

voice and saying that we are going to right that wrong and provide equity for all.

Mr. SHAYS. Madam Speaker, I rise in strong support of the motion offered by the gentleman from New York and the gentlemen from North Carolina.

Now and then, a proposal comes before Congress that makes such good sense, it's a wonder no one thought of it sooner. We have just such a proposal before us today.

Under Section 11 of the Terrorism Risk Insurance Act, Americans who are victims of cowardly terrorist acts will get the justice they deserve—not just an IOU.

Allowing victims to enforce judgments against terrorists and state sponsors of terrorism will serve two vital purposes. First, it will compensate the victims of terrorism and their families. These brave men and women have suffered unimaginable losses, and they shouldn't have to worry about whether the State Department will release frozen terrorist assets in the event they prevail in a lawsuit and be awarded funds.

Second, this provision will cut financing for terrorism off at the knees. The assets of terrorist states shouldn't simply be frozen—they should be seized. That's what we're doing here today.

Madam Speaker, I would like to thank Chairman MIKE OXLEY for his commitment to this legislation, and urge all of my colleagues to vote for this common-sense motion to instruct.

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

The SPEAKER pro tempore (Mrs. BIGGERT). Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from New York (Mr. FOSSELLA).

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

Mr. FOSSELLA. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

APPOINTMENT OF CONFEREES ON H.R. 5011, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2003

Mr. HOBSON. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5011) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2003, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. OLVER

Mr. OLVER. Madam Speaker, I offer a motion to instruct.

The Clerk read as follows:

Mr. OLVER moves that the managers on the part of the House on the conference of the disagreeing votes of the two Houses on the bill, H.R. 5011, be instructed to insist on the higher of House or Senate funding levels, with regard to funding for planning, design, construction, alterations and improvements of military facilities; including environmental remediation, barracks, hospitals, childcare facilities, and family housing.

The SPEAKER pro tempore. Under rule XXII, the gentleman from Massachusetts (Mr. OLVER) and the gentleman from Ohio (Mr. HOBSON) each will control 30 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. OLVER).

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

Madam Speaker, this is a straightforward motion that all Members will be able to support. It instructs the House conferees to work toward the highest funding levels possible.

Madam Speaker, as the ranking member for this subcommittee, I have visited many military installations with the chairman, the gentleman from Ohio (Mr. HOBSON), installations which are both on shore and offshore.

We both agree that there is a tremendous backlog in providing decent housing, modern workplaces, and critical security for our service men and women and their families. The needs are well beyond the funding available in either the House or the Senate bill, but I strongly believe we need to get every cent available for military construction to the Department of Defense.

I urge Members to support this motion to instruct.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, we are willing to accept the gentleman's motion.

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

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

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

There was no objection.

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

The motion to instruct was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. HOBSON, WALSH, DAN MILLER of Florida, and ADERHOLT, Mrs. GRANGER, Messrs. GOODE, SKEEN, VITTER, YOUNG of Florida, OLVER, EDWARDS, FARR of California, BOYD, DICKS, and OBEY.

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 5010, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2003

Mr. LEWIS of California. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5010) making appropriations for the Department of Defense for the fiscal year ending September 30, 2003, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

MOTION TO INSTRUCT OFFERED BY MR. OLVER

Mr. OLVER. Madam Speaker, I offer a motion to instruct.

The Clerk read as follows:

Mr. OLVER moves that the managers on the part of the House on the conference on the disagreeing votes of the two Houses on the bill, H.R. 5010, be instructed to insist on the higher funding levels permitted within the scope of conference with regard to chemical and biological defense programs, projects, and activities.

The SPEAKER pro tempore. Pursuant to rule XXII, the gentleman from Massachusetts (Mr. OLVER) and the gentleman from California (Mr. LEWIS) each will control 30 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. OLVER).

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

Madam Speaker, I offer this motion on behalf of the ranking subcommittee member, the gentleman from Pennsylvania (Mr. MURTHA), who has been detained.

Madam Speaker, it has become obvious to all that chemical and biological warfare is a clear and present danger to our country.

□ 1100

The two gentlemen who lead the Subcommittee on Defense of the Committee on Appropriations, the gentleman from California (Mr. LEWIS) and the gentleman from Pennsylvania (Mr. MURTHA), have recognized this fact for many years and have steadfastly worked to increase the funding for the variety of promising technologies in development to protect us from these weapons of mass destruction. We want, through this motion, to continue this.

Madam Speaker, I reserve the balance of my time.

Mr. LEWIS of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am prepared to accept the gentleman's motion.

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

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

The SPEAKER pro tempore (Mrs. BIGGERT). Without objection, the previous question is ordered on the motion.

There was no objection.

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

The motion to instruct was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Messrs. LEWIS of California, YOUNG of Florida, SKEEN, HOBSON, BONILLA, NETHERCUTT, CUNNINGHAM, FRELING-HUYSEN, TIAHRT, MURTHA, DICKS, SABO, VISCLOSKEY, MORAN of Virginia and OBEY.

There was no objection.

MOTION TO CLOSE CONFERENCE COMMITTEE MEETINGS ON H.R. 5010, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2003, WHEN CLASSIFIED NATIONAL SECURITY INFORMATION IS UNDER CONSIDERATION

Mr. LEWIS of California. Madam Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. LEWIS of California moves, pursuant to clause 12 of rule XXII, that meetings of the conference between the House and the Senate on H.R. 5010 be closed to the public at such times as classified national security information may be broached, providing that any sitting Member of Congress shall be entitled to attend any meeting of the conference.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. LEWIS).

On this motion, the vote must be taken by the yeas and nays.

Pursuant to clause 8 of rule XX, this vote on the motion to authorize closed meetings of the conference will be followed by two possible 5-minute votes on questions postponed earlier today.

The vote was taken by electronic device, and there were—yeas 365, nays 0, not voting 67, as follows:

[Roll No. 378]

YEAS—365

Abercrombie	Bonior	Cooksey
Ackerman	Bono	Costello
Aderholt	Boozman	Cox
Akin	Boswell	Coyne
Allen	Boucher	Cramer
Andrews	Boyd	Crane
Armey	Brady (PA)	Crenshaw
Baca	Brady (TX)	Cubin
Bachus	Brown (OH)	Culberson
Baird	Brown (SC)	Cummings
Baker	Burr	Cunningham
Baldacci	Burton	Davis (CA)
Baldwin	Buyer	Davis (FL)
Ballenger	Calvert	Davis (IL)
Barcia	Camp	Davis, Jo Ann
Barr	Cannon	Davis, Tom
Bass	Cantor	Deal
Becerra	Capito	DeFazio
Bentsen	Capps	DeGette
Bereuter	Capuano	DeLauro
Berkley	Carson (IN)	DeLay
Berman	Carson (OK)	DeMint
Berry	Castle	Deutsch
Biggert	Chabot	Dicks
Bilirakis	Chambliss	Dingell
Bishop	Clay	Doggett
Blagojevich	Clayton	Dooley
Blumenauer	Clyburn	Doolittle
Blunt	Coble	Doyle
Boehner	Combest	Dreier
Bonilla	Conyers	Duncan

Dunn	Kirk	Reyes	Hastings (WA)	Miller, George	Sanders
Edwards	Knollenberg	Reynolds	Herger	Miller, Jeff	Schaffer
Ehlers	Kolbe	Rivers	Hilleary	Mink	Serrano
Emerson	Kucinich	Rodriguez	Hoyer	Moran (VA)	Souder
Engel	LaFalce	Roemer	Istook	Moralla	Stump
English	LaHood	Rogers (KY)	Jackson-Lee	Murtha	Sununu
Eshoo	Lampson	Rogers (MI)	(TX)	Napolitano	Sweeney
Etheridge	Langevin	Rohrabacher	Kaptur	Neal	Taylor (NC)
Evans	Lantos	Ross	Kennedy (RI)	Nethercutt	Towns
Everett	Larsen (WA)	Rothman	King (NY)	Owens	Velazquez
Farr	Larson (CT)	Roybal-Allard	Klecza	Platts	Walsh
Ferguson	Latham	Royce	LaTourette	Pryce (OH)	Waters
Filner	Leach	Ryan (WI)	Linder	Rahall	Weiner
Flake	Lee	Ryun (KS)	Lynch	Riley	Weller
Fletcher	Levin	Sabo	Maloney (NY)	Ros-Lehtinen	Wynn
Foley	Lewis (CA)	Sanchez	Mascara	Roukema	Young (AK)
Forbes	Lewis (GA)	Sandlin	Meeks (NY)	Rush	
Ford	Lewis (KY)	Sawyer			
Fossella	Lipinski	Saxton			
Frank	LoBiondo	Schakowsky			
Frelinghuysen	Lofgren	Schiff			
Frost	Lowey	Schrock			
Gallegly	Lucas (KY)	Scott			
Ganske	Lucas (OK)	Sensenbrenner			
Gekas	Luther	Sessions			
Gephardt	Maloney (CT)	Shadegg			
Gibbons	Manzullo	Shaw			
Gillmor	Markey	Shays			
Gilman	Matheson	Sherman			
Gonzalez	Matsui	Sherwood			
Goode	McCarthy (MO)	Shimkus			
Goodlatte	McCarthy (NY)	Shows			
Gordon	McCollum	Shuster			
Goss	McCrery	Simmons			
Graham	McDermott	Simpson			
Granger	McGovern	Skeen			
Graves	McHugh	Skelton			
Green (TX)	McInnis	Slaughter			
Green (WI)	McIntyre	Smith (MI)			
Greenwood	McKeon	Smith (NJ)			
Grucci	McKinney	Smith (TX)			
Gutierrez	McNulty	Smith (WA)			
Gutknecht	Meehan	Snyder			
Hall (TX)	Meek (FL)	Solis			
Hansen	Menendez	Spratt			
Harman	Mica	Stark			
Hart	Millender-McDonald	Stearns			
Hastings (FL)	Miller, Dan	Stenholm			
Hayes	Miller, Gary	Strickland			
Hayworth	Mollohan	Stupak			
Hefley	Moore	Sullivan			
Hill	Moran (KS)	Tancredo			
Hilliard	Myrick	Tanner			
Hinchev	Nadler	Tauscher			
Hinojosa	Ney	Tauzin			
Hobson	Northup	Taylor (MS)			
Hoeffel	Norwood	Terry			
Hoekstra	Nussle	Thomas			
Holden	Oberstar	Thompson (CA)			
Holt	Obey	Thompson (MS)			
Honda	Oliver	Thornberry			
Hooley	Ortiz	Thune			
Horn	Osborne	Thurman			
Hostettler	Ose	Tiahrt			
Houghton	Otter	Tiberi			
Hulshof	Oxley	Tierney			
Hunter	Pallone	Toomey			
Hyde	Pascarella	Turner			
Inlee	Isakson	Udall (CO)			
Isakson	Israel	Udall (NM)			
Issa	Payne	Upton			
Jackson (IL)	Pelosi	Visclosky			
Jefferson	Pence	Vitter			
Jenkins	Peterson (MN)	Walden			
John	Peterson (PA)	Wamp			
Johnson (CT)	Petri	Watkins (OK)			
Johnson (IL)	Phelps	Watson (CA)			
Johnson, E. B.	Pickering	Watt (NC)			
Johnson, Sam	Pitts	Watts (OK)			
Jones (NC)	Pombo	Waxman			
Jones (OH)	Pomeroy	Weldon (FL)			
Kanjorski	Portman	Weldon (PA)			
Keller	Price (NC)	Wexler			
Kelly	Putnam	Whitfield			
Kennedy (MN)	Quinn	Wicker			
Kerns	Radanovich	Wilson (NM)			
Kildee	Ramstad	Wilson (SC)			
Kilpatrick	Rangel	Wolf			
Kind (WI)	Regula	Woolsey			
Kingston	Rehberg	Wu			
		Young (FL)			

NOT VOTING—67

Barrett	Bryant	Crowley
Barlett	Callahan	Delahunt
Barton	Cardin	Diaz-Balart
Boehlert	Clement	Ehrlich
Borski	Collins	Fattah
Brown (FL)	Condit	Gilchrest

Hastings (WA)	Miller, George	Sanders
Herger	Miller, Jeff	Schaffer
Hilleary	Mink	Serrano
Hoyer	Moran (VA)	Souder
Istook	Moralla	Stump
Jackson-Lee	Murtha	Sununu
(TX)	Napolitano	Sweeney
Kaptur	Neal	Taylor (NC)
Kennedy (RI)	Nethercutt	Towns
King (NY)	Owens	Velazquez
Klecza	Platts	Walsh
LaTourette	Pryce (OH)	Waters
Linder	Rahall	Weiner
Lynch	Riley	Weller
Maloney (NY)	Ros-Lehtinen	Wynn
Mascara	Roukema	Young (AK)
Meeks (NY)	Rush	

□ 1128

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on rollcall No. 378 had I been present, I would have voted "yea."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to clause 8 of rule XX and the Chair's prior announcement, the Chair will now put each question on which further proceedings were postponed earlier today in the following order:

On instructing conferees on H.R. 3210, the yeas and nays; and on approving the Journal, de novo.

The Chair will reduce to 5 minutes the time for any electronic votes.

MOTION TO INSTRUCT CONFEREES ON H.R. 3210, TERRORISM RISK PROTECTION ACT

The SPEAKER pro tempore. The pending business is the question of agreeing to the motion to instruct on the bill, H.R. 3210, offered by the gentleman from New York (Mr. FOSSELLA) on which further proceedings were postponed earlier today.

The Clerk will designate the motion.

The Clerk designated the motion.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 373, nays 0, not voting 59, as follows:

[Roll No. 379]

YEAS—373

Abercrombie	Barcia	Blumenauer
Ackerman	Barr	Blunt
Aderholt	Barton	Boehner
Akin	Bass	Bonilla
Allen	Becerra	Bonior
Andrews	Bentsen	Bono
Armey	Bereuter	Boozman
Baca	Berkley	Boswell
Bachus	Berman	Boucher
Baird	Berry	Boyd
Baker	Biggert	Brady (PA)
Baldacci	Bilirakis	Brady (TX)
Baldwin	Bishop	Brown (OH)
Ballenger	Blagojevich	Brown (SC)