

[Roll No. 296]

AYES—262

Aderholt Gibbons Northrup  
 Akin Gilchrist Nunes  
 Bachus Gillmor Nussle  
 Baker Gingrey Osborne  
 Ballenger Gonzalez Ose  
 Barrett (SC) Goode Otter  
 Bartlett (MD) Goodlatte Oxley  
 Barton (TX) Goss Paul  
 Bass Granger Pearce  
 Beauprez Graves Pence  
 Bell Green (WI) Peterson (MN)  
 Bereuter Greenwood Peterson (PA)  
 Biggett Gutknecht Petri  
 Bilirakis Hall Pickering  
 Bishop (GA) Harman Pitts  
 Bishop (UT) Harris Platts  
 Blackburn Hart Pombo  
 Blunt Hastert Porter  
 Boehlert Hastings (WA) Portman  
 Boehner Hayes Pryce (OH)  
 Bonilla Hayworth Putnam  
 Bonner Hefley Quinn  
 Bono Hensarling Radanovich  
 Boozman Herger Ramstad  
 Bradley (NH) Hobson Regula  
 Brady (TX) Hoekstra Rehberg  
 Brown (SC) Hostettler Renzi  
 Brown-Waite, Houghton Reynolds  
   Ginny Hulshof Rogers (AL)  
 Burgess Hunter Rogers (KY)  
 Burns Hyde Rogers (MI)  
 Burr Isakson Rohrabacher  
 Burton (IN) Israel Ros-Lehtinen  
 Buyer Issa Rothman  
 Calvert Istook Royce  
 Camp Jackson-Lee Rush  
 Cannon (TX) Ryan (WI)  
 Cantor Janklow Ryun (KS)  
 Capito Jenkins Sanchez, Loretta  
 Carson (OK) John Sanchez, Loretta  
 Carter Johnson (CT) Saxton  
 Case Johnson (IL) Schrock  
 Castle Johnson, Sam Sensenbrenner  
 Chabot Jones (NC) Sessions  
 Chocola Keller Shadegg  
 Coble Kelly Shaw  
 Cole Kennedy (MN) Shays  
 Collins King (IA) Sherwood  
 Cooper King (NY) Shimkus  
 Cox Kingston Shuster  
 Cramer Kirk Simmons  
 Crane Kline Simpson  
 Crenshaw Knollenberg Skelton  
 Cubin Kolbe Smith (MI)  
 Culberson LaHood Smith (TX)  
 Cunningham Latham Snyder  
 Davis (AL) LaTourette Souder  
 Davis (IL) Leach Stearns  
 Davis (TN) Lewis (CA) Stenholm  
 Davis, Jo Ann Lewis (KY) Sullivan  
 Davis, Tom Linder Sweeney  
 Deal (GA) Lipinski Tancredo  
 DeLay LoBiondo Tauzin  
 DeMint Lucas (KY) Taylor (MS)  
 Diaz-Balart, L. Lucas (OK) Taylor (NC)  
 Diaz-Balart, M. Manzullo Terry  
 Doolley (CA) Marshall Thomas  
 Doolittle Matheson Thornberry  
 Dreier McCarthy (MO) Tiberi  
 Duncan McCotter Toomey  
 Dunn McCrery Turner (OH)  
 Edwards McHugh Turner (TX)  
 Ehlers McLinnis Upton  
 Emerson McIntyre Velazquez  
 English McKeon Vitter  
 Everett Meek (FL) Walden (OR)  
 Feeney Mica Walsh  
 Ferguson Miller (FL) Wamp  
 Flake Miller (MI) Weldon (FL)  
 Fletcher Miller, Gary Weldon (PA)  
 Foley Moran (KS) Weller  
 Forbes Moran (VA) Whitfield  
 Fossella Murphy Wicker  
 Franks (AZ) Musgrave Wilson (NM)  
 Frelinghuysen Myrick Wilson (SC)  
 Gallegly Nethercutt Wolf  
 Garrett (NJ) Neugebauer Wynn  
 Gerlach Ney Young (AK)  
 Young (FL)

NOES—162

Abercrombie Baird Berry  
 Ackerman Baldwin Bishop (NY)  
 Alexander Ballance Blumenauer  
 Allen Becerra Boswell  
 Andrews Berkeley Boucher  
 Baca Berman Boyd

Brady (PA) Jones (OH)  
 Brown (OH) Kanjorski  
 Brown, Corrine Kaptur  
 Capps Kennedy (RI)  
 Capuano Kildee  
 Cardin Kilpatrick  
 Cardoza Kind  
 Clay Kleczka  
 Clyburn Kucinich  
 Crowley Lampson  
 Cummings Langevin  
 Davis (CA) Lantos  
 Davis (FL) Larsen (WA)  
 DeFazio Larson (CT)  
 DeGette Lee  
 Delahunt Levin  
 DeLauro Lewis (GA)  
 Deutsch Lofgren  
 Dicks Lowey  
 Dingell Lynch  
 Doggett Majette  
 Doyle Maloney  
 Emanuel Markey  
 Engel Matsui  
 Eshoo McCarthy (NY)  
 Etheridge McCollum  
 Evans McDermott  
 Farr McGovern  
 Fattah Meehan  
 Filner Meeks (NY)  
 Ford Menendez  
 Frank (MA) Michaud  
 Frost Millender-  
 Gordon McDonald  
 Green (TX) Miller (NC)  
 Grijalva Miller, George  
 Gutierrez Molohan  
 Hill Moore  
 Hinchey Murtha  
 Hinojosa Nadler  
 Hoeflief Napolitano  
 Holden Norwood  
 Holt Oberstar  
 Honda Obey  
 Hooley (OR) Olver  
 Hoyer Ortiz  
 Inslee Owens  
 Jackson (IL) Pallone  
 Jefferson Pascrell

NOT VOTING—11

Carson (IN) Hastings (FL) Smith (NJ)  
 Conyers Johnson, E. B. Smith (WA)  
 Costello McNulty Tiahrt  
 Gephardt Neal (MA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1707

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on rollcall No. 295, had I been present on the Motion to Recommit, I would vote “aye”; on the next rollcall, No. 296—final passage—I would vote “no”.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT MONDAY, JUNE 23, 2003, TO FILE PRIVILEGED REPORT ON DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2004

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight Monday, June 23, 2003,

to file a privileged report making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XXI, points of order are reserved.

STRENGTHEN AMERICORPS PROGRAM ACT

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1276) to improve the manner in which the Corporation for National and Community Service approves, and records obligations relating to national service positions, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1276

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the “Strengthen AmeriCorps Program Act”.

## SEC. 2. PROCESS OF APPROVAL OF NATIONAL SERVICE POSITIONS.

(a) DEFINITIONS.—In this Act, the terms “approved national service position” and “Corporation” have the meanings given the terms in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).

(b) TIMING AND RECORDING REQUIREMENTS.—

(1) IN GENERAL.—Notwithstanding subtitles C and D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12571 et seq., 12601 et seq.), and any other provision of law, in approving a position as an approved national service position, the Corporation—

(A) shall approve the position at the time the Corporation—

(i) enters into an enforceable agreement with an individual participant to serve in a program carried out under subtitle E of title I of that Act (42 U.S.C. 12611 et seq.) or title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.); or

(ii) except as provided in clause (i), awards a grant to (or enters into a contract or cooperative agreement with) an entity to carry out a program for which such a position may be approved under section 123 of the National and Community Service Act of 1990 (42 U.S.C. 12573); and

(B) shall record as an obligation an estimate of the net present value of the national service educational award associated with the position, based on a formula that takes into consideration historical rates of enrollment in such a program, and of earning and using national service educational awards for such a program.

(2) FORMULA.—In determining the formula described in paragraph (1)(B), the Corporation shall consult with the Director of the Congressional Budget Office.

(3) CERTIFICATION REPORT.—The Chief Executive Officer of the Corporation shall annually prepare and submit to Congress a report that contains a certification that the Corporation is in compliance with the requirements of paragraph (1).

(4) APPROVAL.—The requirements of this subsection shall apply to each approved national service position that the Corporation approves—

(A) during fiscal year 2003 (before or after the date of enactment of this Act); and  
(B) during any subsequent fiscal year.

(c) RESERVE ACCOUNT.—

(1) ESTABLISHMENT AND CONTENTS.—

(A) ESTABLISHMENT.—Notwithstanding subtitles C and D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12571 et seq., 12601 et seq.), and any other provision of law, within the National Service Trust established under section 145 of the National and Community Service Act of 1990 (42 U.S.C. 12601), the Corporation shall establish a reserve account.

(B) CONTENTS.—To ensure the availability of adequate funds to support the awards of approved national service positions for each fiscal year, the Corporation shall place in the account—

(i) during fiscal year 2003, a portion of the funds that were appropriated for fiscal year 2003 or a previous fiscal year under section 501(a)(2) (42 U.S.C. 12681(a)(2)), were made available to carry out subtitle C or D of title I of that Act, and remain available; and

(ii) during fiscal year 2004 or a subsequent fiscal year, a portion of the funds that were appropriated for that fiscal year under section 501(a)(2) and were made available to carry out subtitle C or D of title I of that Act.

(2) OBLIGATION.—The Corporation shall not obligate the funds in the reserve account until the Corporation—

(A) determines that the funds will not be needed for the payment of national service educational awards associated with previously approved national service positions; or

(B) obligates the funds for the payment of such awards for such previously approved national service positions.

(d) AUDITS.—The accounts of the Corporation relating to the appropriated funds for approved national service positions, and the records demonstrating the manner in which the Corporation has recorded estimates described in subsection (b)(1)(B) as obligations, shall be audited annually by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States in accordance with generally accepted auditing standards. A report containing the results of each such independent audit shall be included in the annual report required by subsection (b)(3).

(e) AVAILABILITY OF AMOUNTS.—Except as provided in subsection (c), all amounts included in the National Service Trust under paragraphs (1), (2), and (3) of section 145(a) of the National and Community Service Act of 1990 (42 U.S.C. 12601(a)) shall be available for payments of national service educational awards under section 148 of that Act (42 U.S.C. 12604). The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR CONSIDERATION OF H.R. 2471, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2004

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet the week of June 23 to grant a rule which could limit the amendment process for floor consideration of H.R. 2417, the Intelligence Authorization Act for Fiscal Year 2004. The Permanent Select Committee on Intelligence filed its report in the House yesterday, June 18, 2003.

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, June 24.

Members should draft their amendments to the text of the bill as reported by the Permanent Select Committee on Intelligence.

Members should use the Office of Legislative Counsel 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.

#### LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I take this time for the purpose of inquiring of the majority leader the schedule for the House.

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

Mr. HOYER. Mr. Speaker, I will be glad to yield to the majority leader for the purposes of informing us of the proposed schedule for next week.

Mr. DELAY. Mr. Speaker, I thank the gentleman from Maryland for 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 suspension of the rules. A final list of those bills will be sent to Members' offices by the end of this week. Any votes called on these measures will be rolled until 6:30 p.m. Monday.

For Tuesday and the balance of the week, we will consider several additional measures under suspension of the rules. We will also consider the fiscal year 2004 Homeland Security appropriations bill; the Intelligence Authorization Act for Fiscal Year 2004; H.R. 1, the Medicare Prescription Drug and Modernization Act; and the Fiscal Year 2004 Military Construction Appropria-

tions bill; and, finally, we may consider H.R. 2351, the Health Savings Account Availability Act.

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

Mr. HOYER. I thank the gentleman for providing us with that information. The leader points out that the Medicare prescription drug bill will be on the floor.

First I would like to know, Mr. Leader, if you know which day of the week or days of the week can we expect to see the Medicare prescription drug bill on the floor?

Mr. DELAY. If the gentleman will yield, I would anticipate that the Medicare bill would probably come later in the week. I cannot give the gentleman a firm time, but I would anticipate either late Wednesday or certainly no later than Thursday.

Mr. HOYER. It would be the intention of the leader to have this bill finished prior to the end of next week?

Mr. DELAY. We anticipate to finish that bill. I know it is a big, complicated measure, but it would be our intention to finish that before we broke for the July 4th district work period.

Mr. HOYER. Reclaiming my time, Mr. Leader, obviously this will be one of the most important bills that we consider during this session of the Congress of the United States, and I would ask if it is the gentleman's intention and the leadership on your side's intention to provide a rule which will allow the minority to offer such amendments as it deems to be appropriate, to offer a substitute that it deems to be appropriate, and to provide sufficient time to debate those amendments?

I yield further to the gentleman from Texas.

Mr. DELAY. I appreciate the gentleman yielding further.

As the gentleman knows, this gentleman is very hesitant to speak for the Committee on Rules, but we do understand how important the Medicare Modernization Act is, how important it is to the seniors of this country, and we would give the minority every consideration to provide a substitute.

Mr. HOYER. Reclaiming my time, we appreciate the fact that the gentleman will be, I am not sure I heard you, you will be giving us a substitute or you will consider giving us a substitute. I am not sure I understood.

Mr. DELAY. If the gentleman will yield, it concerned me when the gentleman said "what the minority deems as a substitute." Obviously we need to look at all of these things individually and considerations need to be made.

For instance, one consideration is, is the substitute within the bounds of the Budget Act and the budget rules of this House? That may not be the qualifying issue, but that is one example of issues that we consider.

The bill marked up, at least, in the Committee on Ways and Means, I know the Committee on Energy and Commerce has not finished yet, but the bill