

Federal law relating to Indian Trust management reform should be interpreted. That interpretive function is the responsibility of the courts.

The House Committee on Resources held two hearings on Indian Trust funds this year, and it plans to hold more hearings. These hearings in the authorizing committee will produce the proper framework for settlement negotiations to resolve the Cobell case. Let us give the authorizing committee the opportunity to complete its job.

Mr. Speaker, the gentleman from California (Mr. POMBO) and the gentleman from West Virginia (Mr. RAHALL) are seriously committed to this. That is why they asked just a few minutes ago that if this rule is passed and the bill does come for a vote, the conference report, that we vote "no" on that conference report.

So I urge my colleagues, Mr. Speaker, to oppose the rule and to vote against the conference report.

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered. The SPEAKER pro tempore (Mr. SHAW). The question is on the resolution.

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

Ms. SLAUGHTER. Mr. 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately noon.

Accordingly (at 11 o'clock and 22 minutes a.m.), the House stood in recess until approximately noon.

□ 1205

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SHIMKUS) at 12 o'clock and 5 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on adoption of those resolutions on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

House Resolution 417, by the yeas and nays; and

House Resolution 418, by the yeas and nays.

The Chair will reduce to 5 minutes the time for the second electronic vote.

PROVIDING FOR CONSIDERATION OF H.J. RES. 75, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2004

The SPEAKER pro tempore. The pending business is the question of agreeing to the resolution, House Resolution 417, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 311, nays 112, not voting 11, as follows:

[Roll No. 574]

YEAS—311

Abercrombie	Cubin	Holden
Ackerman	Culberson	Hostettler
Aderholt	Cunningham	Hoyer
Alexander	Davis (CA)	Hulshof
Baca	Davis (FL)	Hunter
Bachus	Davis (TN)	Hyde
Baker	Davis, Jo Ann	Isakson
Ballenger	Davis, Tom	Israel
Barrett (SC)	Deal (GA)	Issa
Bartlett (MD)	DeLauro	Istook
Barton (TX)	DeLay	Jackson (IL)
Bass	DeMint	Janklow
Beauprez	Diaz-Balart, L.	Jenkins
Bell	Diaz-Balart, M.	John
Bereuter	Dicks	Johnson (CT)
Berkley	Doolittle	Johnson (IL)
Bilirakis	Dreier	Johnson, Sam
Bishop (GA)	Duncan	Jones (NC)
Bishop (NY)	Dunn	Jones (OH)
Bishop (UT)	Ehlers	Kanjorski
Blackburn	Emerson	Keller
Blumenauer	Engel	Kelly
Blunt	English	Kennedy (MN)
Boehlert	Evans	Kennedy (RI)
Boehner	Everett	Kind
Bonilla	Farr	King (IA)
Bonner	Fattah	King (NY)
Bono	Feeney	Kingston
Boozman	Ferguson	Kirk
Boswell	Flake	Kline
Boucher	Foley	Knollenberg
Boyd	Forbes	Kolbe
Bradley (NH)	Fossella	LaHood
Brady (PA)	Franks (AZ)	Larson (CT)
Brady (TX)	Frelinghuysen	Latham
Brown (SC)	Gallely	LaTourette
Brown-Waite,	Garrett (NJ)	Leach
Ginny	Gerlach	Lewis (CA)
Burgess	Gibbons	Lewis (KY)
Burns	Gilchrest	Linder
Burr	Gillmor	LoBiondo
Burton (IN)	Gingrey	Lucas (KY)
Buyer	Goode	Lucas (OK)
Calvert	Goodlatte	Majette
Cantor	Gordon	Maloney
Capito	Goss	Manzullo
Cardin	Granger	Marshall
Cardoza	Graves	Matheson
Carson (OK)	Green (WI)	Matsui
Carter	Greenwood	McCotter
Case	Gutknecht	McCrery
Castle	Hall	McHugh
Chabot	Harman	McInnis
Chocola	Harris	McKeon
Clyburn	Hart	McNulty
Coble	Hastings (WA)	Meek (FL)
Cole	Hayes	Menendez
Collins	Hayworth	Mica
Cox	Hefley	Millender-
Cramer	Hensarling	McDonald
Crane	Herger	Miller (FL)
Crenshaw	Hill	Miller (MI)
Crowley	Hobson	Miller (NC)
	Hoefel	Miller, Gary
	Hoekstra	Mollohan

Moore	Ramstad	Souder
Moran (KS)	Regula	Stearns
Murphy	Rehberg	Stenholm
Murtha	Renzi	Sullivan
Musgrave	Reyes	Sweeney
Myrick	Reynolds	Tancred
Napolitano	Rogers (AL)	Tanner
Nethercutt	Rogers (KY)	Tauzin
Neugebauer	Rogers (MI)	Taylor (MS)
Ney	Rohrabacher	Taylor (NC)
Northup	Ros-Lehtinen	Terry
Norwood	Ross	Thomas
Nunes	Rothman	Thompson (MS)
Nussle	Roybal-Allard	Thornberry
Oberstar	Royce	Tiahrt
Obey	Ruppersberger	Tiberi
Ortiz	Rush	Toomey
Osborne	Ryan (WI)	Towns
Ose	Ryun (KS)	Turner (OH)
Otter	Sabo	Turner (TX)
Oxley	Saxton	Upton
Pastor	Schrock	Visclosky
Paul	Scott (GA)	Vitter
Pearce	Scott (VA)	Walden (OR)
Pence	Sensenbrenner	Walsh
Peterson (MN)	Sessions	Wamp
Peterson (PA)	Shadegg	Weldon (FL)
Petri	Shaw	Weldon (PA)
Pickering	Shays	Weller
Platts	Sherwood	Whitfield
Pombo	Shimkus	Wicker
Pomeroy	Shuster	Wilson (NM)
Porter	Simmons	Wilson (SC)
Portman	Simpson	Wolf
Price (NC)	Skelton	Wu
Pryce (OH)	Smith (MI)	Wynn
Putnam	Smith (NJ)	Young (AK)
Quinn	Smith (TX)	Young (FL)
Radanovich	Smith (WA)	
Rahall	Solis	

NAYS—112

Allen	Hinchey	Neal (MA)
Andrews	Hinojosa	Olver
Baird	Holt	Owens
Baldwin	Honda	Pallone
Ballance	Hoolley (OR)	Pascrell
Becerra	Inslee	Payne
Berman	Jackson-Lee	Pelosi
Berry	(TX)	Rangel
Brown (OH)	Jefferson	Rodriguez
Brown, Corrine	Johnson, E. B.	Ryan (OH)
Capps	Kaptur	Sanchez, Linda
Capuano	Kildee	T.
Carson (IN)	Kilpatrick	Sanchez, Loretta
Conyers	Kleczka	Sanders
Cooper	Kucinich	Sandlin
Costello	Langevin	Schakowsky
Cummings	Lantos	Schiff
Davis (AL)	Larsen (WA)	Serrano
Davis (IL)	Lee	Sherman
DeFazio	Levin	Slaughter
DeGette	Lewis (GA)	Snyder
Delahunt	Lipinski	Spratt
Deusch	Lofgren	Stark
Dingell	Lowe	Strickland
Doggett	Lynch	Tauscher
Doyle	Markey	Thompson (CA)
Edwards	McCarthy (MO)	Tierney
Emanuel	McCarthy (NY)	Udall (CO)
Eshoo	McCollum	Udall (NM)
Etheridge	McDermott	Van Hollen
Filner	McGovern	Velazquez
Ford	McIntyre	Waters
Frank (MA)	Meehan	Watson
Frost	Meeks (NY)	Watt
Gonzalez	Michaud	Waxman
Green (TX)	Miller, George	Weiner
Grijalva	Moran (VA)	Wexler
Hastings (FL)	Nadler	Woolsey

NOT VOTING—11

Akin	Fletcher	Lampson
Cannon	Gephardt	Pitts
Clay	Gutierrez	Stupak
Dooley (CA)	Houghton	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1229

Messrs. DEUTSCH, RANGEL, JEFFERSON, Mrs. CAPPS, Ms. CORRINE BROWN of Florida, Ms. MCCARTHY of

Missouri, Ms. SCHAKOWSKY, and Ms. LINDA T. SANCHEZ of California changed their vote from “yea” to “nay.”

Messrs. BLUMENAUER, CARDOZA, RUSH, Mrs. NAPOLITANO, and Mrs. JONES of Ohio changed their vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. AKIN. Mr. Speaker, on Wednesday, the 29th of October, I was involved in a briefing with the Central Intelligence Agency. As a consequence, I was unavoidably detained and could not cast a vote for H. Res. 417. Had I been present at the time of the vote, I would have voted in the affirmative.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2691, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

The SPEAKER pro tempore. The pending business is the question of agreeing to the resolution, House Resolution 418, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 289, nays 136, not voting 9, as follows:

[Roll No. 575]

YEAS—289

Aderholt	Cannon	Feeney
Akin	Cantor	Ferguson
Alexander	Capito	Flake
Baca	Cardin	Foley
Bachus	Cardoza	Forbes
Baker	Carter	Fossella
Ballenger	Case	Franks (AZ)
Barrett (SC)	Castle	Frelinghuysen
Bartlett (MD)	Chabot	Galleghy
Barton (TX)	Chocola	Garrett (NJ)
Bass	Coble	Gerlach
Beauprez	Cole	Gibbons
Bereuter	Collins	Gilchrest
Berkley	Cox	Gillmor
Berry	Cramer	Gingrey
Biggett	Crane	Goode
Bilirakis	Crenshaw	Goodlatte
Bishop (GA)	Crowley	Gordon
Bishop (UT)	Cubin	Goss
Blackburn	Culbertson	Granger
Blunt	Cunningham	Graves
Boehlert	Davis (AL)	Green (TX)
Boehner	Davis (CA)	Green (WI)
Bonilla	Davis (FL)	Greenwood
Bonner	Davis (TN)	Gutknecht
Bono	Davis, Jo Ann	Hall
Boozman	Davis, Tom	Harris
Boucher	Deal (GA)	Hart
Boyd	DeLay	Hastings (WA)
Bradley (NH)	DeMint	Hayes
Brady (PA)	Diaz-Balart, L.	Hayworth
Brady (TX)	Diaz-Balart, M.	Hefley
Brown (SC)	Dicks	Hensarling
Brown, Corrine	Doolittle	Herger
Brown-Waite,	Doyle	Hobson
Ginny	Dreier	Hoefel
Burgess	Duncan	Hoekstra
Burns	Dunn	Holden
Burr	Ehlers	Hostettler
Burton (IN)	Emerson	Hulshof
Buyer	English	Hunter
Calvert	Everett	Hyde
Camp	Fattah	Isakson

Israel	Moran (KS)	Schiff
Issa	Murphy	Schrock
Istook	Murtha	Scott (GA)
Jackson-Lee	Musgrave	Scott (VA)
(TX)	Myrick	Sensenbrenner
Janklow	Nethercutt	Sessions
Jenkins	Neugebauer	Shadegg
John	Ney	Shaw
Johnson (CT)	Northup	Shays
Johnson (IL)	Norwood	Sherwood
Johnson, Sam	Nunes	Shimkus
Jones (NC)	Nussle	Shuster
Kanjorski	Oberstar	Simmons
Keller	Olver	Simpson
Kelly	Osborne	Skelton
Kennedy (MN)	Ose	Smith (MI)
King (IA)	Otter	Smith (NJ)
King (NY)	Oxley	Smith (TX)
Kingston	Pastor	Snyder
Kirk	Paul	Souder
Kline	Pearce	Spratt
Knollenberg	Pence	Stearns
Kolbe	Peterson (MN)	Stenhelm
LaHood	Peterson (PA)	Sullivan
Larsen (WA)	Petri	Sweeney
Larson (CT)	Pickering	Tancredo
Latham	Pitts	Tauzin
LaTourette	Platts	Taylor (NC)
Leach	Pombo	Terry
Lewis (CA)	Pomeroy	Thomas
Lewis (KY)	Porter	Thornberry
Linder	Portman	Tiahrt
LoBiondo	Pryce (OH)	Tiberi
Lowe	Putnam	Toomey
Lucas (KY)	Quinn	Turner (OH)
Lucas (OK)	Radanovich	Turner (TX)
Majette	Ramstad	Udall (NM)
Manzullo	Regula	Upton
Marshall	Rehberg	Visclosky
McCarthy (NY)	Renzi	Vitter
McCotter	Reynolds	Walden (OR)
McCrery	Rogers (AL)	Walsh
McHugh	Rogers (KY)	Wamp
McInnis	Rogers (MI)	Weldon (FL)
McKeon	Rohrabacher	Weldon (PA)
Meehan	Ros-Lehtinen	Weller
Meek (FL)	Rothman	Whitfield
Mica	Royce	Wicker
Miller (FL)	Ruppersberger	Wilson (NM)
Miller (MI)	Ryan (WI)	Wilson (SC)
Miller (NC)	Ryun (KS)	Wolf
Miller, Gary	Sabo	Wynn
Mollohan	Sandlin	Young (AK)
Moore	Saxton	Young (FL)

NAYS—136

Abercrombie	Harman	Millender-
Ackerman	Hastings (FL)	McDonald
Allen	Hill	Miller, George
Andrews	Hinchey	Moran (VA)
Baird	Hinojosa	Nadler
Baldwin	Holt	Napolitano
Ballance	Honda	Neal (MA)
Becerra	Hooley (OR)	Obey
Bell	Hoyer	Ortiz
Berman	Inslee	Owens
Bishop (NY)	Jackson (IL)	Pallone
Blumenauer	Jefferson	Pascrell
Boswell	Johnson, E. B.	Payne
Brown (OH)	Jones (OH)	Pelosi
Capps	Kaptur	Price (NC)
Capuano	Kennedy (RI)	Rahall
Carson (IN)	Kildee	Rangel
Carson (OK)	Kilpatrick	Reyes
Clay	Kind	Rodriguez
Clyburn	Kleczka	Ross
Cooper	Kucinich	Roybal-Allard
Costello	Langevin	Rush
Cummings	Lantos	Ryan (OH)
Davis (IL)	Lee	Sanchez, Linda
DeFazio	Levin	T.
DeGette	Lewis (GA)	Sanchez, Loretta
DeLauro	Lipinski	Sanders
Deutsch	Lofgren	Schakowsky
Dingell	Lynch	Serrano
Doggett	Maloney	Sherman
Edwards	Markey	Slaughter
Emanuel	Matheson	Smith (WA)
Engel	Matsui	Solis
Esch	McCarthy (MO)	Stark
Evans	McCollum	Strickland
Farr	McDermott	Tanner
Filner	McGovern	Tauscher
Ford	McIntyre	Taylor (MS)
Frank (MA)	McNulty	Thompson (CA)
Frost	Meeks (NY)	Thompson (MS)
Gonzalez	Menendez	Tierney
Grijalva	Michaud	Towns
		Udall (CO)

Van Hollen	Watt	Woolsey
Velazquez	Waxman	Wu
Waters	Weiner	
Watson	Wexler	

NOT VOTING—9

Conyers	Fletcher	Houghton
Delahunt	Gephardt	Lampson
Dooley (CA)	Gutierrez	Stupak

□ 1236

Mr. MORAN of Virginia and Mr. EDWARDS changed their vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules.

VETERANS HEALTH CARE FACILITIES CAPITAL IMPROVEMENT ACT

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1720) to authorize the Secretary of Veterans Affairs to carry out construction projects for the purpose of improving, renovating, establishing, and updating patient care facilities at the Department of Veterans Affairs medical centers, as amended.

The Clerk read as follows:

H.R. 1720

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Veterans Health Care Facilities Capital Improvement Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Authorization of major medical facility projects for patient care improvements.
- Sec. 3. Authorization of major medical facility projects and leases.
- Sec. 4. Authorization of major medical facility projects, former Fitzsimons Army Medical Center, Aurora, Colorado.
- Sec. 5. Limitation on disposal of Lakeside Division, Department of Veterans Affairs medical facilities, Chicago, Illinois.
- Sec. 6. Plans for facilities in southern New Jersey and far South Texas.
- Sec. 7. Increase in major medical facility construction cost threshold.
- Sec. 8. Study and report on feasibility of coordination of veterans health care services in South Carolina with new university medical center.