

Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Isakson
Issa
Istook
Janklow
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kucinich
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)

Manzullo
Matheson
McCotter
McHugh
McIntyre
McKeon
McNulty
Mica
Michaud
Miller (FL)
Miller (MI)
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Northup
Norwood
Nunes
Nussle
Oberstar
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Platts
Pommo
Pomeroy
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher

Royce
Ryan (OH)
Ryan (WI)
Ryann (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Soudier
Stearns
Stenholm
Stupak
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)

NOT VOTING—33

Ackerman
Baca
Boyd
Brown, Corrine
Burton (IN)
Carson (IN)
Combest
DeFazio
Diaz-Balart, L.
Ford
Frost
Gallegly

Gephardt
Hinojosa
Hoeffel
Hyde
Lipinski
McCarthy (MO)
McCrery
McInnis
Millender-
McDonald
Miller, Gary
Ney

Ortiz
Payne
Peterson (MN)
Ros-Lehtinen
Sanchez, Loretta
Sanders
Smith (MI)
Snyder
Waters
Young (FL)

□ 1725

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

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. MCCARTHY of Missouri. Mr. Speaker, during rollcall vote No. 38, I was unavoidably detained. Had I been present, I would have voted "aye."

The SPEAKER pro tempore. 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.

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 241, nays 155, not voting 38, as follows:

[Roll No. 39]

YEAS—241

Aderholt
Akin
Alexander
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Beauprez
Bereuter
Berry
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Burgess
Burns
Burr
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Carter
Chabot
Chocola
Coble
Cole
Collins
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (AL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, M.
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gibbons
Gillmor

Gingrey
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hobson
Hoekstra
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sanders
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Soudier
Stearns
Stenholm
Stupak
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)

NAYS—155

Abercrombie
Allen
Andrews
Baird
Baldwin
Ballance
Bass
Becerra
Bell

Berkley
Berman
Biggart
Bishop (NY)
Blumenauer
Boehler
Boswell
Boucher
Brady (PA)

Brown (OH)
Capps
Capuano
Cardin
Cardoza
Case
Castle
Clay
Clyburn

Conyers
Cooper
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Doggett
Dooley (CA)
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Frank (MA)
Gilchrest
Gonzalez
Green (TX)
Greenwood
Grijalva
Gutierrez
Harman
Hastings (FL)
Hinchee
Holt
Honda
Hooley (OR)
Houghton
Hoyer
Inslie
Israel
Jackson (IL)
Jackson-Lee
(TX)
Johnson (CT)

Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kilpatrick
Kind
Kleczka
Kolbe
Lampson
Lantos
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Majette
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
Meehan
Meek (FL)
Meeks (NY)
Menendez
Miller (NC)
Miller, George
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ose
Owens
Pallone
Pastor
Paul
Pelosi
Price (NC)

Pryce (OH)
Ramstad
Rangel
Rodriguez
Rothman
Roybal-Allard
Ruppersberger
Rush
Sabo
Sanchez, Linda
T.
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wynn

NOT VOTING—38

Ackerman
Baca
Barton (TX)
Boyd
Brown, Corrine
Burton (IN)
Carson (IN)
Combest
DeFazio
Diaz-Balart, L.
Ford
Frost
Gallegly

Gephardt
Hinojosa
Hoeffel
Hyde
Lipinski
McCarthy (MO)
McCarthy (NY)
McCrery
McInnis
McIntyre
Millender-
McDonald
Miller, Gary

Ney
Oberstar
Ortiz
Payne
Peterson (MN)
Ros-Lehtinen
Sanchez, Loretta
Serrano
Smith (MI)
Snyder
Vitter
Waters
Young (FL)

The SPEAKER (during the vote). There are 2 minutes remaining in this vote.

□ 1732

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. VITTER. Mr. Speaker, I was inadvertently absent for rollcall vote 39. Were I present, I would have voted "aye" in support of H.R. 534, the Human Cloning Prohibition Act.

Stated against:

Ms. MCCARTHY of Missouri. Mr. Speaker, during rollcall vote No. 39, I was unavoidably detained. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on Thursday, February 27, I was unavoidably detained due to a prior obligation in my district. I request that the CONGRESSIONAL RECORD reflect that had I been present and voting, I would have voted "yes" on rollcall No. 37, on "yes" rollcall No. 38, and on "no" rollcall No. 39.

PERSONAL EXPLANATION

Mr. HOEFFEL. Mr. Speaker, unfortunately, I was absent for votes on Thursday, February 27, 2003 as a result of the passing of my mother, Mrs. Eleanore Hoeffel. Had I been present, I would have cast my votes as follows: rollcall vote No. 37 "nay," rollcall vote No. 38 "aye," rollcall vote No. 39 "nay."

PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, due to an unavoidable conflict in my schedule, I was unable to be present during rollcall votes 37–39. Had I voted, I would have voted "no" on rollcall votes 37–38, and "yea" on rollcall vote 39.

GENERAL LEAVE

Mr. PENCE. 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. 534, the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to the distinguished gentleman from Texas (Mr. DELAY), the majority leader, for the purposes of asking the majority leader the schedule for the coming week.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman for yielding. I am told that the airports are still open. I know all of our Members are rushing to catch their planes to go back to their districts, and I wish them a very good weekend. But, Mr. Speaker, I do appreciate the gentleman from Maryland (Mr. HOYER) for yielding to me.

Mr. Speaker, the House will convene on Tuesday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several measures under suspension of the rules, and a final list of those bills will be sent to the Members' offices early next week. There will be no votes in the House before 6:30 on Tuesday.

On Wednesday we expect to consider two bills from the Committee on Ways and Means: the Miscellaneous Trade and Technical Corrections Act of 2003 and H.R. 743, the Social Security Protection Act of 2003.

On Thursday we expect to consider H.R. 878, the Armed Forces Tax Fairness Act.

Mr. Speaker, I thank the gentleman for yielding, and I will be happy to answer any questions the gentleman may have.

Mr. HOYER. I thank the gentleman for his comments. Reclaiming my time, the first question I have, Mr. Leader, am I correct that the two tax

bills that you refer to as Miscellaneous Trade and Technical Corrections and Social Security Protection Act are essentially technical in nature?

Mr. DELAY. If the gentleman would continue to yield, that is correct.

Mr. HOYER. Mr. Majority Leader, could you advise the House of when your expectation is that the medical malpractice legislation would be coming to the floor?

Mr. DELAY. If the gentleman would continue to yield, I appreciate the gentleman asking. My understanding is that the Committee on the Judiciary and the Committee on Energy and Commerce have tentative plans to mark up the medical liability bills sponsored by the gentleman from Pennsylvania (Mr. GREENWOOD) sometime next week. Once that bill is reported by the two committees, I would expect quick action in this House. I would also note that the Committee on Energy and Commerce and the Committee on Ways and Means have held mark-ups of legislation dealing with medical errors. I would expect legislation dealing with medical errors to be considered soon by the House as well, probably in the same week as the medical liability bill.

Mr. HOYER. Reclaiming my time, would I be correct that the soonest that would be done would be the week after next?

Mr. DELAY. The gentleman is correct.

Mr. HOYER. I thank the gentleman. Secondly, could the majority leader tell me when he expects the budget resolution to be scheduled for the floor? I yield to the gentleman.

Mr. DELAY. I appreciate the gentleman yielding. I will say we will be as ambitious as I have seen in a long time in trying to bring the budget to the floor of the House, get the budget process done in an expedited manner. The Committee on the Budget is continuing to hold hearings with administration officials, economists and other budget experts; but we expect the House to consider the budget resolution actually on a schedule that allows us to have the conference report completed by April 15, as the Budget Act requires.

Mr. HOYER. I thank the gentleman for that answer; and reclaiming my time, I would ask the gentleman if he expects the President's tax proposal, or the majority's tax proposal, to be included within the budget document. I yield to the gentleman.

Mr. DELAY. I appreciate the gentleman yielding, and I would expect that there would be a tremendous debate over the size of the Economic Growth and Jobs Creation Act, and whatever that size is would be included in the budget that comes out of the Committee on the Budget, yes.

Mr. HOYER. I thank the gentleman. One additional question, Mr. Leader, with reference to the budget. Has the majority made a determination yet as to whether or not it will be a 5-year or a 10-year budget projection?

Mr. DELAY. If the gentleman would continue to yield, that decision has not been made yet. I know there are ongoing consultations with the chairman of the Committee on the Budget in the other body and also with the majority leader in the other body. The Speaker and the leadership on this side are consulting with them. That decision has not been made yet, but probably will be made fairly soon, certainly by the time the chairman lays out his mark.

Mr. HOYER. I thank the leader for that observation, and unfortunately I think I agree with him. But very frankly, Mr. Leader, if we could get maybe a little advice prior to the mark being laid on the table, it would be helpful for us to fairly consider the chairman's mark.

Mr. DELAY. If the gentleman would continue to yield, as the gentleman knows, it will probably be in the press before we even make the decision, so the gentleman can probably read it there.

Mr. HOYER. I thank the gentleman. And if he thinks the press will be dispositive of that issue, I will take that to heart.

Mr. Leader, could you also tell me the status of the Partial Birth Abortion Bill that we had understood would be considered early, perhaps as early as next week? And there was some discussion about it this week, but now we hear there may be an intent to wait on the other body's acting on this and sending it to the House. Can you bring us up to date on what the plans are on this?

I yield to the gentleman.

Mr. DELAY. I appreciate the gentleman yielding to me. At this time I do not believe the gentleman from Wisconsin (Mr. SENSENBRENNER) has scheduled any action on this legislation, the partial birth abortion ban. Having said that, I do believe that this is really important legislation. This is something that the Senate has indicated they will move early this year, and it is certainly something that I would expect the House to vote on at least by the beginning of the summer.

Mr. HOYER. I thank the leader for the information.

ADJOURNMENT TO MONDAY,
MARCH 3, 2003

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it stand adjourned to meet at noon on Monday, March 3, 2003.

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

There was no objection.

HOUR OF MEETING ON TUESDAY,
MARCH 4, 2003

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, it stand adjourned to meet at 12:30 p.m., Tuesday, March 4, 2003 for morning hour debates.