

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on 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.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 414, nays 12, not voting 9, as follows:

[Roll No. 108]

YEAS—414

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

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

NAYS—12

Blumenauer	Crijalva	Paul
DeFazio	Kucinich	Sanders
Farr	Lee	Watson
Flake	Lewis (GA)	Woolsey

NOT VOTING—9

Berman	Hyde	Oberstar
Combest	McCarthy (MO)	Walden (OR)
Gephardt	McInnis	Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE) (during the vote). Members are reminded there are 2 minutes left in this vote.

□ 2259

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 2300

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I yield to the gentleman from Texas (Mr. DELAY) for the purposes of informing the body as to the schedule for the coming week.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman from Maryland (Mr. HOYER) yielding to me.

Mr. Speaker, the House will convene on Monday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several measures under a suspension of the rules and a final list sent to Members' offices by the end of the week.

We may also consider a motion to go to conference on the Armed Services Tax Fairness Act and any votes called on these measures, though, will be rolled until 6:30 p.m.

On Tuesday we expect to consider several additional bills under suspension of the rules, as well as S. 380, which is virtually identical to the Postal Service Reform Bill that we had scheduled for consideration tonight.

For Wednesday and the balance of the week we have several measures that we will consider under a rule. These include the gun manufacturers liability Reform Bill that was reported by the Committee on the Judiciary earlier today, the comprehensive energy policy bill, the FY 2004 Budget Resolution Conference Report, and the Conference Report on the FY 2003 War Supplemental.

I would note for Members that we plan to stay in session into the week-end if necessary in order to complete the supplemental before our spring recess.

I thank the gentleman for yielding, and I am happy to answer any questions.

Mr. HOYER. Mr. Speaker, I thank the gentleman for his information. First, if I might, Mr. Leader, you indicate that we may also consider a motion to go to conference on the Armed Services Tax Fairness Act on Monday. Do you know whether that is more definite now? The reason I ask that is we may want to have a motion to instruct on this side.

I yield to the gentleman.

Mr. DELAY. I appreciate the gentleman yielding and I wish I could give him a more definite answer. We are trying to consider how we would approach this very important bill and we want to get it out before the Easter break. And the best I can tell the gentleman is it looks like we are going to conference on it or we want to go to conference on it. But I do not want to mislead him. There may be other alternatives available to us after we consider work with the Senate.

Mr. HOYER. I thank the gentleman for that information, and I would appreciate as soon as you know how you are going to handle this if you would let us know.

Mr. DELAY. Absolutely, I will let the gentleman know, so he will have plenty of time to write a motion to instruct.

Mr. HOYER. Thank you, Mr. Leader. Will there definitely be votes next Friday?

Mr. DELAY. If the gentleman would yield, "definitely" is a very tough word in this business and on this floor. I would think, looking at the work ahead of us, that the probability of having votes on Friday is more to the affirmative than to the negative.

Mr. HOYER. The gentleman certainly has outlined some very significant pieces of legislation that may be on the floor.

Mr. DELAY. If the gentleman would yield, I do want to repeat that it is very possible that we could have votes on Friday and we intend to pass the War Supplemental Conference Report and send it to the President before we break for the break. And if things get a little difficult, we could actually be here through the weekend.

Mr. HOYER. Reclaiming my time, I thank the gentleman for his comment and I hear him talking about the supplemental. Does the leader believe that the budget conference report is a necessary piece of legislation for us to pass before we leave? I know you mentioned that you might want to try to do that, but does your side believe that is necessary before we leave next week?

Mr. DELAY. If the gentleman would yield, I have not personally consulted with the Speaker or the rest of the leadership, but it is my own understanding that the conference report on the budget is as important as doing the supplemental. But the word that I have is things are progressing with that conference report. There are very few issues to resolve, and we have the greatest expectation that that conference report will be on the floor sometime next week and will not slow down our ability to go into the Easter break.

Mr. HOYER. I thank the gentleman for that comment.

Related to the budget conference, Mr. Leader, do you expect that we will have a debt limit vote on the floor either as a part of the conference report or as a freestanding bill of some type or other in the week to come?

Mr. DELAY. If the gentleman would yield, the gentleman is very well aware that we reinstated a very important rule called the Gephardt rule that includes in the budget conference report the number that is needed in order to raise the debt ceiling. So the vote on the conference report as far as the House is concerned is the vote on the debt ceiling.

Mr. HOYER. I thank the gentleman for reminding me. Is that the same Gephardt rule that the minority, when the Democrats were in control, thought was undemocratic, masked the desire of Democrats to raise the debt limit and spend more money; is that the same rule you are talking about re-instituting and you have reinstated

and are going to apply? I just want to clarify and make sure that is the same awful rule that you attacked so vigorously when you were in the minority.

Mr. DELAY. I think it is a different rule. I think it is the Hastert rule now.

Mr. HOYER. A rule by any other name, my friend.

The energy bill, Mr. Leader, do you have a pretty good estimate as to which day of the week that bill might come to the floor?

Mr. DELAY. If the gentleman would yield, as the gentleman knows, this is a very complicated piece of legislation that has had at least four committees consider. All four committees have reported, and we have to get together with the minority to pull this bill together and bring it to the floor, and we hope to schedule that bill for some time on Wednesday; if not Wednesday, on Thursday of next week.

Mr. HOYER. I thank the gentleman for that information.

May I also ask him, and I see the chairman of the Committee on Rules on the floor, you correctly observed, Mr. Leader, this is a complicated bill, a lot of different subjects, very important subjects, very consequential subjects. What, if you know, perhaps the chairman of the Committee on Rules knows, do you contemplate an open rule such as the rule we had on the floor today?

Mr. DELAY. The discussion in the Committee on Rules has not been forthcoming, and certainly we would hope that a rule would be fashioned to give every Member of the House the greatest opportunity to express himself on a very important and complicated piece of legislation like the energy bill.

Mr. HOYER. Reclaiming my time, we share the leader's hope.

I yield to the distinguished chairman of the Committee on Rules.

Mr. DREIER. I thank the gentleman for yielding. I would say that the majority leader has outlined the goal that the Committee on Rules has on every piece of legislation. We demonstrated that this evening, allowing an opportunity for Members to consider a wide range of issues. And we know, as has been said by everyone, that the energy bill is going to be a very complex piece of legislation. There are a number of committees that have been involved in the process, and we anxiously look forward to resolving some of those questions in the Committee on Rules, and then we will come forward with an opportunity for a wide range of considerations.

Mr. HOYER. Reclaiming my time, I would say again in all sincerity to my friend, the chairman of the Committee on Rules, and the leader, this is the kind of legislation, which you are absolutely correct, which is very serious, very complicated, and ought to have the fullest airing on the floor of this House. Obviously, it has had a full airing in a number of committees.

□ 2310

We would urge and very strongly hope that the goal that the gentleman

has expressed as his will, in fact, be followed so that alternatives can be offered by committee or individual Members on this side of the aisle as well as that side of the aisle when this bill comes to the floor.

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

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

Mr. DREIER. Mr. Speaker, I would just say that we will certainly take the recommendation of our friend, the minority whip, into consideration as we proceed; and I thank my friend for yielding.

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ADJOURNMENT TO MONDAY,  
APRIL 7, 2003

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

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

There was no objection.

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DISPENSING WITH CALENDAR  
WEDNESDAY BUSINESS ON  
WEDNESDAY NEXT

Mr. DELAY. 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 Texas?

There was no objection.

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ANNOUNCEMENT BY COMMITTEE  
ON RULES REGARDING H.R. 1036,  
PROTECTION OF LAWFUL COM-  
MERCE IN ARMS ACT OF 2003

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet the week of April 7 to grant a rule which could limit the amendment process for floor consideration of H.R. 1036, the Protection of Lawful Commerce in Arms Act.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in Room H-312 of the Capitol by 10 a.m. on Tuesday, April 8. Members should draft their amendment to the bill as reported by the Committee on the Judiciary on April 3, 2003.

Members are advised that the text should be available for their review on the Web sites of the Committee on the Judiciary and the Committee on Rules today.

Members should use the Office of Legislative Council to ensure that their amendments are drafted in the most appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.