizes the National Guard to use its appropriated funds to cover the costs of conducting and participating in athletic events related to military duties or physical fitness requirements.

This is of particular importance to my state, as Rhode Island is home to the Leapfest event.

But the entire country benefits from these National Guard competitions. Through these activities, the National Guard provides our service members with the opportunity to hone their service-related skills in competitive events and provides incentives for its recruitment and retention programs.

However, currently state National Guard units can use only non-appropriated funds to cover operating expenses for the events and related personal expenses for participating unit members. These non-appropriated funds are extremely limited, leaving most National Guard members paying out of their own pockets.

Mr. Chairman, I urge my colleagues to place our Nation Guard members on a level playing field with their Active Duty and Reserves counterparts. I'd like to thank Mr. Bereuter for his leadership on this issue and ask members to vote yes on the Bereuter-Langevin Amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska (Mr. BEREUTER). The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. BEREUTER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gen-

tleman from Nebraska (Mr. BEREUTER) will be postponed.

It is now in order to consider amendment No. 15 printed in part A of House Report 107-450.

MOTION TO RISE OFFERED BY MR. TAYLOR OF MISSISSIPPI

Mr. TAYLOR of Mississippi. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion to rise offered by the gentleman from Mississippi (Mr. TAYLOR).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. TAYLOR of Mississippi. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 168, noes 241, not voting 25, as follows:

[Roll No. 152]

AYES—168

Abercrombie	Hall (TX)	Oberstar
Ackerman	Harman	Obey
Allen	Hastings (FL)	Olver
Andrews	Hilliard	Ortiz
Baca	Hinchey	Owens
Baird	Hinojosa	Pallone
Baldacci	Hoeffel	Pascarell
Baldwin	Holden	Payne
Barrett	Holt	Pelosi
Becerra	Honda	Peterson (MN)
Bentsen	Hoyer	Phelps
Berkley	Inslee	Pomeroy
Berman	Jackson (IL)	Rahall
Berry	Jackson-Lee	Rangel
Bishop	(TX)	Rodriguez
Blumenauer	Jefferson	Roemer
Bonior	Johnson, E. B.	Ross
Borski	Jones (OH)	Roybal-Allard
Boswell	Kennedy (RI)	Rush
Boucher	Kildee	Sabo
Boyd	Kilpatrick	Sanchez
Brady (PA)	Kind (WI)	Sanders
Brown (FL)	Klecza	Sandlin
Brown (OH)	Kucinich	Sawyer
Capps	LaFalce	Schakowsky
Capuano	Lampson	Schiff
Cardin	Langevin	Scott
Carson (OK)	Lantos	Sherman
Clyburn	Larsen (WA)	Shows
Condit	Larson (CT)	Slaughter
Conyers	Lee	Snyder
Costello	Levin	Solis
Crowley	Lipinski	Spratt
Cummings	Lofgren	Stark
Davis (CA)	Lucas (KY)	Stenholm
Davis (FL)	Lynch	Strickland
DeFazio	Maloney (CT)	Stupak
DeGette	Markey	Tanner
Delahunt	Matheson	Tauscher
DeLauro	Matsui	Taylor (MS)
Deutsch	McCarthy (MO)	Thompson (CA)
Dicks	McCarthy (NY)	Thompson (MS)
Dingell	McCollum	Thurman
Doggett	McDermott	Tierney
Doyle	McGovern	Towns
Engel	McIntyre	Turner
Eshoo	McNulty	Udall (CO)
Etheridge	Meehan	Udall (NM)
Evans	Meek (FL)	Velazquez
Farr	Meeks (NY)	Waters
Filner	Miller, George	Weiner
Ford	Mink	Wexler
Frank	Moore	Woolsey
Gephardt	Murtha	Wu
Gonzalez	Nadler	Wynn
Gordon	Napolitano	
Green (TX)	Neal	

NOES—241

Aderholt	Barr	Blagojevich
Akin	Bartlett	Blunt
Armey	Barton	Boehlert
Bachus	Bass	Boehner
Baker	Bereuter	Bonilla
Ballenger	Biggert	Bono
Barcia	Bilirakis	Boozman

Brown (SC)	Hobson	Price (NC)
Bryant	Hoekstra	Pryce (OH)
Burr	Hooley	Putnam
Buyer	Horn	Quinn
Callahan	Hostettler	Radanovich
Calvert	Houghton	Ramstad
Camp	Hulshof	Regula
Cantor	Hunter	Rehberg
Capito	Hyde	Reynolds
Carson (IN)	Isakson	Rivers
Castle	Israel	Rogers (KY)
Chabot	Issa	Rogers (MI)
Chambliss	Istook	Rohrabacher
Clement	Jenkins	Ros-Lehtinen
Coble	Johnson (CT)	Rothman
Collins	Johnson (IL)	Royce
Combest	Johnson, Sam	Ryan (WI)
Cooksey	Jones (NC)	Ryun (KS)
Cox	Kanjorski	Saxton
Cramer	Kaptur	Schaffer
Crenshaw	Keller	Schrock
Cubin	Kelly	Sensenbrenner
Culberson	Kerns	Serrano
Cunningham	King (NY)	Sessions
Davis (IL)	Kingston	Shadegg
Davis, Jo Ann	Kirk	Shaw
Davis, Tom	Knollenberg	Shays
Deal	Kolbe	Sherwood
DeLay	LaHood	Shuster
DeMint	Latham	Simmons
Diaz-Balart	LaTourette	Simpson
Doolittle	Leach	Skeen
Dreier	Lewis (CA)	Skelton
Duncan	Lewis (KY)	Smith (MI)
Dunn	Linder	Smith (NJ)
Edwards	LoBiondo	Smith (TX)
Ehlers	Lowey	Smith (WA)
Ehrlich	Lucas (OK)	Souder
Emerson	Luther	Stearns
English	Maloney (NY)	Stump
Everett	Manzullo	Sullivan
Fattah	Mascara	Sununu
Ferguson	McCrery	Sweeney
Flake	McHugh	Tancredo
Foley	McInnis	Tauzin
Forbes	McKeon	Taylor (NC)
Fossella	McKinney	Terry
Frelinghuysen	Menendez	Thomas
Frost	Mica	Thornberry
Gallegly	Miller, Dan	Thune
Ganske	Miller, Gary	Tiahrt
Gekas	Miller, Jeff	Tiberi
Gibbons	Mollohan	Toomey
Gilchrest	Moran (KS)	Upton
Gillmor	Moran (VA)	Visclosky
Gilman	Morella	Vitter
Goode	Myrick	Walden
Goodlatte	Ney	Walsh
Goss	Northup	Wamp
Graham	Norwood	Watkins (OK)
Granger	Nussle	Watt (NC)
Graves	Osborne	Watts (OK)
Green (WI)	Otter	Weldon (FL)
Greenwood	Oxley	Weldon (PA)
Grucci	Pastor	Weller
Gutknecht	Paul	Whitfield
Hansen	Pence	Wicker
Hart	Peterson (PA)	Wilson (NM)
Hastings (WA)	Petri	Wilson (SC)
Hayes	Pickering	Wolf
Hayworth	Pitts	Young (AK)
Hefley	Platts	Young (FL)
Herger	Pombo	
Hilleary	Portman	

NOT VOTING—25

Brady (TX)	Gutierrez	Ose
Burton	Hall (OH)	Reyes
Cannon	Hill	Riley
Clay	John	Roukema
Clayton	Kennedy (MN)	Shimkus
Coyne	Lewis (GA)	Trafficant
Crane	Millender	Watson (CA)
Dooley	McDonald	Waxman
Fletcher	Nethercutt	

□ 0012

Mr. SWEENEY changed his vote from "aye" to "no."

Messrs. THOMPSON of California, LUCAS of Kentucky, CARDIN, BORSKI, GREEN of Texas and Ms. KILPATRICK changed their vote from "no" to "aye."

So the motion to rise was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment No. 21 printed in part B of House Report 107-450.

PART B AMENDMENT NO. 21 OFFERED BY MR.

SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 21 offered by Mr. SMITH of New Jersey:

At the end of title VII (page 159, after line 14), insert the following new subtitle:

Subtitle C—Department of Defense-Department of Veterans Affairs Health Resources Sharing

SEC. 721. SHORT TITLE.

This subtitle may be cited as the "Department of Defense-Department of Veterans Affairs Health Resources Sharing and Performance Improvement Act of 2002".

SEC. 722. FINDINGS AND SENSE OF CONGRESS CONCERNING STATUS OF HEALTH RESOURCES SHARING BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS AND THE DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Federal health care resources are scarce and thus should be effectively and efficiently used.

(2) In 1982, Congress, in Public Law 97-174, authorized the sharing of health resources between Department of Defense medical treatment facilities and Department of Veterans Affairs health care facilities in order to allow more effective and efficient use of those health resources.

(3) Health care beneficiaries of the Departments of Defense and Veterans Affairs, whether active servicemembers, veterans, retirees, or family members of active or retired servicemembers, should have full access to the health care and services that Congress has authorized for them.

(4) The Secretary of Defense and the Secretary of Veterans Affairs, and the appropriate officials of each of the Departments of Defense and Veterans Affairs with responsibilities related to health care, have not taken full advantage of the opportunities provided by law to make their respective health resources available to health care beneficiaries of the other Department in order to provide improved health care for the whole number of beneficiaries.

(5) After the many years of support and encouragement from Congress, the Departments have made little progress in health resource sharing and the intended results of the sharing authority have not been achieved.

(b) SENSE OF CONGRESS.—Congress urges the Secretary of Defense and the Secretary of Veterans Affairs—

(1) to commit their respective Departments to significantly improve mutually beneficial sharing and coordination of health care resources and services during peace and war;

(2) to build organizational cultures supportive of improved sharing and coordination of health care resources and services; and

(3) to establish and achieve measurable goals to facilitate increased sharing and coordination of health care resources and services.

(c) PURPOSE.—It is the purpose of this Act—

(1) to authorize a program to advance mutually beneficial sharing and coordination of health care resources between the two Departments consistent with the longstanding intent of Congress; and

(2) to establish a basis for improved strategic planning by the Department of Defense and Department of Veterans Affairs health systems to ensure that scarce health care resources are used more effectively and efficiently in order to enhance access to high quality health care for their respective beneficiaries.

SEC. 723. REVISED COORDINATION AND SHARING GUIDELINES.

(a) IN GENERAL.—(1) Section 8111 of title 38, United States Code, is amended to read as follows:

"§8111. Sharing of Department of Veterans Affairs and Department of Defense health care resources

"(a) REQUIRED COORDINATION AND SHARING OF HEALTH CARE RESOURCES.—The Secretary of Veterans Affairs and the Secretary of Defense shall enter into agreements and contracts for the mutually beneficial coordination, use, or exchange of use of the health care resources of the Department of Veterans Affairs and the Department of Defense with the goal of improving the access to, and quality and cost effectiveness of, the health care provided by the Veterans Health Administration and the Military Health System to the beneficiaries of both Departments.

"(b) JOINT REQUIREMENTS FOR SECRETARIES OF VETERANS AFFAIRS AND DEFENSE.—To facilitate the mutually beneficial coordination, use, or exchange of use of the health care resources of the two Departments, the two Secretaries shall carry out the following functions:

"(1) Develop and publish a joint strategic vision statement and a joint strategic plan to shape, focus, and prioritize the coordination and sharing efforts among appropriate elements of the two Departments and incorporate the goals and requirements of the joint sharing plan into the strategic and performance plan of each Department under the Government Performance and Results Act.

"(2) Jointly fund the interagency committee provided for under subsection (c).

"(3) Continue to facilitate and improve sharing between individual Department of Veterans Affairs and Department of Defense health care facilities, but giving priority of effort to initiatives (A) that improve sharing and coordination of health resources at the intraregional and nationwide levels, and (B) that improve the ability of both Departments to provide coordinated health care.

"(4) Establish a joint incentive program under subsection (d).

"(c) DOD-VA HEALTH EXECUTIVE COMMITTEE.—(1) There is established an interagency committee to be known as the Department of Veterans Affairs-Department of Defense Health Executive Committee (hereinafter in this section referred to as the 'Committee'). The Committee is composed of—

"(A) the Deputy Secretary of the Department of Veterans Affairs and such other officers and employees of the Department of Veterans Affairs as the Secretary of Veterans Affairs may designate; and

"(B) the Under Secretary of Defense for Personnel and Readiness and such other officers and employees of the Department of Defense as the Secretary of Defense may designate.

"(2)(A) During odd-numbered fiscal years, the Deputy Secretary of Veterans Affairs shall chair the Committee. During even-numbered fiscal years, the Under Secretary of Defense shall chair the Committee.

"(B) The Deputy Secretary and the Under Secretary shall determine the size and structure of the Committee, as well as the administrative and procedural guidelines for the operation of the Committee. The two Departments shall share equally the Committee's

cost of personnel and administrative support and services. Support for such purposes shall be provided at a level sufficient for the efficient operation of the Committee, including a permanent staff and, as required, other temporary working groups of appropriate departmental staff and outside experts.

“(3) The Committee shall recommend to the Secretaries strategic direction for the joint coordination and sharing efforts between and within the two Departments under this section and shall oversee implementation of those efforts.

“(4) The Committee shall submit to the two Secretaries and to Congress an annual report containing such recommendations as the Committee considers appropriate. The two Secretaries shall implement the Committee's recommendations unless, with respect to any such recommendation, either Secretary formally determines that the recommendation should not be implemented or should be implemented in a modified form. Upon making such a determination, the Secretary making the determination shall submit to Congress notice of the Secretary's determination and the Secretary's rationale for the determination.

“(5) In order to enable the Committee to make recommendations in its annual report under paragraph (4), the Committee shall do the following:

“(A) Review existing policies, procedures, and practices relating to the coordination and sharing of health care resources between the two Departments.

“(B) Identify changes in policies, procedures, and practices that, in the judgment of the Committee, would promote mutually beneficial coordination, use, or exchange of use of the health care resources of the two Departments, with the goal of improving the access to, and quality and cost effectiveness of, the health care provided by the Veterans Health Administration and the Military Health System to the beneficiaries of both Departments.

“(C) Identify and assess further opportunities for the coordination and sharing of health care resources between the Departments that, in the judgment of the Committee, would not adversely affect the range of services, the quality of care, or the established priorities for care provided by either Department.

“(D) Review the plans of both Departments for the acquisition of additional health care resources, especially new facilities and major equipment and technology, in order to assess the potential effect of such plans on further opportunities for the coordination and sharing of health care resources.

“(E) Review the implementation of activities designed to promote the coordination and sharing of health care resources between the Departments. To assist in this effort, the Committee chairman, under procedures jointly developed by the Secretaries of both Departments, may task the Inspectors General of either or both Departments.

“(d) JOINT INCENTIVES PROGRAM.—(1) Pursuant to subsection (b)(4), the two Secretaries shall carry out a program to identify, provide incentives to, implement, fund, and evaluate creative coordination and sharing initiatives at the facility, intraregional and nationwide levels. The program shall be administered by the Committee established in subsection (c), under procedures jointly prescribed by the two Secretaries.

“(2) To facilitate the incentive program, there is established in the Treasury, effective on October 1, 2003, a DOD-VA Health Care Sharing Incentive Fund. Each Secretary shall annually contribute to the fund a minimum of \$15,000,000 from the funds appropriated to that Secretary's Department. Such funds shall remain available until expended.

“(3)(A) The implementation and effectiveness of the program under this subsection shall be reviewed annually by the joint Department of Defense-Department of Veterans Affairs Inspector General review team established in section 724(i) of the Department of Defense-Department of Veterans Affairs Health Resources Sharing and Performance Improvement Act of 2002. On completion of the annual review, the review team shall submit a report to the two Secretaries on the results of the review. Such report shall be submitted through the Committee to the Secretaries not later than December 31 of each calendar year. The Secretaries shall forward each report, without change, to the Committees on Armed Services and Veterans' Affairs of the Senate and House of Representatives not later than February 28 of the following year.

“(B) Each such report shall describe activities carried out under the program under this subsection during the preceding fiscal year. Each report shall include at least the following:

“(i) An analysis of the initiatives funded by the Committee, and the funds so expended by such initiatives, from the Health Care Sharing Incentive Fund, including the purposes and effects of those initiatives on improving access to care by beneficiaries, improvements in the quality of care received by those beneficiaries, and efficiencies gained in delivering services to those beneficiaries.

“(ii) Other matters of interest, including recommendations from the review team to make legislative improvements to the program.

“(4) The program under this subsection shall terminate on September 30, 2007.

“(e) GUIDELINES AND POLICIES FOR IMPLEMENTATION OF COORDINATION AND SHARING RECOMMENDATIONS, CONTRACTS, AND AGREEMENTS.—(1) To implement the recommendations made by the Committee under subsection (c)(2), as well as to carry out other health care contracts and agreements for coordination and sharing initiatives as they consider appropriate, the two Secretaries shall jointly issue guidelines and policy directives. Such guidelines and policies shall provide for coordination and sharing that—

“(A) is consistent with the health care responsibilities of the Department of Veterans Affairs under this title and with the health care responsibilities of the Department of Defense under chapter 55 of title 10;

“(B) will not adversely affect the range of services, the quality of care, or the established priorities for care provided by either Department; and

“(C) will not reduce capacities in certain specialized programs of the Department of Veterans Affairs that the Secretary is required to maintain in accordance with section 1706(b) of this title.

“(2) To facilitate the sharing and coordination of health care services between the two Departments, the two Secretaries shall jointly develop and implement guidelines for a standardized, uniform payment and reimbursement schedule for those services. Such schedule shall be implemented no later than the beginning of fiscal year 2004 and shall be revised periodically as necessary.

“(3)(A) The guidelines established under paragraph (1) shall authorize the heads of individual Department of Defense and Department of Veterans Affairs medical facilities and service regions to enter into health care resources coordination and sharing agreements.

“(B) Under any such agreement, an individual who is a primary beneficiary of one Department may be provided health care, as provided in the agreement, at a facility or in the service region of the other Department that is a party to the sharing agreement.

“(C) Each such agreement shall identify the health care resources to be shared.

“(D) Each such agreement shall provide, and shall specify procedures designed to ensure, that the availability of direct health care to individuals who are not primary beneficiaries of the providing Department is (i) on a referral basis from the facility or service region of the other Department, and (ii) does not (as determined by the head of the providing facility or region) adversely affect the range of services, the quality of care, or the established priorities for care provided to the primary beneficiaries of the providing Department.

“(E) Each such agreement shall provide that a providing Department or service region shall be reimbursed for the cost of the health care resources provided under the agreement and that the rate of such reimbursement shall be as determined in accordance with paragraph (2).

“(F) Each proposal for an agreement under this paragraph shall be effective (i) on the 46th day after the receipt of such proposal by the Committee, unless earlier disapproved, or (ii) if earlier approved by the Committee, on the date of such approval.

“(G) Any funds received through such a uniform payment and reimbursement schedule shall be credited to funds that have been allotted to the facility of either Department that provided the care or services, or is due the funds from, any such agreement.

“(f) ANNUAL JOINT REPORT.—(1) At the time the President's budget is transmitted to Congress in any year pursuant to section 1105 of title 31, the two Secretaries shall submit to Congress a joint report on health care coordination and sharing activities under this section during the fiscal year that ended during the previous calendar year.

“(2) Each report under this section shall include the following:

“(A) The guidelines prescribed under subsection (e) of this section (and any revision of such guidelines).

“(B) The assessment of further opportunities identified under subparagraph (C) of subsection (c)(5) for the sharing of health-care resources between the two Departments.

“(C) Any recommendation made under subsection (c)(4) of this section during such fiscal year.

“(D) A review of the sharing agreements entered into under subsection (e) of this section and a summary of activities under such agreements during such fiscal year and a description of the results of such agreements in improving access to, and the quality and cost effectiveness of, the health care provided by the Veterans Health Administration and the Military Health System to the beneficiaries of both Departments.

“(E) A summary of other planning and activities involving either Department in connection with promoting the coordination and sharing of Federal health-care resources during the preceding fiscal year.

“(F) Such recommendations for legislation as the two Secretaries consider appropriate to facilitate the sharing of health-care resources between the two Departments.

“(3) In addition to the matters specified in paragraph (2), the two Secretaries shall include in the annual report under this subsection an overall status report of the progress of health resources sharing between the two Departments as a consequence of the Department of Defense-Department of Veterans Affairs Health Resources Sharing and Performance Improvement Act of 2002 and of other sharing initiatives taken during the period covered by the report. Such status report shall indicate the status of such sharing and shall include appropriate data as well as analyses of that data. The annual report shall include the following:

“(A) Enumerations and explanations of major policy decisions reached by the two Secretaries during the period covered by the report period with respect to sharing between the two Departments.

“(B) A description of any purposes of Department of Defense-Department of Veterans Affairs Health Resources Sharing and Performance Improvement Act of 2002 that presented barriers that could not be overcome by the two Secretaries and their status at the time of the report.

“(C) A description of progress made in new ventures or particular areas of sharing and coordination that would be of policy interest to Congress consistent with the intent of such Act.

“(D) A description of enhancements of access to care of beneficiaries of both Departments that came about as a result of new sharing approaches brought about by such Act.

“(E) A description of proposals for which funds are provided through the joint incentives program under subsection (d), together with a description of their results or status at the time of the report, including access improvements, savings, and quality-of-care enhancements they brought about, and a description of any additional use of funds made available under subsection (d).

“(g) DEFINITIONS.—For the purposes of this section:

“(1) The term ‘beneficiary’ means a person who is a primary beneficiary of the Department of Veterans Affairs or of the Department of Defense.

“(2) The term ‘direct health care’ means health care provided to a beneficiary in a medical facility operated by the Department or the Department of Defense.

“(3) The term ‘head of a medical facility’ (A) with respect to a medical facility of the Department, means the director of the facility, and (B) with respect to a medical facility of the Department of Defense, means the medical or dental officer in charge or the contract surgeon in charge.

“(4) The term ‘health-care resource’ includes hospital care, medical services, and rehabilitative services, as those terms are defined in paragraphs (5), (6), and (8), respectively, of section 1701 of this title, services under sections 1782 and 1783 of this title, any other health-care service, and any health-care support or administrative resource.

“(5) The term ‘primary beneficiary’ (A) with respect to the Department means a person who is eligible under this title (other than under section 1782, 1783, or 1784 or subsection (d) of this section) or any other provision of law for care or services in Department medical facilities, and (B) with respect to the Department of Defense, means a member or former member of the Armed Forces who is eligible for care under section 1074 of title 10.

“(6) The term ‘providing Department’ means the Department of Veterans Affairs, in the case of care or services furnished by a facility of the Department of Veterans Affairs, and the Department of Defense, in the case of care or services furnished by a facility of the Department of Defense.

“(7) The term ‘service region’ means a geographic service area of the Veterans Health Administration, in the case of the Department of Veterans Affairs, and a service region, in the case of the Department of Defense.”

(2) The item relating to that section in the table of sections at the beginning of chapter 81 of title 38, United States Code, is amended to read as follows:

“8111. Sharing of Department of Veterans Affairs and Department of Defense health care resources.”

(b) CONFORMING AMENDMENT.—Section 1104 of title 10, United States Code, is amended by striking “may” and inserting “shall”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2003.

SEC. 724. HEALTH CARE RESOURCES SHARING AND COORDINATION PROJECT.

(a) ESTABLISHMENT.—(1) The Secretary of Veterans Affairs and the Secretary of Defense shall conduct a health care resources sharing project to serve as a test for evaluating the feasibility, and the advantages and disadvantages, of measures and programs designed to improve the sharing and coordination of health care and health care resources between the Department of Veterans Affairs and the Department of Defense. The project shall be carried out, as a minimum, at the sites identified under subsection (b).

(2) Reimbursement between the two Departments with respect to the project under this section shall be made in accordance with the provisions of section 811(e)(2) of title 38, United States Code, as amended by section 723(a).

(b) SITE IDENTIFICATION.—(1) Not later than 90 days after the date of the enactment of this Act, the Secretaries shall jointly identify no less than five sites for the conduct of the project under this section.

(2) For purposes of this section, a site at which the resource sharing project shall be carried out is an area in the United States in which—

(A) one or more military treatment facilities and one or more VA health care facilities are situated in relative proximity to each other, including facilities engaged in joint ventures as of the date of the enactment of this Act; and

(B) for which an agreement to coordinate care and programs for patients at those facilities could be implemented not later than October 1, 2004.

(c) CONDUCT OF PROJECT.—(1) At sites at which the project is conducted, the Secretaries shall provide a test of a coordinated management system for the military treatment facilities and VA health care facilities participating in the project. Such a coordinated management system for a site shall include at least one of the elements specified in paragraph (2), and each of the elements specified in that paragraph must be included in the coordinated management system for at least two of the participating sites.

(2) Elements of a coordinated management system referred to in paragraph (1) are the following:

(A) A budget and financial management system for those facilities that—

(i) provides managers with information about the costs of providing health care by both Departments at the site;

(ii) allows managers to assess the advantages and disadvantages (in terms of relative costs, benefits, and opportunities) of using resources of either Department to provide or enhance health care to beneficiaries of either Department.

(B) A coordinated staffing and assignment system for the personnel (including contract personnel) employed at or assigned to those facilities, including clinical practitioners of either Department.

(C) Medical information and information technology systems for those facilities that—

(i) are compatible with the purposes of the project;

(ii) communicate with medical information and information technology systems of corresponding elements of those facilities; and

(iii) incorporate minimum standards of information quality that are at least equivalent to those adopted for the Departments at large in their separate health care systems.

(d) PHARMACY BENEFIT.—(1) One of the elements that shall be tested in at least two sites in accordance with subsection (c) is a pharmacy benefit under which beneficiaries of either Department shall have access, as part of the project, to pharmaceutical services of the other Department participating in the project.

(2) The two Secretaries shall enter into a memorandum of agreement to govern the establishment and provision not later than October 1, 2004, of pharmaceutical services authorized by this section. In the case of beneficiaries of the Department of Defense, the authority under the preceding sentence for such access to pharmaceutical services at a VA health care facility includes authority for medications to be dispensed based upon a prescription written by a licensed health care practitioner who, as determined by the Secretary of Defense, is a certified practitioner.

(e) AUTHORITY TO WAIVE CERTAIN ADMINISTRATIVE POLICIES.—(1)(A) In order to carry out subsections (c) and (d), the Secretary of Defense may, in the Secretary's discretion, waive any administrative policy of the Department of Defense otherwise applicable to those subsections (including policies applicable to pharmaceutical benefits) that specifically conflicts with the purposes of the project, in instances in which the Secretary determines that the waiver is necessary for the purposes of the project.

(B) In order to carry out subsections (c) and (d), the Secretary of Veterans Affairs may, in the Secretary's discretion, waive any administrative policy of the Department of Veterans Affairs otherwise applicable to those subsections (including policies applicable to pharmaceutical benefits) that specifically conflicts with the purposes of the project, in instances in which the Secretary determines that the waiver is necessary for the purposes of the project.

(C) The two Secretaries shall establish procedures for resolving disputes that may arise from the effects of policy changes that are not covered by other agreement or existing procedures.

(2) No waiver under paragraph (1) may alter any labor-management agreement in effect as of the date of the enactment of this Act or adopted by either Department during the period of the project.

(f) USE BY DOD OF CERTAIN TITLE 38 PERSONNEL AUTHORITIES.—(1) In order to carry out subsections (c) and (d), the Secretary of Defense may apply to civilian personnel of the Department of Defense assigned to or employed at a military treatment facility participating in the project any of the provisions of subchapters I, III, and IV of chapter 74 of title 38, United States Code, determined appropriate by the Secretary.

(2) For such purposes, any reference in such chapter—

(A) to the “Secretary” or the “Under Secretary for Health” shall be treated as referring to the Secretary of Defense; and

(B) to the “Veterans Health Administration” shall be treated as referring to the Department of Defense.

(g) FUNDING.—From amounts available for health care for a fiscal year, each Secretary shall make available to carry out the project not less than—

(1) \$5,000,000 for fiscal year 2003;

(2) \$10,000,000 for fiscal year 2004; and

(3) \$15,000,000 for each succeeding year during which the project is in effect.

(h) DEFINITIONS.—For purposes of this section:

(1) The term “military treatment facility” means a medical facility under the jurisdiction of the Secretary of a military department.

(2) The term “VA health care facility” means a facility under the jurisdiction of the

Veterans Health Administration of the Department of Veterans Affairs.

(i) **PERFORMANCE REQUIREMENTS.**—(1) The two Secretaries shall provide for a joint review team to conduct an annual on-site review at each of the project locations selected by the Secretaries under this section. The review team shall be comprised of employees of the Offices of the Inspectors General of the two Departments. Leadership of the joint review team shall rotate each fiscal year between an employee of the Office of the Inspector General of the Department of Veterans Affairs, during even-numbered fiscal years, and an employee of the Office of Inspector General of the Department of Defense, during odd-numbered fiscal years.

(2) On completion of their annual joint review under paragraph (1), the review team shall submit a report to the two Secretaries on the results of the review. The Secretaries shall forward the report, without change, to the Committees on Armed Services and Veterans Affairs of the Senate and House of Representatives.

(3) Each such report shall include the following:

(A) The strategic mission coordination between shared activities.

(B) The accuracy and validity of performance data used to evaluate sharing performance and changes in standards of care or services at the shared facilities.

(C) A statement that all appropriated funds designated for sharing activities are being used for direct support of sharing initiatives.

(D) Recommendations concerning continuance of the project at each site for the succeeding 12-month period.

(4) Whenever there is a recommendation under paragraph (3)(D) to discontinue a resource sharing project under this section, the two Secretaries shall act upon that recommendation as soon as practicable.

(5) In the initial report under this subsection, the joint review team shall validate the baseline information used for comparative analysis.

(j) **TERMINATION.**—(1) The project, and the authority provided by this section, shall terminate on September 30, 2007.

(2) The Secretaries may terminate the performance of the project at any site when the performance of the project at that site fails to meet performance expectations of the Secretaries, based on recommendations from the review team under subsection (i) or on other information available to the Secretaries to warrant such action.

SEC. 725. REPORT ON IMPROVED COORDINATION AND SHARING OF HEALTH CARE AND HEALTH CARE RESOURCES FOLLOWING DOMESTIC ACTS OF TERRORISM OR DOMESTIC USE OF WEAPONS OF MASS DESTRUCTION.

(a) **JOINT REVIEW.**—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly review the adequacy of current processes and existing statutory authorities and policy governing the capability of the Department of Defense and the Department of Veterans Affairs to provide health care to members of the Armed Forces following domestic acts of terrorism or domestic use of weapons of mass destruction, both before and after any declaration of national emergency. Such review shall include a determination of the adequacy of current authorities in providing for the coordination and sharing of health care resources between the two Departments in such cases, particularly before the declaration of a national emergency.

(b) **REPORT TO CONGRESS.**—A report on the review under subsection (a), including any recommended legislative changes, shall be submitted to Congress as part of the fiscal year 2004 budget submission.

SEC. 726. ADOPTION BY DEPARTMENT OF VETERANS AFFAIRS OF DEPARTMENT OF DEFENSE PHARMACY DATA TRANSACTION SYSTEM.

(a) **ADOPTION OF PDTS SYSTEM.**—The Secretary of Veterans Affairs shall adopt for use by the Department of Veterans Affairs health care system the system of the Department of Defense known as the “Pharmacy Data Transaction System”. Such system shall be fully operational for the Department of Veterans Affairs not later than October 1, 2004.

(b) **IMPLEMENTATION FUNDING.**—The Secretary of Defense shall transfer to the Secretary of Veterans Affairs, or shall otherwise bear the cost of, an amount sufficient to cover three-fourths of the cost to the Department of Veterans Affairs for initial computer programming activities and relevant staff training expenses related to implementation of subsection (a). Such amount shall be determined in such manner as agreed to by the two Secretaries.

(c) **REIMBURSEMENT PROCEDURES.**—Any reimbursement by the Department of Veterans Affairs to the Department of Defense for the use by the Department of Veterans Affairs of the transaction system under subsection (a) shall be determined in accordance with section 8111(e)(2) of title 38, United States Code, as amended by section 723.

SEC. 727. JOINT PILOT PROGRAM FOR PROVIDING GRADUATE MEDICAL EDUCATION AND TRAINING FOR PHYSICIANS.

(a) **IN GENERAL.**—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly carry out a pilot program under which graduate medical education and training is provided to military physicians and physician employees of the Department of Defense and the Department of Veterans Affairs through one or more programs carried out in military medical treatment facilities of the Department of Defense and medical centers of the Department of Veterans Affairs. The pilot program shall begin not later than January 1, 2003.

(b) **COST-SHARING AGREEMENT.**—The Secretaries shall enter into an agreement for carrying out the pilot program. The agreement shall establish means for each Secretary to assist in paying the costs, with respect to individuals under the jurisdiction of that Secretary, incurred by the other Secretary in providing medical education and training under the pilot program.

(c) **USE OF EXISTING AUTHORITIES.**—To carry out the pilot program, the Secretary of Defense and the Secretary of Veterans Affairs may use authorities provided to them under this Act, section 8111 of title 38, United States Code, and other laws relating to the furnishing or support of medical education and the cooperative use of facilities.

(d) **TERMINATION OF PROGRAM.**—The pilot program under this section shall terminate on July 31, 2008.

(e) **REPEAL OF SUPERSEDED PROVISION.**—Section 738 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 10 U.S.C. 1094 note; 115 Stat. 1173) is repealed.

SEC. 728. REPEAL OF CERTAIN LIMITS ON DEPARTMENT OF VETERANS AFFAIRS RESOURCES.

(a) **REPEAL OF VA BED LIMITS.**—Section 8110(a)(1) of title 38, United States Code, is amended—

(1) in the first sentence, by striking “at not more than 125,000 and not less than 100,000”;

(2) in the third sentence, by striking “shall operate and maintain a total of not less than 90,000 hospital beds and nursing home beds and”;

(3) in the fourth sentence, by striking “to enable the Department to operate and main-

tain a total of not less than 90,000 hospital and nursing home beds in accordance with this paragraph and”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on October 1, 2003.

SEC. 729. REPORTS.

(a) **INTERIM REPORT.**—Not later than February 1, 2004, the Secretary of Defense and Secretary of Veterans Affairs shall submit to the Committees on Veterans Affairs and the Committees on Armed Services of the Senate and House of Representatives a joint report on their conduct of each of the programs under this Act through the end of the preceding fiscal year. The Secretaries shall include in the report a description of the measures taken, or planned to be taken, to implement the health resources sharing project under section 724 and the other provisions of this Act and any cost savings anticipated, or cost sharing achieved, at facilities participating in the project. The report shall also include information on improvements in access to care, quality, and timeliness, as well as impediments encountered and legislative recommendations to ameliorate such impediments.

(b) **ANNUAL REPORT ON USE OF WAIVER AUTHORITY.**—Not later than one year after the date of the enactment of this Act, and annually thereafter through completion of the project under section 724, the two Secretaries shall submit to the committees of Congress specified in subsection (a) a joint report on the use of the waiver authority provided by section 724(e)(1). The report shall include a statement of the numbers and types of requests for waivers under that section of administrative policies that have been made during the period covered by the report and, for each such request, an explanation of the content of each request, the intended purpose or result of the requested waiver, and the disposition of each request. The report also shall include descriptions of any new administrative policies that enhance the success of the project.

(c) **PHARMACY BENEFITS REPORT.**—Not later than one year after pharmaceutical services are first provided pursuant to section 724(d)(1), the two Secretaries shall submit to the committees of Congress specified in subsection (a) a joint report on access by beneficiaries of each department to pharmaceutical services of the other department. The report shall describe the advantages and disadvantages to the beneficiaries and the Departments of providing such access and any other matters related to such pharmaceutical services that the Secretaries consider pertinent, together with any legislative recommendations for expanding or canceling such services.

(d) **ANNUAL REPORT ON PILOT PROGRAM FOR GRADUATE MEDICAL EDUCATION.**—Not later than January 31, 2004, and January 31 of each year thereafter through 2009, the two Secretaries shall submit to Congress a joint report on the pilot program under section 727. The report for any year shall cover activities under the program during the preceding year and shall include each Secretary's assessment of the efficacy of providing education and training under that program.

The CHAIRMAN. Pursuant to House Resolution 415, the gentleman from New Jersey (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, next year the Department of Defense and Veterans Affairs

will spend over \$40 billion combined on health care for current or former military personnel and their families. Despite this enormous sum, despite the fact that this year under the leadership of the gentleman from Iowa (Mr. NUSSLE), the discretionary spending, the health care spending will increase just for VA alone by \$2.8 billion, there is still not enough to meet the growing demand.

The bipartisan amendment that I offer today on behalf of myself, the gentleman from Arizona (Mr. STUMP), the gentleman from New York (Mr. McHUGH), the gentleman from Kansas (Mr. MORAN), and the gentleman from Illinois (Mr. EVANS), is designed to provide additional resources to both health care systems by providing sharing agreements between the Department of Defense and the VA.

Mr. Chairman, while statutory authority to allow resource sharing has existed for more than 20 years, as a matter of fact, the legislation was enacted during my first term 21 years ago, the latest figures tell us that the level of sharing between the VA and the DOD remains extremely low, almost a joke, accounting for less than 1 percent of their combined health care budgets.

The Federal Government can and must do more to increase resource sharing whenever and wherever feasible. Our amendment accomplishes that by providing additional incentives and putting additional pressure on both the Department of Defense and the VA to move forward with common-sense, practical steps to increase the level of resource sharing between these two massive health care systems.

Under our amendment, the VA and DOD would establish at least 5 health care resource sharing projects at locations where both have significant medical facilities. These projects would, to the extent feasible, adopt a new management system to look at ways to eliminate differences between the budget, health care provider assignment, and medical inpatient information systems.

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The amendment would also establish a permanent joint committee in the Departments of Defense and VA to provide stronger strategic direction and oversight of sharing initiatives and would authorize \$30 million over each of the next 3 years to reward sharing innovations.

Mr. Chairman, let me be very clear. This amendment will not in any way compromise the quality or variety of care available to military veterans, military personnel or their families, or the veterans as well. It will expand health care services, because any savings that are achieved will be reinvested locally so that those benefits will accrue at the local level.

Mr. Chairman, I do have a much longer statement, but let me just finally say that this is backed by the

Paralyzed Veterans of America, the VFW, American Legion, and the DAV.

Mr. Chairman, I hope the Members will support the amendment, and I herewith submit for the RECORD letters of support for this amendment from the organizations I referred to earlier:

THE AMERICAN LEGION,
Washington, DC, May 8, 2002.

Hon. CHRISTOPHER H. SMITH,
Chairman, Committee on Veterans' Affairs,
House of Representatives, Cannon House
Office Building, Washington, DC.

DEAR CHAIRMAN SMITH: On behalf of the 2.8 million members of The American Legion, I would like to express our full support for the Department of Defense (DoD)—Department of Veterans Affairs (VA) Health Resources Sharing and Performance Improvement Act of 2002. The initiatives outlined in this bill would improve health care access for veterans and DoD beneficiaries by authorizing the sharing of health resources between DoD medical treatment facilities and VA health care facilities.

The American Legion recognizes the benefits from current sharing agreements between DoD and VA health care facilities and the potential gains from additional efforts. Clearly, there are multiple venues for sharing agreements that will augment services, build on the respective strengths of the participants and improve overall health care for all DoD and VA beneficiaries.

The American Legion has long supported the goal of improving the quality and access of health care through the sharing and coordination of VA-DoD health care resources. This bill is a solid first step toward achieving that goal.

Once again, The American Legion fully supports the DoD-VA Health Resources Sharing and Performance Improvement Act of 2002. The American Legion appreciates your continued leadership in addressing the issues that are important to veterans, members of the Armed Forces, and their families.

Sincerely,

STEVE A. ROBERTSON,
Director, National Legislative Commission.

PARALYZED VETERANS OF AMERICA,
Washington, DC, May 9, 2002.

Hon. CHRISTOPHER H. SMITH,
Chairman, House Committee on Veterans' Affairs,
Cannon House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the members of Paralyzed Veterans of America (PVA) I want to express our support for your amendment to H.R. 4546, the Bob Stump National Defense Authorization Act for Fiscal Year 2003. The amendment calls for increased direction and incentives to improve sharing of health care resources and services between the Department of Veterans Affairs (VA) and Department of Defense (DoD) health care systems.

PVA strongly believes the two departments have much to share in the provision of health care services that can be of mutual benefit to both patient populations. Unfortunately, existing statutory sharing authority has failed to provide the appropriate atmosphere, direction, and incentives to encourage VA and DoD to maximize their cooperation potential. This amendment seeks to correct that shortcoming.

Both departments have distinct patient population and missions. Recognizing that fact, we applaud language in the amendment that stipulates within the gamut of sharing opportunities, both large and small, such activities will not affect the ability of the VA to protect one of its primary missions—the maintenance of its capacity to provide such specialized services as spinal cord injury

care for severely disabled veterans. We believe there are many areas where sharing health care resources can improve care and reduce costs in both systems.

Thank you for your continuing care and concern for our nation's veterans.

Sincerely,

RICHARD B. FULLER,
National Legislative Director.

DISABLED AMERICAN VETERANS
Washington, DC, May 9, 2002.

Hon. CHRISTOPHER H. SMITH,
Chairman, House Veterans Affairs Committee,
Cannon House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH: The Disabled American Veterans (DAV) appreciates the introduction of your amendment to H.R. 4546, the national Defense Authorization Act for Fiscal Year 2003.

The Department of Defense (DoD)—Department of Veterans Affairs (VA) Health Resources Sharing and Performance Improvement Act of 2002 would, in part, require sharing and coordination of VA/DoD health care resources and authorize initiatives to improve access to health care services provided to beneficiaries of both systems. It would also authorize a demonstration project to identify the feasibility and benefits or disadvantages of coordinated management of health care resources of both departments.

We agree that scarce Federal health resources should be used effectively and efficiently in order to enhance access to high quality health care services for active servicemembers, veterans, retirees, and family members of active or retired servicemembers as provided by law. Certainly we have a compelling moral duty to honor our pledges to them, and a responsibility to see that resources are used wisely to achieve this goal. This amendment seeks to ensure that both departments take full advantage of the opportunities authorized by law to provide improved health care for all beneficiaries. We are pleased that language in the amendment maintains the integrity of the special disabilities programs in accordance with section 1706(b) of title 38, United States Code.

We agree that DoD and VA should commit their respective departments to exploring new ways for significantly improving health resources sharing and to building organizational cultures supportive of health resources sharing. This provisions gives strong incentives for increased collaboration between the respective departments and is an initial step forward to achieving this goal.

We sincerely thank you for your introduction of this amendment and continued support to improve health care services for our Nation's veterans.

Sincerely,

JOSEPH A. VIOLANTE,
National Legislative Director

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
Washington, DC, May 9, 2002.

Hon. CHRISTOPHER H. SMITH,
Chairman, House Veterans' Affairs Committee,
House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: On behalf of the 2.7 million members of the Veterans of Foreign Wars of the United States (VFW) and our Ladies Auxiliary, I am pleased to offer our strong support for the amendment you are to offer to H.R. 4546, the FY 2003 National Defense Authorization Act. This bold and far-reaching legislative initiative will promote health resource sharing between the Department of Veterans Affairs (VA) and the Department of Defense (DOD). We strongly believe that improved VA-DOD health resource sharing will greatly benefit our veterans, our

active duty military and our military retirees.

Despite the repeated attempts of Congress to increase sharing arrangements, very little has actually taken place. The 1999 Congressional Commission on Servicemembers and Veterans Transition Assistance found that VA and DOD shared only \$62 million out of a \$32 billion healthcare budget. These two agencies have had the authority to enact sharing agreements for over twenty years, yet they have done little. The VFW believes that the provisions of this amendment will serve as a strong incentive for VA and DOD to at last pursue these mutually advantageous agreements.

It is our view that increased health resource sharing will be doubly beneficial. It has the potential to provide an expanded wealth of services to all beneficiaries, all while reducing costs. The Transition Commission noted, for example, that were VA and DOD to better coordinate the purchase of medical products, including pharmaceuticals and supplies, they would realize a savings of almost \$2 billion over a five-year period. Further, a May 2000 General Accounting Office report claimed that VA and DOD could realize a gain of up to \$300 million per year with improved joint pharmaceutical contracts.

The VFW insists that all cost-savings resulting from improved resource sharing agreements be reinvested back into the Departments' health care systems without any funding offsets. The resulting supplemental revenue will help bring the Departments' respective health care budgets closer to what is actually needed to provide the timely, first-rate health care our active duty servicemembers and veterans so richly deserve. Additionally, the resultant additional dollars will serve as an effective incentive for the Departments to pursue other additional avenues of health care sharing.

Notwithstanding this legislation's manifest benefits, we do have some concerns that we would articulate here. First, we believe that the individuals who head the Health Executive Committee which this legislation creates should have equal authority and the highest possible access to their respective Secretaries. This will help preserve the integrity of their decision-making and mitigate potential institutional interference. We note that under your amendment the senior DOD head will be the Under Secretary of Defense for Personnel and Readiness whereas VA's Deputy Secretary represents that department. We recommend that the DOD head be the Deputy Secretary of Defense.

A second concern is since the findings of this Committee are essentially binding upon the two departments, that they not unduly supplant established and effective planning procedures nor serve as a means to circumvent the will of the Congress and the longstanding oversight capacity of the veterans service community. Great care must be exercised to ensure that the considerable authority invested in this Executive Committee is not misapplied.

Despite this, the VFW strongly supports this bold approach to expanding and, indeed, enforcing the implementation of VA-DOD health care resource sharing agreements. Most importantly, it specifically addresses a key VFW goal that veterans and the active duty military receive the best possible health care in the best possible way. We thank you for introducing this vital measure, and we look forward to working with you to ensure its success.

Sincerely,

ROBERT E. WALLACE,
Executive Director.

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

Mr. TURNER. Mr. Chairman, I am unaware of any opposition to the amendment, and so I rise to claim the customary division of time.

The CHAIRMAN. Without objection, the gentleman from Arkansas (Mr. SNYDER) is recognized for 5 minutes.

There was no objection.

Mr. SNYDER. Mr. Chairman, I yield myself such time as I may consume, and I rise in support of the amendment offered by my friend and colleague, and the chairman of the House Committee on Veterans' Affairs, the gentleman from New Jersey (Mr. SMITH).

The amendment he offers, Mr. Chairman, would require the Department of Defense and the Department of Veterans Affairs to approve and expand their health care resource sharing efforts. The gentleman is my chairman on the Committee on Veterans' Affairs, and I appreciate him and look forward to working with him on the Committee on Veterans' Affairs and on the Committee on Armed Services for many years to come on this very important issue.

Ironically, we have time this evening to consider debate on these two last amendments which are noncontroversial. While noncontroversial, they are important and ought to be discussed. The two proponents of these amendments deserve their opportunity to discuss them on the House floor at their request. But just as importantly, we should have had the opportunity to discuss the controversial issues in this bill offered by very fine Members of this House, the gentleman from South Carolina (Mr. SPRATT), the gentleman from Mississippi (Mr. TAYLOR), the gentleman from Oregon (Mr. BLUMENAUER), the gentleman from Connecticut (Mr. MALONEY), the gentleman from Maine (Mr. ALLEN), and others. All had issues they wanted to have discussed.

At the full Committee on Armed Services, under the very able chairmanship of the gentleman from Arizona (Mr. STUMP), we had very vigorous and full debate on every issue that members wanted to be discussed, and we voted on every issue on which someone wanted to vote. The result was people were satisfied with the process and the bill came out of committee 57 to one.

Ironically, the issue we have heard most about today, which is the amendment of the gentleman from Mississippi (Mr. TAYLOR) on base closure, could have been avoided if the Committee on Rules had acted properly last year. Now, what do I mean by that? Last year, the gentleman from Utah (Mr. HANSEN) and I had an amendment to provide for a base closure commission. The Committee on Rules did not make that in order. So the folks that want to discuss base closure can now say we have never had a vote on the House floor. We are repeating this process year after year, denying the opportunity to discuss issues.

In 1981, I was working as a doctor in Thailand as part of the Cambodian ref-

ugee relief effort. We were living in the town of Aranyaprathet, right on the border, right next to a Thai army base. It was a very volatile border, and there was a lot of military presence. Got up one morning, the army base was emptied out. The Thai Army had gone to Bangkok to overthrow the government, overthrow the democracy and stage a coup. We went out that day to Thai villages where I would provide medical care with the medical team I worked with. We worked with these Thai paraprofessional medical people, and the fellow we were supposed to work with that morning could not perform his work. All he could do was sit and cry, literally cry about the fact that his democracy was overthrown.

Well, I was very proud to be an American that day, very proud of our American democracy. And what I learned that day in Thailand is that democracy has got to be nourished or we lose it. Well, I am very proud of this bill I am going to vote for here probably in about an hour, when we finish this process; but I am not proud of this process.

I think everyone has gathered that this process has been very dissatisfying to many people in the House, and I would hope my colleagues would respect our opinion in the future on other bills this year. At this very critical time in our Nation's history, we, as a body, as the people's House, need to do a better job of nurturing our democracy in this country.

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

Mr. SMITH of New Jersey. Mr. Chairman, I yield such time as he may consume to the gentleman from Kansas (Mr. MORAN), the chairman of the Subcommittee on Health of the Committee on Veterans' Affairs.

Mr. MORAN of Kansas. Mr. Chairman, I thank the gentleman for yielding me this time.

The amendment before the House tonight is a compromise that I believe will lead to better health care for our veterans and our service men and women, as well as a more efficient use of resources for their care.

Chairman SMITH has been the driving force behind this idea, and I commend him and the gentleman from New York (Mr. MCHUGH) and the gentleman from Arkansas (Mr. SNYDER), the chairman and ranking member of the Subcommittee on Military Personnel, for their very cooperative, fair, and objective considerations of the issues and concerns of both the Department of Veterans Affairs and the Department of Defense and both of our committees here in the Congress.

While each Department has traditional and long-standing values and practices in providing health care to separate beneficiary populations, this bill seeks the common interest of both veterans and military personnel and to create partnerships and better coordinations in each institution. This amendment will commit each Department to improving health sharing and

coordination of resources and services. It will also prompt the Department of Defense and the Department of Veterans Affairs to take full advantage of all these opportunities to make our health care resources available for all active and retired service men and women.

Mr. Chairman, I urge my colleagues to adopt this amendment.

Mr. EVANS. Mr. Chairman, Congress has long supported the sharing of scarce Federal health care resources between the Department of Defense (DoD) and the Department of Veterans Affairs (VA). In fact, Congress vested both Departments with broad authority two decades ago to do just that and has since repeatedly encouraged more effective and efficient use of this sharing authority by DoD and VA.

President Bush noted in the Administration's Fiscal Year 2003 budget submission to Congress that only a negligible portion of the nation's scarce Federal health care resources are actually being shared between the two Departments. While sharing between DoD and VA exists technically, sharing remains the exception, not the rule. Without future legislation there is little reason to believe that VA and DoD will develop a culture that values mutually beneficial sharing. Until this occurs, taxpayer dollars will not be spent as effectively as possible.

I commend the gentleman from New Jersey, Mr. SMITH, for his leadership with this amendment. How much of what kind of sharing is possible? It is my hope that the provisions of this amendment will forge thoughtful answers to this question and achieve the goals long sought by Congress.

Particularly noteworthy are the incentives endorsed in this amendment, which are intended to promote innovation and effective, new approaches to achieving the goals of sharing between DoD and VA. I also applaud the joint oversight provisions of this amendment, introducing shared accountability for the effective use of the resources provided in the amendment and shared accountability for assessing and reporting program outcomes. The Smith amendment allows the Secretaries of DoD and VA to terminate programs that are ineffective or demonstrate inefficiencies or a questionable use of scarce resources.

VA adoption of DoD's Pharmacy Data Transaction Service (PDTS) will provide benefits to veterans receiving VA medical care. Although this data system integration will no doubt present VA with some initial challenges, I believe the integration of these two systems has the potential to greatly improve the quality of patient care, eliminate harmful or dangerous drug interactions and bridge the information technology gaps that persist between the two agencies—on at least one front.

Mr. Chairman, I support this amendment and I urge my colleagues to vote for the amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. SMITH).

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now

resume on those amendments on which further proceedings were postponed in the following order: Part A amendment No. 7 offered by the gentleman from California (Ms. SANCHEZ), part A amendment No. 8 offered by the gentleman from Virginia (Mr. GOODE), part A amendment No. 9 offered by the gentleman from Texas (Mr. PAUL), and part B amendment No. 10 offered by the gentleman from Nebraska (Mr. BEREUTER).

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

PART A AMENDMENT NO. 7 OFFERED BY MS. SANCHEZ

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Ms. SANCHEZ) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 202, noes 215, not voting 18, as follows:

[Roll No. 153]

AYES—202

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Bass
Becerra
Bentsen
Berkley
Berman
Biggert
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch

Dicks
Dingell
Doggett
Dooley
Dunn
Edwards
Ehrlich
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Ford
Frank
Frelinghuysen
Frost
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Green (TX)
Greenwood
Gutierrez
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Inslee
Isakson
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur

Kelly
Kennedy (RI)
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kolbe
Kucinich
Lampson
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Loftgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Miller, Dan
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Obey
Oliver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy

Price (NC)
Pryce (OH)
Ramstad
Rangel
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott

Serrano
Shaw
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)

Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Walden
Waters
Watt (NC)
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—215

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bereuter
Berry
Bilirakis
Blunt
Boehner
Bonilla
Boozman
Borski
Brady (TX)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cantor
Chabot
Chambliss
Coble
Collins
Cooksey
Costello
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Doyle
Dreier
Duncan
Ehlers
Emerson
English
Everett
Ferguson
Flake
Fletcher
Forbes
Fossella
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Grucci
Gutknecht
Hall (TX)

Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Issa
Istook
Jenkins
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kerns
Kildee
King (NY)
Kingston
Knollenberg
LaFalce
LaHood
Langevin
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Lynch
Manzullo
Mascara
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Mica
Miller, Gary
Miller, Jeff
Mollohan
Moran (KS)
Murtha
Myrick
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps

Pickering
Pitts
Platts
Pombo
Portman
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reynolds
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Stupak
Sullivan
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Upton
Vitter
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—18

Burton
Cannon
Clay
Combest
Crane

Hall (OH)
John
Kennedy (MN)
Lewis (GA)
Millender-McDonald
Nethercutt
Ose

Reyes
Riley

Roukema
Traficant

Watson (CA)
Waxman

□ 0044

Ms. NORTHUP changed her vote from “aye” to “no.”

Mr. KOLBE changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. SWEENEY. Mr. Chairman, on rollcall No. 153, I inadvertently voted “no,” and I intended to vote “aye.”

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

PART A AMENDMENT NO. 8 OFFERED BY MR. GOODE

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 8 printed in Part A of House Report 107-450 offered by the gentleman from Virginia (Mr. GOODE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 183, not voting 19, as follows:

[Roll No. 154]

AYES—232

Aderholt	Collins	Goode
Akin	Cooksey	Goodlatte
Armey	Costello	Gordon
Bachus	Cox	Goss
Baker	Cramer	Graham
Ballenger	Crenshaw	Granger
Barcia	Cubin	Graves
Barr	Culberson	Green (WI)
Bartlett	Cunningham	Greenwood
Barton	Davis, Jo Ann	Grucci
Bass	Davis, Tom	Gutknecht
Bereuter	Deal	Hall (TX)
Biggart	DeFazio	Hansen
Bilirakis	DeLay	Harman
Bishop	DeMint	Hart
Blunt	Deutsch	Hastings (WA)
Boehlert	Diaz-Balart	Hayes
Boehner	Doolittle	Hayworth
Bonilla	Duncan	Hefley
Bono	Dunn	Herger
Boozman	Emerson	Hilleary
Boswell	English	Hobson
Boyd	Etheridge	Hoekstra
Brady (TX)	Everett	Holden
Brown (SC)	Ferguson	Horn
Bryant	Fletcher	Hostettler
Burr	Foley	Hulshof
Callahan	Forbes	Hunter
Calvert	Fossella	Hyde
Camp	Frelinghuysen	Isakson
Cantor	Galleghy	Israel
Capito	Gekas	Issa
Castle	Gibbons	Istook
Chabot	Gilchrest	Jenkins
Chambliss	Gillmor	Johnson (CT)
Coble	Gilman	Johnson (IL)

Johnson, Sam	Otter	Smith (NJ)
Jones (NC)	Oxley	Smith (TX)
Kaptur	Pence	Spratt
Keller	Peterson (MN)	Stearns
Kelly	Peterson (PA)	Stenholm
Kerns	Petri	Strickland
King (NY)	Phelps	Stump
Kingston	Pickering	Sullivan
Kirk	Pitts	Sununu
Knollenberg	Platts	Sweeney
LaHood	Pombo	Tancredo
Latham	Pomeroy	Tanner
LaTourette	Portman	Tauscher
Levin	Pryce (OH)	Tauzin
Lewis (CA)	Putnam	Taylor (MS)
Lewis (KY)	Quinn	Taylor (NC)
Linder	Ramstad	Thomas
Lipinski	Regula	Thune
LoBiondo	Rehberg	Thurman
Lowe	Reynolds	Tiahrt
Lucas (KY)	Roemer	Tiberi
Lucas (OK)	Rogers (KY)	Toomey
Luther	Rogers (MI)	Udall (CO)
Maloney (CT)	Rohrabacher	Udall (NM)
Manzullo	Ros-Lehtinen	Upton
McCarthy (NY)	Royce	Vitter
McCrery	Ryan (WI)	Walden
McHugh	Ryun (KS)	Walsh
McInnis	Saxton	Wamp
McIntyre	Schaffer	Watkins (OK)
McKeon	Schrock	Watts (OK)
Mica	Sensenbrenner	Weldon (FL)
Miller, Dan	Sessions	Weldon (PA)
Miller, Gary	Shadegg	Weller
Miller, Jeff	Shaw	Wexler
Moore	Shays	Wicker
Moran (KS)	Sherwood	Wilson (SC)
Myrick	Shimkus	Wolf
Ney	Shows	Young (AK)
Norwood	Shuster	Young (FL)
Nussle	Simpson	
Osborne	Smith (MI)	

NOES—183

Abercrombie	Fattah	McGovern
Ackerman	Filner	McKinney
Allen	Flake	McKinney
Andrews	Ford	McNulty
Baca	Frank	Meek (FL)
Baird	Frost	Meeks (NY)
Baldacci	Ganske	Menendez
Baldwin	Gephardt	Miller, George
Barrett	Gonzalez	Mink
Becerra	Green (TX)	Mollohan
Bentsen	Gutierrez	Moran (VA)
Berkley	Hastings (FL)	Morella
Berman	Hill	Murtha
Berry	Hilliard	Nadler
Blagojevich	Hinche	Napolitano
Blumenauer	Hinojosa	Neal
Bonior	Hoeffel	Oberstar
Borski	Holt	Obey
Boucher	Honda	Olver
Brady (PA)	Hooley	Ortiz
Brown (FL)	Houghton	Owens
Brown (OH)	Hoyer	Pallone
Buyer	Inslee	Pascarell
Capps	Jackson (IL)	Pastor
Capuano	Jackson-Lee	Paul
Cardin	(TX)	Payne
Carson (IN)	Jefferson	Pelosi
Carson (OK)	Johnson, E. B.	Price (NC)
Clayton	Jones (OH)	Radanovich
Clement	Kanjorski	Rahall
Clyburn	Kennedy (RI)	Rangel
Condit	Kildee	Rivers
Conyers	Kilpatrick	Rodriguez
Coyne	Kind (WI)	Ross
Crowley	Klecza	Rothman
Cummings	Kolbe	Roybal-Allard
Davis (CA)	Kucinich	Rush
Davis (FL)	LaFalce	Sabo
Davis (IL)	Lampson	Sanchez
DeGette	Langevin	Sanders
Delahunt	Lantos	Sandlin
DeLauro	Larsen (WA)	Sawyer
Dicks	Larson (CT)	Schakowsky
Dingell	Leach	Schiff
Doggett	Lee	Scott
Dooley	Lofgren	Serrano
Doyle	Lynch	Sherman
Dreier	Maloney (NY)	Simmons
Edwards	Markey	Skeen
Ehlers	Mascara	Skelton
Ehrlich	Matheson	Slaughter
Engel	Matsui	Smith (WA)
Esch	McCarthy (MO)	Snyder
Evans	McCollum	Solis
Farr	McDermott	Souder

Stark

Stupak

Terry

Thompson (CA)

Thompson (MS)

Thornberry

Tierney

Towns

Turner

Velazquez

Visclosky

Waters

Watt (NC)

Weiner

NOT VOTING—19

Burton	Kennedy (MN)	Reyes
Cannon	Lewis (GA)	Riley
Clay	Millender-McDonald	Roukema
Combust	Nethercutt	Traficant
Crane	Northup	Watson (CA)
Hall (OH)	Ose	Waxman
John		

□ 0052

Mr. LEWIS of California and Mr. LATHAM changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NORTHUP. Mr. Chairman, on rollcall No. 154, I was unavoidably detained. Had I been present, I would have voted “aye.”

PART A AMENDMENT NO. 9 OFFERED BY MR. PAUL

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 9 printed in part A of House Report 107-450 offered by the gentleman from Texas (Mr. PAUL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 264, noes 152, not voting 18, as follows:

[Roll No. 155]

AYES—264

Aderholt	Capito	Foley
Akin	Carson (OK)	Forbes
Armey	Castle	Fossella
Baca	Chabot	Frelinghuysen
Bachus	Chambliss	Galleghy
Baker	Coble	Ganske
Ballenger	Collins	Gekas
Barcia	Cooksey	Gibbons
Barr	Costello	Gilchrest
Bartlett	Cox	Gillmor
Bass	Cramer	Gilman
Bereuter	Crenshaw	Goode
Biggart	Cubin	Goodlatte
Bilirakis	Culberson	Gordon
Bishop	Cunningham	Goss
Blunt	Davis, Jo Ann	Graham
Boehlert	Davis, Tom	Granger
Boehner	Deal	Graves
Bonilla	DeFazio	Green (TX)
Bono	DeLay	Green (WI)
Boozman	DeMint	Greenwood
Boswell	Dicks	Grucci
Boyd	Doolittle	Gutknecht
Brady (TX)	Dreier	Hall (TX)
Brown (SC)	Duncan	Hansen
Bryant	Dunn	Hart
Burr	Edwards	Hastings (WA)
Callahan	Ehrlich	Hayes
Calvert	Emerson	Hayworth
Camp	English	Hefley
Cantor	Etheridge	Herger
Capito	Everett	Hill
Castle	Ferguson	Hilleary
Chabot	Flake	Hobson
Chambliss	Fletcher	Hoekstra
Coble		

Holden	Mollohan	Shimkus	Serrano	Thompson (CA)	Waters	Gillmor	Lofgren	Rush
Horn	Moran (KS)	Shows	Sherman	Thompson (MS)	Watt (NC)	Gilman	Lowey	Ryan (WI)
Hostettler	Murtha	Shuster	Slaughter	Tierney	Weiner	Gonzalez	Lucas (KY)	Ryun (KS)
Hulshof	Myrick	Simmons	Snyder	Towns	Wexler	Goode	Lucas (OK)	Sabo
Hunter	Ney	Simpson	Solis	Udall (CO)	Woolsey	Goodlatte	Luther	Sanchez
Hyde	Northup	Skeen	Stark	Udall (NM)	Wu	Gordon	Lynch	Sanders
Inslie	Norwood	Skelton	Tauscher	Velazquez	Wynn	Goss	Maloney (CT)	Sandlin
Isakson	Nussle	Smith (MI)				Graham	Maloney (NY)	Sawyer
Issa	Ortiz	Smith (NJ)				Granger	Manzullo	Saxton
Istook	Osborne	Smith (TX)	Burton	Kennedy (MN)	Riley	Graves	Markey	Schaffer
Jenkins	Otter	Smith (WA)	Cannon	Lewis (GA)	Roukema	Green (TX)	Mascara	Schakowsky
Johnson (IL)	Oxley	Souder	Clay	Millender-	Traficant	Green (WI)	Matheson	Schiff
Johnson, Sam	Pascrell	Spratt	Combest	McDonald	Watson (CA)	Greenwood	Matsui	Schrock
Jones (NC)	Paul	Stearns	Crane	Nethercutt	Waxman	Grucci	McCarthy (NY)	Scott
Kanjorski	Pence	Stenholm	Hall (OH)	Ose		Gutierrez	McCollum	Sensenbrenner
Kaptur	Peterson (MN)	Strickland	John	Reyes		Gutknecht	McCrery	Serrano
Keller	Peterson (PA)	Stump				Hall (TX)	McDermott	Sessions
Kelly	Petri	Stupak				Hansen	McGovern	Shadegg
Kerns	Phelps	Sullivan				Harman	McHugh	Shaw
Kildee	Pickering	Sununu				Hart	McInnis	Shays
King (NY)	Pitts	Sweeney				Hastings (FL)	McIntyre	Sherman
Kingston	Platts	Tancredo				Hastings (WA)	McKeon	Sherwood
Kirk	Pombo	Tanner					McKinney	Shimkus
Knollenberg	Pomeroy	Tauzin					McNulty	Shows
Kolbe	Portman	Taylor (MS)					Meek (FL)	Shuster
LaHood	Pryce (OH)	Taylor (NC)					Meeks (NY)	Simmons
Lampson	Terry						Menendez	Simpson
Langevin	Quinn	Thomas					Mica	Skeen
Larsen (WA)	Radanovich	Thornberry					Miller, Dan	Skelton
Latham	Rahall	Thune					Miller, George	Slaughter
LaTourette	Ramstad	Thurman					Miller, Jeff	Smith (MI)
Lewis (CA)	Regula	Tiahrt					Mink	Smith (NJ)
Lewis (KY)	Rehberg	Tiberi					Mollohan	Smith (TX)
Linder	Reynolds	Toomey					Moore	Smith (WA)
Lipinski	Roemer	Turner					Moran (KS)	Snyder
LoBiondo	Rogers (KY)	Upton					Moran (VA)	Solís
Lucas (KY)	Rogers (MI)	Visclosky					Morella	Souder
Lucas (OK)	Rohrabacher	Vitter					Murtha	Spratt
Lynch	Ross	Walden					Myrick	Stearns
Manzullo	Rothman	Walsh					Nadler	Stenholm
Mascara	Royce	Wamp					Napolitano	Strickland
McCarthy (NY)	Ryan (WI)	Watkins (OK)					Neal	Stump
McCrery	Ryun (KS)	Watts (OK)					Ney	Stupak
McHugh	Sandlin	Weldon (FL)					Northup	Sullivan
McInnis	Saxton	Weldon (PA)					Norwood	Sununu
McIntyre	Schaffer	Weller					Nussle	Sweeney
McKeon	Schrock	Whitfield					Oberstar	Tancredo
Menendez	Sensenbrenner	Wicker					Obey	Tanner
Mica	Sessions	Wilson (NM)					Oliver	Tauscher
Miller, Dan	Shadegg	Wilson (SC)					Ortiz	Tauzin
Miller, Gary	Shaw	Wolf					Osborne	Taylor (MS)
Miller, Jeff	Shays	Young (AK)					(TX)	Taylor (NC)
Mink	Sherwood	Young (FL)					Jefferson	Terry

NOES—152

Abercrombie	Engel	Luther	Abercrombie	Brown (OH)	Delahunt	Jefferson	Owens	Thompson (CA)
Ackerman	Eshoo	Maloney (CT)	Ackerman	Brown (SC)	DeLauro	Jenkins	Thompson (MS)	Thompson (MS)
Allen	Evans	Maloney (NY)	Aderholt	Bryant	DeLay	Johnson (CT)	Thornberry	Thornberry
Andrews	Farr	Markey	Akin	Burr	DeMint	Johnson (IL)	Thune	Thune
Baird	Fattah	Matheson	Allen	Buyer	Deutsch	Johnson, E. B.	Tiahrt	Tiahrt
Baldacci	Filner	Matsui	Andrews	Callahan	Diaz-Balart	Johnson, Sam	Tiberi	Tiberi
Baldwin	Ford	McCarthy (MO)	Armey	Calvert	Dicks	Jones (NC)	Tierney	Tierney
Barrett	Frank	McCollum	Armey	Calvert	Dingell	Jones (OH)	Toomey	Toomey
Barton	Frost	McDermott	Baca	Camp	Doggett	Kanjorski	Towns	Towns
Becerra	Gephardt	McGovern	Bachus	Cantor	Dooley	Kaptur	Turner	Turner
Bentsen	Gonzalez	McKinney	Baird	Capito	Doolittle	Keller	Udall (CO)	Udall (CO)
Berkley	Gutierrez	McNulty	Baker	Capps	Doyle	Kelly	Udall (NM)	Udall (NM)
Berman	Harman	Meehan	Baldacci	Capuano	Dreier	Kennedy (RI)	Upton	Upton
Blumenauer	Hastings (FL)	Meek (FL)	Baldwin	Cardin	Duncan	Kerns	Velazquez	Velazquez
Bonior	Hilliard	Meeks (NY)	Ballenger	Carson (IN)	Dunn	Kilpatrick	Visclosky	Visclosky
Borski	Hinchev	Miller, George	Barcia	Carson (OK)	Edwards	Kind (WI)	Vitter	Vitter
Boucher	Hinojosa	Moore	Barr	Castle	Ehlers	Kind (WI)	Waldeen	Waldeen
Brown (FL)	Hoefel	Moran (VA)	Barrett	Chabot	Ehrlich	King (NY)	Walsh	Walsh
Brown (OH)	Holt	Morella	Bartlett	Chambliss	Emerson	Kingston	Wamp	Wamp
Capps	Honda	Nadler	Barton	Clayton	Engel	Kirk	Waters	Waters
Capuano	Hoolley	Napolitano	Bass	Clement	English	Klecza	Watkins (OK)	Watkins (OK)
Cardin	Houghton	Neal	Becerra	Clyburn	Eshoo	Knollenberg	Watt (NC)	Watt (NC)
Carson (IN)	Hoyer	Oberstar	Bentsen	Coble	Etheridge	Kolbe	Watts (OK)	Watts (OK)
Clayton	Israel	Obey	Bereuter	Collins	Evans	Kucinich	Weiner	Weiner
Clement	Jackson (IL)	Oliver	Berkley	Condit	Everett	LaFalce	Weldon (FL)	Weldon (FL)
Clyburn	Jackson-Lee	Owens	Berman	Conyers	Farr	LaHood	Weldon (PA)	Weldon (PA)
Condit	(TX)	Pallone	Berry	Cooksey	Fattah	Lampson	Weller	Weller
Conyers	Jefferson	Pastor	Biggett	Costello	Ferguson	Langevin	Wexler	Wexler
Coyne	Johnson (CT)	Payne	Bilirakis	Cox	Filner	Lantos	Whitfield	Whitfield
Crowley	Johnson, E. B.	Pelosi	Bishop	Coyne	Flake	Larsen (WA)	Wicker	Wicker
Cummings	Jones (OH)	Price (NC)	Blagojevich	Cramer	Fletcher	Larsen (CT)	Wilson (NM)	Wilson (NM)
Davis (CA)	Kennedy (RI)	Rangel	Blumenauer	Crenshaw	Foley	Latham	Wilson (SC)	Wilson (SC)
Davis (FL)	Kilpatrick	Rivers	Blunt	Crowley	Forbes	LaTourette	Wolf	Wolf
Davis (IL)	Kind (WI)	Rodriguez	Boehlert	Cublin	Ford	Leach	Woolsey	Woolsey
DeGette	Klecza	Ros-Lehtinen	Bonilla	Culberson	Fossella	Lee	Wu	Wu
Delahunt	Kucinich	Roybal-Allard	Bonior	Cummings	Frank	Levin	Wynn	Wynn
DeLauro	LaFalce	Sabo	Bono	Cunningham	Frelinghuysen	Lewis (CA)	Young (AK)	Young (AK)
Deutsch	Lantos	Sanchez	Boozman	Davis (CA)	Frost	Lewis (KY)	Young (FL)	Young (FL)
Diaz-Balart	Larson (CT)	Sanchez	Borski	Davis (FL)	Galleghy	Linder		
Dingell	Leach	Sanders	Boswell	Davis (IL)	Ganske	Lipinski		
Doggett	Lee	Sawyer	Boucher	Davis, Jo Ann	Gekas	LoBiondo		
Dooley	Levin	Schakowsky	Boyd	Davis, Tom	Gephardt			
Doyle	Lofgren	Schiff	Brady (PA)	Deal	Gibbons			
Ehlers	Lowey	Scott	Brady (TX)	DeFazio	Gilchrest			
			Brown (FL)	DeGette				

NOT VOTING—18

Kennedy (MN)	Riley
Lewis (GA)	Roukema
Millender-	Traficant
McDonald	Watson (CA)
Nethercutt	Waxman
Ose	
Reyes	

□ 0100

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PART B AMENDMENT NO. 10 OFFERED BY MR.

BEREUTER

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 10 printed in part B of House Report 107-450 offered by the gentleman from Nebraska (Mr. BEREUTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 412, noes 2, not voting 20, as follows:

[Roll No. 156]

AYES—412

NOES—2

Miller, Gary

Stark

NOT VOTING—20

Boehner	John	Ose
Burton	Kennedy (MN)	Reyes
Cannon	Lewis (GA)	Riley
Clay	McCarthy (MO)	Roukema
Combest	Millender-	Trafigant
Crane	McDonald	Watson (CA)
Hall (OH)	Nethercutt	Waxman

□ 0106

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. STUMP. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just want to take this opportunity to thank the gentleman from Missouri (Mr. SKELTON), the ranking member of the Committee on Armed Services, for all of the hard work and the cooperation that he has put into this bill in the last few days. He has been a joy to work with and a very good friend, and one could not ask for a better partner.

The subcommittee chairmen and the ranking members, thanks to them, and a special thanks, Mr. Chairman, to all of the staff people who have been working these last few weeks hour after hour after hour.

Mr. THOMAS. Mr. Chairman, I move to strike the last word.

I think all of us need to thank the gentleman from Arizona (Mr. STUMP), the chairman of the Committee on Armed Services, because as is his usual custom, he would never say that he put in more hours than anyone, worked harder, and has delivered an excellent and quality product.

Mr. SKELTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, let me thank the gentleman from Arizona (Mr. STUMP) for his very generous remarks, but I must say that the bill is appropriately named after him. I might also point out that when I first came to the Congress of the United States, the gentleman from Arizona was my very first friend when we came up here in December of 1976.

A lot of good memories in the memory bank about the gentleman from Arizona. He came out to Whiteman Air Force Base in Missouri with me back in the late 1970s and the airmen there had this wooden stump that they called Sergeant Eucalyptus P. Stump, and the gentleman from Arizona (Mr. STUMP) and Eucalyptus P. Stump had their picture taken together.

I might also say one of those great memories was going back to Ford Island with him in 1991, the 50th anniversary of the bombing of Pearl Harbor, and we went over to Ford Island and he showed me where he was back in 1943 during the war. He is a marvelous, marvelous legislator, a great friend, and one of the most decent human beings, and we thank him immensely for his hard work and his generosity.

The CHAIRMAN. There being no further amendments in order, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LATOURETTE) having assumed the chair, Mr. CAMP, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4546) to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, and for military construction, to prescribe military personnel strengths for fiscal year 2003, and for other purposes, pursuant to House Resolution 415, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. SPRATT

Mr. SPRATT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SPRATT. I am, in its present form, Mr. Speaker.

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

The Clerk read as follows:

Mr. Spratt moves to recommit the bill H.R. 4546 to the Committee on Armed Services with instructions to report the same back to the House forthwith with the following amendment:

At the end of subtitle C of title II (page 49, after line 17), insert the following new section:

SEC. 234. PROHIBITION ON DEVELOPMENT AND DEPLOYMENT OF NUCLEAR-TIPPED BALLISTIC MISSILE INTERCEPTORS.

(a) PROHIBITION ON USE OF FUNDS.—No funds appropriated or otherwise made available to the Department of Defense or the Department of Energy may be obligated or expended to develop or deploy a nuclear-tipped ballistic missile interceptor.

(b) DEFINITION.—In this section:

(1) The term “nuclear-tipped ballistic missile interceptor” means a ballistic missile defense system that employs a nuclear detonation to destroy an incoming missile or reentry vehicle.

(2) The term “develop” includes any activities referred to in section 179(d)(8) of title 10, United States Code, more advanced than feasibility studies.

Mr. SPRATT (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina (Mr. SPRATT) is recognized for 5 minutes in support of his motion to recommit.

Mr. SPRATT. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, when Ronald Reagan launched the Strategic Defense Initiative, he made a wise decision. He decided that SDI should be non-nuclear, and he did it for good reason. SDI was not the genesis of missile defense. President Johnson had proposed a missile defense system in 1967, a system he called the Sentinel. It was to be deployed at 15 sites around the country, but it packed a nuclear warhead, and the news of its coming was not warmly welcomed.

When the Nixon administration came to office, it answered the local resistance to the Sentinel by naming it the Safeguard and by reorienting its mission. Safeguard consisted of 2 interceptors: Spartan, a third-stage missile with a 1 megaton warhead, and Sprint, a shorter range missile with a warhead that produced an intense burst of neutrons. Both of them were radar-guided. Neither was accurate enough for what we call today hit-to-kill, but with a 1-megaton warhead, the Spartan did not need hit-to-kill. The lethal range for the x-rays generated by its warhead above the atmosphere was several kilometers.

These systems were flight-tested often, and compiled an unimpressive record, but there was one flaw that really did it in. A nuclear weapon detonation above the atmosphere produces a huge quantity of electrons. Their interaction creates electromagnetic pulse and ionizes the whole top of the atmosphere. And when electrons in this mix reach a certain density, the waves that are projected by long-range radars are weakened to the point that they can no longer see objects as small as reentry vehicles. In other words, the Spartan and the Sprint, put together, were self-blinding. They did not work. They were self-defeating.

In October 1975, we opened the site at Grand Forks for the deployment of the system and it lasted all of 2 months; 2 months. We spent \$20 billion in today's money and the system was shut down.

Now, after spending \$20 billion to learn that nuclear-tipped interceptors are self-blinding, self-defeating, let us do not go down that path again. After spending another \$60 billion since SDI to perfect the technology we today call hit-to-kill, let us stick to our knitting. It is about to work. It is about to come to fruition. Let us keep missile defense focused on things that are feasible.

Now, my colleagues may say that what I am doing in this motion is setting up a straw man and then knocking him down; that MDA is not even developing so-called nuclear-tipped interceptors, and that is true, for now.

□ 0115

But there are reports that Secretary of Defense Rumsfeld asked the Defense

Science Board to weigh this option, and here is what our own committee report says at page 230, in this bill on page 230:

"The committee understands that the Department may investigate other options for ballistic missile defense; among them, nuclear armed interceptors. The committee would consider the examination of such an alternative to be a prudent step." I do not consider that to be prudent in terms of dollars or defense policy. That is why I move to recommit and undo this language.

Mr. Speaker, I yield 1 minute and 50 seconds to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I urge support for this motion to recommit to prohibit the development or deployment of nuclear-tipped ballistic missile interceptors.

As the gentleman from South Carolina has said, the Safeguard nuclear antimissile system was canceled by Congress 2 months after it was deployed in 1975, partly because the new Russian MERVs would easily evade the defense and partly because the public would not tolerate U.S.-nuclear explosions over our cities and territories as a way of defending this country.

President Reagan's Strategic Defense Initiative rejected the nuclear option. If President Reagan knew it was a bad idea 20 years ago, why revive it now? Yet Secretary of Defense Rumsfeld has reportedly instructed the Defense Science Board to explore this option. There are bad ideas and there are really bad ideas, and this bill should slam the door on really bad, half-baked ideas like nuclear-tipped ballistic missile interceptors.

General Kadish, director of the Missile Defense Agency, has said that he has no interest in developing nuclear-tipped interceptors. He knows that Americans will never tolerate this sort of defense that relies on U.S. nuclear explosions over our homes, raining down radioactivity and blinding radars and other sensors of conventional missile defenses.

The Committee on Armed Services has held numerous hearings supporting hit-to-kill technology and showing it works. If it works, why return to nuclear explosions as a way of defending our country?

The other side will suggest that we should not restrict the Pentagon's ability to experiment with any technology; but, Mr. Speaker, if that is true, why are we even here? Why do we not write a blank check at the beginning of the year and go home? Because Congress has a constitutional duty to set spending priorities. We should reject this type of missile defense and vote for the motion to recommit.

Mr. SPRATT. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let us vote to affirm Ronald Reagan's wisdom. Let us win one for the Gipper. Vote "aye" for non-nuclear missile defense.

Mr. HUNTER. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from California (Mr. HUNTER) is recognized for 5 minutes.

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

Mr. Speaker, there is no plan, no funding, no blueprint to use nuclear-tipped interceptors. In fact, we do not have them. We used to, and we disassembled them.

But the Soviet Union, now Russia, does indeed have them; and we are doing precisely, if we vote for this motion to recommit, precisely what the Gipper did not want us to do, and that is for Congress to take all the chips off the table when the President has an opportunity to maybe negotiate down or negotiate out that nuclear-tipped Galosh force that Russia maintains around Moscow right now.

So let us win one for the Gipper; let us not vote for this motion to recommit.

Let me just say one other thing to my Democrat friends. I was all set for a motion to recommit on base closing. What happened to that motion to recommit? I thought that would be what they would offer up here.

I would recommend to us that we kind of keep our eye on the ball. The ball is, we are providing in this bill for the Armed Forces of the United States of America. This bill has been the product of literally thousands of hours put in by Members on both sides of the aisle, by the staff.

I do not know how the rest of the Members feel, but the last 8 months, I have felt a little bit like it must have been after Pearl Harbor. We were hit by a sneak attack in this country. It killed thousands of our citizens. We came together, and a wave of patriotism and spirit moved across this country.

We stood behind our military people. We sent our uniformed forces out to hunt down the enemy and engage them in combat. They have been doing that very, very effectively. I think it is entirely appropriate that we name this bill in honor of the gentleman from Arizona (Mr. STUMP), because he is one of those World War II veterans who joined at the age of 16.

The gentleman from California (Mr. ROHRBACHER) mentioned to me that it might be a good time to mention the other World War II veterans, because we do not have a lot of them. They are a great asset to this Congress.

I would just ask, if they are here tonight, if they can stand: the gentleman from Michigan (Mr. DINGELL), the gentleman from Illinois (Mr. HYDE), the gentleman from New York (Mr. GILMAN), the gentleman from Texas (Mr. HALL), the gentleman from Ohio (Mr. REGULA), and the gentleman from New York (Mr. HOUGHTON).

If we have missed anyone, please stand up. Let us give them a round of applause. And the gentleman from North Carolina (Mr. BALLENGER).

Now, Mr. Speaker, we have come together. We have put in thousands of hours with staff and Members. We have put together a great bill that does what we are supposed to do, and that is, we have given the President and our troops the tools that they need to do the job. They are doing their duty, and 1.2 million Americans in uniform across the world are doing their duty to serve this country. Let us do our duty. Let us pass this bill.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from California.

Mr. THOMAS. I thank the gentleman for yielding.

Mr. Speaker, just to make sure that everybody understands what this vote is, a way of looking at it would be to vote yes or no as a referendum on the motion for the committee to rise and those who sponsored it. If Members like the motion to rise, vote yes; if they did not like what happened, vote no.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. SPRATT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 193, noes 223, not voting 18, as follows:

[Roll No. 157]

AYES—193

Abercrombie	Costello	Gutierrez
Ackerman	Coyne	Harman
Allen	Cramer	Hastings (FL)
Andrews	Crowley	Hill
Baca	Cummings	Hilliard
Baird	Davis (CA)	Hinche
Baldacci	Davis (FL)	Hinojosa
Baldwin	Davis (IL)	Hoeffel
Barcia	DeFazio	Holden
Barrett	DeGette	Holt
Becerra	Delahunt	Honda
Bentsen	DeLauro	Hooley
Berkley	Deutsch	Hoyer
Berman	Dicks	Inslee
Berry	Dingell	Israel
Bishop	Doggett	Jackson (IL)
Blagojevich	Dooley	Jackson-Lee
Blumenauer	Doyle	(TX)
Bonior	Edwards	Jefferson
Borski	Ehlers	Johnson, E. B.
Boswell	Engel	Jones (OH)
Boucher	Eshoo	Kanjorski
Brady (PA)	Etheridge	Kaptur
Brown (FL)	Evans	Kennedy (RI)
Brown (OH)	Farr	Kildee
Capps	Fattah	Kilpatrick
Capuano	Filner	Kind (WI)
Cardin	Ford	Klecza
Carson (IN)	Frank	Kucinich
Clayton	Frost	LaFalce
Clement	Gephardt	Lampson
Clyburn	Gonzalez	Langevin
Condit	Gordon	Lantos
Conyers	Green (TX)	Larsen (WA)

Larson (CT) Murtha
 Leach Nadler
 Lee Napolitano
 Levin Neal
 Lofgren Oberstar
 Lowey Obey
 Luthier Oliver
 Lynch Ortiz
 Maloney (CT) Owens
 Maloney (NY) Pallone
 Markey Pascrell
 Mascara Pastor
 Matheson Payne
 Matsui Pelosi
 McCarthy (MO) Pomeroy
 McCarthy (NY) Price (NC)
 McCollum Rahall
 McDermott Rangel
 McGovern Rivers
 McIntyre Rodriguez
 McKinney Roemer
 McNulty Ross
 Meehan Rothman
 Meek (FL) Roybal-Allard
 Meeks (NY) Rush
 Menendez Sabo
 Miller, George Sanchez
 Mink Sanders
 Mollohan Sawyer
 Moore Schakowsky
 Moran (VA) Schiff

NOES—223

Aderholt Gibbons
 Akin Gilchrest
 Arney Gillmor
 Bachus Gilman
 Baker Goode
 Ballenger Goodlatte
 Barr Goss
 Bartlett Graham
 Barton Granger
 Bass Graves
 Bereuter Green (WI)
 Biggert Greenwood
 Bilirakis Grucci
 Blunt Gutknecht
 Boehlert Hall (TX)
 Boehner Hansen
 Bonilla Hart
 Bono Hastings (WA)
 Boozman Hayes
 Boyd Hayworth
 Brady (TX) Hefley
 Brown (SC) Herger
 Bryant Hilleary
 Burr Hobson
 Buyer Hoekstra
 Callahan Horn
 Calvert Hostettler
 Camp Houghton
 Cantor Hulshof
 Capito Hunter
 Carson (OK) Hyde
 Castle Isakson
 Chabot Issa
 Chambliss Istook
 Coble Jenkins
 Collins Johnson (CT)
 Cooksey Johnson (IL)
 Cox Johnson, Sam
 Crenshaw Jones (NC)
 Cubin Keller
 Culberson Kelly
 Cunningham Kerns
 Davis, Jo Ann King (NY)
 Davis, Tom Kingston
 Deal Kirk
 DeLay Knollenberg
 DeMint Kolbe
 Diaz-Balart LaHood
 Doolittle Latham
 Dreier LaTourette
 Duncan Lewis (CA)
 Dunn Lewis (KY)
 Ehrlich Linder
 Emerson Lipinski
 English LoBiondo
 Everett Lucas (KY)
 Ferguson Lucas (OK)
 Flake Manzullo
 Fletcher McCrery
 Foley McHugh
 Forbes McInnis
 Fossella McKeon
 Frelinghuysen Mica
 Gallegly Miller, Dan
 Ganske Miller, Gary
 Gekas Miller, Jeff

Scott Serrano
 Sherman Skelton
 Slaughter Slaughter
 Smith (WA) Smith
 Snyder Solis
 Solis Spratt
 Stark Strickland
 Stupak Stupak
 Tanner Tanner
 Tauscher Tauscher
 Thompson (CA) Thompson
 Thompson (MS) Thompson
 Thurman Thurman
 Tierney Tierney
 Towns Towns
 Udall (CO) Udall
 Udall (NM) Udall
 Velazquez Velazquez
 Visclosky Visclosky
 Waters Waters
 Watt (NC) Watt
 Weiner Weiner
 Wexler Wexler
 Woolsey Woolsey
 Wu Wu
 Wynn Wynn

Terry Thomas
 Thomas Thornberry
 Thune Thune
 Tiahrt Tiahrt
 Tiberi Tiberi
 Toomey Toomey
 Turner Turner
 Upton Upton

Burton
 Cannon
 Clay
 Combest
 Crane
 Hall (OH)
 John

Vitter Walden
 Walden Walsh
 Walsh Wamp
 Watkins (OK) Watkins
 Watts (OK) Watts
 Weldon (FL) Weldon
 Weldon (PA) Weldon
 Weller Weller

NOT VOTING—18

Kennedy (MN) Kennedy
 Lewis (GA) Lewis
 Millender- Millender-
 McDonald McDonald
 Nethercutt Nethercutt
 Ose Ose
 Reyes Reyes

□ 0141

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The **SPEAKER pro tempore** (Mr. LATOURETTE). The question is on the passage of the bill.

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

RECORDED VOTE

Mr. STUMP. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 359, noes 58, not voting 18, as follows:

[Roll No. 158]

AYES—359

Abercrombie Castle
 Ackerman Chabot
 Aderholt Chambliss
 Akin Clement
 Allen Clyburn
 Andrews Coble
 Arney Collins
 Baca Condit
 Bachus Cooksey
 Baird Costello
 Baker Cox
 Baldacci Cramer
 Ballenger Crenshaw
 Barcia Crowley
 Barr Cubin
 Bartlett Culberson
 Barton Cummings
 Bass Cunningham
 Bentsen Davis (CA)
 Bereuter Davis (FL)
 Berkley Davis (IL)
 Berry Davis, Jo Ann
 Berry Davis, Tom
 Biggert Deal
 Bilirakis DeLauro
 Bishop DeLay
 Blagojevich DeMint
 Blunt Deutsch
 Boehlert Diaz-Balart
 Boehner Dicks
 Bonilla Dingell
 Bono Dooley
 Boozman Doolittle
 Borski Doyle
 Boswell Dreier
 Boucher Duncan
 Boyd Dunn
 Brady (PA) Edwards
 Brady (TX) Ehlers
 Brown (FL) Ehrlich
 Brown (SC) Emerson
 Bryant Engel
 Burr English
 Buyer Etheridge
 Callahan Evans
 Calvert Everett
 Camp Ferguson
 Cantor Flake
 Capito Fletcher
 Capps Foley
 Cardin Forbes
 Carson (IN) Ford
 Carson (OK) Fossella

Frelinghuysen Frost
 Gallegly Gallely
 Ganske Ganske
 Gekas Gekas
 Gephardt Gephardt
 Gibbons Gibbons
 Gilchrest Gilchrest
 Gillmor Gillmor
 Gilman Gilman
 Gonzalez Gonzalez
 Goode Goode
 Goodlatte Goodlatte
 Gordon Gordon
 Goss Goss
 Graham Graham
 Granger Granger
 Graves Graves
 Green (TX) Green
 Green (FL) Green
 Greenwood Greenwood
 Grucci Grucci
 Gutierrez Gutierrez
 Gutknecht Gutknecht
 Hall (TX) Hall
 Hansen Hansen
 Harman Harman
 Hart Hart
 Hastert Hastert
 Hastings (FL) Hastings
 Hastings (WA) Hastings
 Hayes Hayes
 Hayworth Hayworth
 Hefley Hefley
 Herger Herger
 Hill Hill
 Hilleary Hilleary
 Hilliard Hilliard
 Hinojosa Hinojosa
 Hobson Hobson
 Hoeffel Hoeffel
 Hoekstra Hoekstra
 Holden Holden
 Hooley Hooley
 Horn Horn
 Hostettler Hostettler
 Houghton Houghton
 Hoyer Hoyer
 Hulshof Hulshof
 Hunter Hunter
 Hyde Hyde
 Inslee Inslee
 Isakson Isakson

Israel Issa
 Issa Istook
 Istook Jefferson
 Jefferson Jefferson
 Jenkins Jenkins
 Johnson (CT) Johnson
 Johnson (IL) Johnson
 Johnson, E. B. Johnson
 Johnson, Sam Johnson
 Jones (NC) Jones
 Kanjorski Kanjorski
 Kaptur Kaptur
 Keller Keller
 Kelly Kelly
 Kennedy (RI) Kennedy
 Kerns Kerns
 Kildee Kildee
 King (NY) King
 Kingston Kingston
 Kirk Kirk
 Knollenberg Knollenberg
 Kolbe Kolbe
 LaFalce LaFalce
 LaHood LaHood
 Lampson Lampson
 Langevin Langevin
 Lantos Lantos
 Larsen (WA) Larsen
 Larson (CT) Larson
 Latham Latham
 LaTourette LaTourette
 Leach Leach
 Levin Levin
 Lewis (CA) Lewis
 Lewis (KY) Lewis
 Linder Linder
 Lipinski Lipinski
 LoBiondo LoBiondo
 Lowey Lowey
 Lucas (KY) Lucas
 Lucas (OK) Lucas
 Luther Luther
 Lynch Lynch
 Maloney (CT) Maloney
 Maloney (NY) Maloney
 Manzullo Manzullo
 Mascara Mascara
 Matheson Matheson
 Matsui Matsui
 McCarthy (MO) McCarthy
 McCarthy (NY) McCarthy
 McCollum McCollum
 McCrery McCrery
 McHugh McHugh
 McInnis McInnis
 McIntyre McIntyre
 McKeon McKeon
 McNulty McNulty
 Meehan Meehan
 Meek (FL) Meek
 Menendez Menendez
 Mica Mica
 Miller, Dan Miller
 Miller, Gary Miller
 Mink Mink
 Mollohan Mollohan

NOES—58

Baldwin Baldwin
 Barrett Barrett
 Becerra Becerra
 Blumenauer Blumenauer
 Bonior Bonior
 Brown (OH) Brown
 Capuano Capuano
 Clayton Clayton
 Conyers Conyers
 Coyne Coyne
 DeFazio DeFazio
 DeGette DeGette
 Delahunt Delahunt
 Doggett Doggett
 Eshoo Eshoo
 Farr Farr
 Fattah Fattah
 Filner Filner
 Frank Frank
 Hinchey Hinchey

Holt Holt
 Honda Honda
 Jackson (IL) Jackson
 Jackson-Lee Jackson-Lee
 Jones (OH) Jones
 Kilpatrick Kilpatrick
 Kind (WI) Kind
 Kleczka Kleczka
 Kucinich Kucinich
 Lee Lee
 Lofgren Lofgren
 Markey Markey
 McDermott McDermott
 McGovern McGovern
 McKinney McKinney
 Meeks (NY) Meeks
 Miller, George Miller
 Nadler Nadler
 Oberstar Oberstar

NOT VOTING—18

Kennedy (MN) Kennedy
 Lewis (GA) Lewis
 Millender- Millender-
 McDonald McDonald
 Nethercutt Nethercutt
 Ose Ose
 Reyes Reyes

Shays Sherman
 Sherman Sherman
 Sherwood Sherwood
 Shimkus Shimkus
 Shows Shows
 Shuster Shuster
 Simmons Simmons
 Simpson Simpson
 Skeen Skeen
 Skelton Skelton
 Slaughter Slaughter
 Smith (MI) Smith
 Smith (NJ) Smith
 Smith (TX) Smith
 Smith (WA) Smith
 Snyder Snyder
 Solis Solis
 Souder Souder
 Spratt Spratt
 Stearns Stearns
 Stenholm Stenholm
 Strickland Strickland
 Stump Stump
 Stupak Stupak
 Sullivan Sullivan
 Sununu Sununu
 Sweeney Sweeney
 Tancredo Tancredo
 Tanner Tanner
 Tauscher Tauscher
 Tauzin Tauzin
 Taylor (MS) Taylor
 Taylor (NC) Taylor
 Terry Terry
 Thomas Thomas
 Thompson (CA) Thompson
 Thompson (MS) Thompson
 Thornberry Thornberry
 Thune Thune
 Thurman Thurman
 Tiahrt Tiahrt
 Tiberi Tiberi
 Toomey Toomey
 Turner Turner
 Udall (NM) Udall
 Upton Upton
 Visclosky Visclosky
 Vitter Vitter
 Walden Walden
 Walsh Walsh
 Wamp Wamp
 Waters Waters
 Watkins (OK) Watkins
 Watts (OK) Watts
 Weldon (FL) Weldon
 Weldon (PA) Weldon
 Weller Weller
 Wexler Wexler
 Whitfield Whitfield
 Wicker Wicker
 Wilson (NM) Wilson
 Wilson (SC) Wilson
 Wolf Wolf
 Wynn Wynn
 Young (AK) Young
 Young (FL) Young

Obey Obey
 Oliver Oliver
 Owens Owens
 Paul Paul
 Payne Payne
 Rangel Rangel
 Rivers Rivers
 Sanders Sanders
 Schakowsky Schakowsky
 Serrano Serrano
 Stark Stark
 Tierney Tierney
 Towns Towns
 Udall (CO) Udall
 Velazquez Velazquez
 Watt (NC) Watt
 Weiner Weiner
 Woolsey Woolsey
 Wu Wu

□ 0147

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes."

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN THE ENGROSSMENT OF H.R. 4546, BOB STUMP NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2003

Mr. STUMP. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 4546, the Clerk be authorized to correct section numbers, punctuation, cross-references, and the table of contents, and to make other technical and conforming changes as may be necessary to reflect the action of the House in amending the bill.

The SPEAKER pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentleman from Arizona?

There was no objection.

GENERAL LEAVE

Mr. STUMP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4546, the bill just passed.

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

There was no objection.

ADJOURNMENT FROM FRIDAY, MAY 10, 2002 TO TUESDAY, MAY 14, 2002

Mr. STUMP. Mr. Speaker, I ask unanimous consent that when the House adjourns on Friday, May 10, 2002,

it adjourn to meet at 12:30 p.m. on Tuesday, May 14, 2002, for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. STUMP. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

PERSONAL EXPLANATION

Mr. BISHOP. Mr. Speaker, I regret that I was unavoidably detained this morning attending the funeral of the late Bishop J. Clinton Hoggard, and I unavoidably missed the following votes: rollcall votes 134, 135, 136 and 137.

Had I been here, I would have voted as follows: for rollcall 134 I would have voted nay; rollcall 135, nay; rollcall 136, nay; rollcall 137, nay.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, I was absent today from the House for a period of time due to official business because of my selection as a member of the United States delegation to the United Nations Special Session on Children which I participated in at the United Nations.

Because of that, Mr. Speaker, I missed the following rollcall votes: rollcall votes numbers 134, 135, 136, 137, 138, 139 and 140, 141 and 142. If I had been present I would have voted on 134, no; 135, no; 136, no; 137, no; 138, no; 139, no; 140, no; rollcall number 141, no; and 142, yes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HALL of Ohio (at the request of Mr. GEPHARDT) for today on account of attending ambassador school.

Ms. JACKSON-LEE of Texas (at the request of Mr. GEPHARDT) for today until 5:45 p.m. on account of official business; U.S. delegate to the U.N. special session on children.

Mr. REYES (at the request of Mr. GEPHARDT) for today after 1:00 p.m. on account of personal business.

Mr. CRANE (at the request of Mr. ARMEY) for today on account of personal reasons.

Mrs. ROUKEMA (at the request of Mr. ARMEY) for today after 12:30 p.m. on account of illness.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 378.—An act to redesignate the Federal building located at 3348 South Kedzie Avenue, in Chicago, Illinois, as the "Paul Simon Chicago Jobs Corps Center."

BILLS PRESENTED TO THE PRESIDENT

Jefferson Trandahl, Clerk of the House reports that on May 8, 2002 he presented to the President of the United States, for his approval, the following bills.

H.R. 2048. To require a report on the operations of the State Justice Institute.

H.R. 2305. To authorize certain Federal officials with responsibility for the administration of the criminal justice system of the District of Columbia to serve on and participate in the activities of the District of Columbia Criminal Justice Coordinating Council, and

H.R. 3525. To enhance the border security of the United States, and for other purposes.

H.R. 4156. To amend the Internal Revenue Code of 1986 to clarify that the parsonage allowance exclusion is limited to the fair rental value of the property.

ADJOURNMENT

Ms. JACKSON-LEE of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 50 minutes a.m.), the House adjourned until today, Friday, May 10, 2002, at 10 a.m.