

Page 28, line 13, after "title" insert ", of which no less than three quarters of the sums shall be made available for healthy forests restoration priority projects under section 204(e)(1)(B)(iv)".

Page 28, after line 16, insert the following: "(o) LIMITATION ON USE OF FUNDS.—No person or entity who is a party to a pending lawsuit against the dispensing Secretary is eligible to receive funds authorized or made available under this Act or amendments made by this Act.

"(p) FURTHER LIMITATION ON USE OF FUNDS TO PROTECT CHILDREN.—No adult shall be eligible to receive funds or participate in the Public Lands Service Corps program under this Act or amendments made by this Act, if that person—

"(1) refuses to consent to a criminal history check;

"(2) makes a false statement in connection with such a criminal history check;

"(3) is registered, or is required to be registered, on a State sex offender registry or the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.) or

"(4) has been convicted of murder, as described in section 1111 of title 18, United States Code."

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

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the 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.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 288, nays 116, not voting 26, as follows:

[Roll No. 151]

YEAS—288

Adler (NJ)	Camp	Davis (AL)
Altmire	Cantor	Davis (CA)
Andrews	Cao	Davis (IL)
Arcuri	Capito	Davis (TN)
Baca	Capps	DeFazio
Baird	Capuano	Delahunt
Baldwin	Cardoza	DeLauro
Barrow	Carnahan	Dent
Bean	Carney	Diaz-Balart, L.
Becerra	Carson (IN)	Diaz-Balart, M.
Berkley	Castle	Dicks
Berman	Castor (FL)	Dingell
Berry	Chaffetz	Doggett
Biggert	Chandler	Donnelly (IN)
Bilirakis	Childers	Doyle
Bishop (NY)	Chu	Dreier
Bishop (UT)	Clay	Driehaus
Blumenauer	Cleaver	Edwards (MD)
Bocieri	Clyburn	Edwards (TX)
Bono Mack	Coffman (CO)	Ehlers
Boren	Cohen	Ellsworth
Boswell	Cole	Engel
Boucher	Connolly (VA)	Eshoo
Boyd	Conyers	Etheridge
Brady (PA)	Cooper	Farr
Brady (TX)	Costa	Fattah
Braley (IA)	Costello	Filner
Brown, Corrine	Courtney	Foster
Buchanan	Crowley	Frank (MA)
Burgess	Cuellar	Frelinghuysen
Butterfield	Cummings	Fudge
Calvert	Dahlkemper	Garamendi

Gerlach	Maffei	Ruppersberger
Giffords	Maloney	Rush
Gonzalez	Markey (CO)	Ryan (OH)
Gordon (TN)	Markey (MA)	Sánchez, Linda
Grayson	Marshall	T.
Green, Al	Matheson	Schakowsky
Grijalva	Matsui	Schauer
Gutierrez	McCarthy (CA)	Schiff
Hall (NY)	McCarthy (NY)	Schrader
Halvorson	McCollum	Schwartz
Hare	McCotter	Scott (GA)
Harman	McDermott	Scott (VA)
Hastings (FL)	McGovern	Serrano
Hastings (WA)	McIntyre	Sestak
Heinrich	McKeon	Shea-Porter
Heller	McMahon	Sherman
Hereth Sandlin	McNerney	Shimkus
Higgins	Meek (FL)	Shuler
Hill	Melancon	Simpson
Himes	Michaud	Sires
Hinojosa	Miller (NC)	Skelton
Hirono	Miller, George	Slaughter
Hodes	Minnick	Smith (NJ)
Honda	Mitchell	Smith (WA)
Hoyer	Mollohan	Snyder
Inslee	Moore (KS)	Space
Israel	Moore (WI)	Speier
Jackson (IL)	Moran (VA)	Spratt
Jackson Lee	Murphy (CT)	Stupak
(TX)	Murphy (NY)	Sutton
Johnson (GA)	Murphy, Patrick	Tanner
Johnson (IL)	Napolitano	Taylor
Johnson, E. B.	Neal (MA)	Teague
Jones	Nunes	Terry
Kagen	Nye	Thompson (CA)
Kanjorski	Oberstar	Thompson (MS)
Kaptur	Obey	Thompson (PA)
Kennedy	Oliver	Tiberi
Kildee	Ortiz	Tierney
Kilpatrick (MI)	Owens	Titus
Kind	Pallone	Tonko
King (NY)	Pascrell	Tsongas
Kirk	Pastor (AZ)	Turner
Kirkpatrick (AZ)	Paulsen	Upton
Kissell	Perlmutter	Van Hollen
Klein (FL)	Perriello	Velazquez
Kosmas	Peterson	Visclosky
Kratovil	Pingree (ME)	Walden
Kucinich	Platts	Walz
Lance	Polis (CO)	Wasserman
Langevin	Pomeroy	Schultz
Larsen (WA)	Price (NC)	Waters
Larson (CT)	Putnam	Watson
Latham	Quigley	Watt
Lee (CA)	Rahall	Waxman
Levin	Rangel	Weiner
Lewis (GA)	Rehberg	Welch
Lipinski	Reichert	Wilson (OH)
LoBiondo	Reyes	Wittman
Loebsock	Rodriguez	Wolf
Lowe	Rogers (MI)	Woolsey
Lujan	Rooney	Wu
Lummis	Ros-Lehtinen	Yarmuth
Lungren, Daniel	Ross	Young (FL)
E.	Rothman (NJ)	
Lynch	Roybal-Allard	

NAYS—116

Aderholt	Emerson	Lewis (CA)
Akin	Fallin	Linder
Alexander	Flake	Lucas
Austria	Fleming	Luetkemeyer
Bachmann	Forbes	Mack
Bachus	Fox	Manzullo
Barrett (SC)	Franks (AZ)	Marchant
Bartlett	Gallagher	McCauley
Barton (TX)	Garrett (NJ)	McClintock
Bilbray	Gingrey (GA)	McHenry
Blackburn	Goodlatte	McMorris
Boehner	Granger	Rodgers
Bonner	Graves	Mica
Boozman	Griffith	Miller (FL)
Boustany	Guthrie	Miller (MI)
Bright	Hall (TX)	Miller, Gary
Broun (GA)	Harper	Moran (KS)
Brown (SC)	Hensarling	Murphy, Tim
Brown-Waite,	Herger	Myrick
Ginny	Hunter	Neugebauer
Burton (IN)	Inglis	Olson
Buyer	Issa	Paul
Campbell	Jenkins	Pence
Carter	Johnson, Sam	Peters
Cassidy	Jordan (OH)	Petri
Coble	King (IA)	Pitts
Conaway	Kingston	Poe (TX)
Crenshaw	Kline (MN)	Posey
Culberson	Lamborn	Price (GA)
Davis (KY)	Latta	Radanovich
Duncan	Lee (NY)	Roe (TN)

Rogers (AL)	Sensenbrenner	Thornberry
Rogers (KY)	Sessions	Tiahrt
Rohrabacher	Shadegg	Wamp
Roskam	Shuster	Westmoreland
Royce	Smith (NE)	Whitfield
Ryan (WI)	Smith (TX)	Wilson (SC)
Scalise	Souder	Young (AK)
Schmidt	Stearns	
Schock	Sullivan	

NOT VOTING—26

Ackerman	Green, Gene	Nadler (NY)
Bishop (GA)	Hinchee	Payne
Blunt	Hoekstra	Richardson
Clarke	Holden	Salazar
Deal (GA)	Holt	Sanchez, Loretta
DeGette	Kilroy	Sarbanes
Ellison	LaTourette	Stark
Fortenberry	Lofgren, Zoe	Towns
Gohmert	Meeks (NY)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (Mr. SERRANO) (during the vote). Two minutes are remaining on this vote.

□ 1313

Mr. BUYER changed his vote from "yea" to "nay."

Mr. BURGESS changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service."

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

TRICARE AFFIRMATION ACT

Mr. LEVIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4887) to amend the Internal Revenue Code of 1986 to ensure that health coverage provided by the Department of Defense is treated as minimal essential coverage, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4887

*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 "TRICARE Affirmation Act".

SEC. 2. TREATMENT OF DEPARTMENT OF DEFENSE HEALTH COVERAGE AS MINIMAL ESSENTIAL COVERAGE.

(a) IN GENERAL.—Section 5000A(f)(1)(A) of the Internal Revenue Code of 1986, as added

by section 1501(b) of the Patient Protection and Affordable Care Act, is amended—

(1) by striking clause (iv) and inserting the following new clause:

“(iv) medical coverage under chapter 55 of title 10, United States Code, including coverage under the TRICARE program;”;

(2) by striking “or” at the end of clause (v);

(3) by striking the period at the end of clause (vi) and inserting “; or”; and

(4) by inserting after clause (vi) the following new clause:

“(vii) the Nonappropriated Fund Health Benefits Program of the Department of Defense, established under section 349 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 10 U.S.C. 1587 note).”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in section 1501(b) of the Patient Protection and Affordable Care Act and shall be executed immediately after the amendments made by such section 1501(b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. LEVIN) and the gentleman from Kentucky (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

#### GENERAL LEAVE

Mr. LEVIN. 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. 4887.

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

There was no objection.

□ 1315

Mr. LEVIN. Mr. Speaker, under H.R. 3590, as passed by the Senate, individuals are responsible for obtaining minimum essential health care or pay a small penalty. The Senate bill states that anyone with eligible employer coverage meets this requirement. The coverage that is provided today for the members of our armed services and their families and for military retirees and their families satisfies this requirement. In an abundance of caution, H.R. 4887 was introduced by our distinguished chairman, Mr. SKELTON, to reaffirm this result.

I now reserve the balance of my time.

Mr. DAVIS of Kentucky. Mr. Speaker, today the House is considering H.R. 4887, the TRICARE Affirmation Act. While I support the bill we have before us, I'm disappointed in another display of rushing the process. Speaker PELOSI said that we need to pass the health care bill so we can find out what's in it. This is, fortunately, one that was found before it was passed. Think of how many other hundreds and hundreds of possible errors there may be in that bill because of being forced through quickly and being ill considered.

Moreover, as a former member of the 82nd Airborne Division, I'm deeply disappointed that we had to leave out veterans. Those who have served our country would actually become victims of a policy that the Congress is enacting—

inadvertently and not by any malice aforethought. And I certainly thank and share my greatest appreciation with the distinguished chairman, Mr. SKELTON, of the Armed Services Committee, who I served with for several years, for catching this and correcting this wrong.

The bill wasn't added to the schedule until close to midnight last night. Beyond the immediate process issues, the addition of this bill to the calendar points to a troubled future if the Senate health care bill passes the House tomorrow. We're many votes away from health care reform becoming law, but already, as I mentioned, we're seeing fundamental flaws in this Senate bill that require amendment.

As we all know, the health care bill that we'll consider tomorrow contains a new requirement that every single American in this country enroll in a health care plan that the government approves. President Obama said that if you like your doctor, you can keep him—if he approves. Now we have the IRS and we have Federal agencies that are going to get into our private affairs, and now it's affecting our veterans. If an individual does not have this coverage, they will be subject to a penalty and even the possibility of prosecution through the IRS.

H.R. 4887 essentially amends the not-yet-passed Senate health care bill to clarify that all TRICARE plans are considered as minimal acceptable coverage under the bill. It is the least that we can do for our veterans. Defining TRICARE as such is important because it exempts its enrollees from the individual mandate in the Senate bill.

As most know, TRICARE is a complete medical care benefit program for active duty members and retirees of all seven uniformed services and their dependents. TRICARE is currently open to about 9.3 million potential beneficiaries. Active duty military, their spouses, and dependents are automatically enrolled in TRICARE Prime. Retirees can choose between TRICARE Prime or two other options. Then there is a fourth subset called TRICARE for Life. These beneficiaries are enrolled in Medicare, but TRICARE serves as a secondary payer.

Unfortunately, in the Senate health care bill, Democrats do not deem TRICARE programs for servicemembers and military retirees under age 65 to provide minimum acceptable coverage. H.R. 4887 would clarify these programs and make sure that they're included in this definition.

It's surprising to me that these programs were left out originally. This is an important change to make, but I think this is only a foreshadowing of what is to come for hardworking Americans.

The Senate health care reform bill has not even been signed into law and we already have to fix it. If Democrats were originally willing to adversely impact the health care coverage of these Americans who have honorably

served our country, you have to wonder whose health care is safe.

These oversights occurred because this process is too big, too fast, and being done against the will of the American people. I support this amendment. It's critical that we protect our military families.

I reserve the balance of my time.

Mr. LEVIN. It's now my privilege to yield 2 minutes to someone who has worked so hard for so many years on behalf of the veterans of this country, the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. I certainly thank the gentleman from Michigan.

Mr. Speaker, it's a commonly known fact that I oppose the health care reform bill as it exists currently and will vote against it tomorrow, but my duty as the chairman of the Armed Services Committee compels me to ensure that the health care of our brave service men and women, our military retirees, and all of their family members are protected if the bill does indeed pass.

In the health care bill currently under consideration in Congress, which originated in the Senate, TRICARE and the Non-Appropriated Fund health plans, the programs that provide health care for these individuals, will meet the minimum requirements for individual health insurance coverage, and no TRICARE or NAF health plan beneficiary will be required to purchase additional coverage beyond what they already have. However, to reassure our military servicemembers and their families and make it perfectly clear that they will not be negatively affected by this legislation, my bill, H.R. 4887, explicitly states in law that these health plans meet the minimum requirements for individual health insurance.

Our brave men and women in uniform provide us with first-class protection. It's our obligation to provide them and their families with first-class health care in return. Every day, our troops risk their lives to stand up for us on the battlefield, and now I ask my colleagues, no matter what the position you may have on health care reform itself, to join me in standing up for our servicemembers and their families.

Nobody knows what the fate of health care will be tomorrow, but by supporting this bill that's before us right now, H.R. 4887, we will at least know that we have protected those men and women who sacrifice their lives to protect us. We must affirm for our military servicemembers and their families that even if the health reform bill passes, the coverage provided by TRICARE and the Non-Appropriated Fund health plans will be properly defined in law as meeting the minimum requirements for individual health insurance.

Mr. DAVIS of Kentucky. I now yield 4 minutes to the distinguished ranking member of the Armed Services Committee, the gentleman from California (Mr. MCKEON).

Mr. McKEON. Mr. Speaker, I thank the gentleman for yielding, and I rise in support of H.R. 4887, which would try to fix a significant flaw in the Democratic health care reform bill by including the Department of Defense TRICARE program in what is considered minimum essential coverage for the purposes of the individual mandate in the health care bill.

Mr. Speaker, while I applaud Chairman SKELTON for taking this step, I'm deeply concerned and aware that it does not go far enough to protect TRICARE from the ravages of ObamaCare. The simple truth is that the Senate health care bill still leaves TRICARE, the world-class health care program that takes care of 9.2 million of our men and women in uniform and their families and retirees and their families open to the whim of bureaucrats outside of the Department of Defense who may change the program as they see fit. Is this what we want for the men and women who lay their lives on the line every day to protect this great Nation?

Last summer, the White House made two promises to America's Armed Forces and their families:

One, that the health reform legislation that's being considered would enable those who are covered by TRICARE to meet the shared responsibility requirement for individuals to have insurance, thereby exempting such members of the armed services and their families from being assessed penalties. This is the explicit promise that the Senate health care bill fails to meet. The chairman's resolution is an attempt to meet that commitment, but what it definitely does is point out the flaws in the Senate health care bill.

The second promise the President made is that the Secretary of Defense would continue to maintain sole authority over TRICARE. Chairman SKELTON's language today does not address this promise. That is why Mr. BUYER, the ranking member on the Veterans' Affairs Committee, and I filed and will offer later today language at the Rules Committee that would meet both of these promises.

We've been hearing since last summer many promises that this problem would be fixed. Mr. BUYER and I even offered similar amendments to the House version of the bill passed last fall. Our attempts were rebuffed and the military service organizations were given assurances by the Democratic leadership that TRICARE would be protected in a conference report that never came.

Now we see this legislation that appeared in the dark of night. We've been told that there's no cost associated with this legislation. We cannot confirm that. History is rife with examples of House legislation that does not survive in the Senate. In other words, there's no guarantee that what the President finally signs will protect Medicare.

Mr. Speaker, I was told by a veteran that one of the problems we had in the

Vietnam War was pilots became so fixated on the target that they ultimately crashed into the target. That's what I see happening with this health care bill that the Democratic leadership and the President are pushing. They're so fixated on getting something passed that they're making so many mistakes that we're not going to be able to fix them all. I will support my chairman's efforts today, but I will continue to work toward a comprehensive fix.

Mr. LEVIN. I yield 2 minutes to the gentlewoman from New Hampshire (Ms. SHEA-PORTER).

Ms. SHEA-PORTER. I thank the chairman for his legislation. As a member of the Armed Services Committee, I'm proud to be an original cosponsor.

Mr. Speaker, we have a solemn responsibility to provide our servicemembers with the care and the services that they are due. They risk their lives in service to our Nation, and it's imperative that we keep our promises to them.

This is not a Democratic or Republican responsibility, and as an advocate for the members of our military and their families—and I might add, as a former military spouse myself—it's troubling for me that throughout the debate on health care reform that TRICARE would be included as one of the topics of the various misinformation campaigns. This bill will ensure that those members of our armed services can keep their TRICARE coverage.

I'm proud to have stood in support of our servicemembers in the Armed Services Committee, preventing increases in TRICARE copays, for example. I'm pleased that the chairman, through this legislation, has given us all the opportunity to reaffirm not only the importance of TRICARE, but that, under our health reform legislation, these benefits will remain as they are.

Mr. DAVIS of Kentucky. Now, Mr. Speaker, I'd like to yield such time as he may consume to the distinguished ranking member of the Veterans' Affairs Committee, a veteran of Desert Storm and a retired United States Army Colonel, the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Let me ask how much time the minority has.

The SPEAKER pro tempore. There are 13 minutes remaining.

Mr. BUYER. First of all, I'd like to applaud BUCK McKEON and IKE SKELTON for their efforts, along with Mr. LEVIN, to permit this bill to be considered, but we haven't gone far enough. Now, it's kind of what happens when we rush or go too fast around here. We get sloppy in our drafting.

Now, in the bill that was passed here in the House, there were general authority provisions under the Secretaries of DOD and VA to ensure that those health systems would be protected—the authorities, their general provision authorities to the Secretaries would be protected. That language was not in the Senate bill.

The Senate bill, which is now coming over here, interestingly enough, to—which is about to be deemed. Pretty interesting. I don't know if you know about the word "deem." It comes from the old English origin to "dom," and to "dom" was from judges. It means to make judgment. In the 17th century, judges actually then began to make rapid judgments, and they called them "deemers." The origin of to dom—there are two words: to deem and to doom. Pretty fascinating.

So, right now, the language that was going to be deemed, the bill under consideration, will, in fact, cover the TRICARE, because right now it covers just TRICARE for Life.

□ 1330

There's about \$30 billion a year for TRICARE for those who are active duty, or guardsmen, or reservists who are brought to active duty to include their dependents. And with this \$30 billion price tag, that's a lot of money. Over 10 years, that's around \$300 billion. I don't know how we can exclude them, but we're going to bring them in.

What I'm about to ask of Mr. LEVIN is, we also have this commitment, this commitment from the leadership, from the Speaker, from the leaders of the dominant committees of Ed and Labor, and Ways and Means, the Appropriations, and Energy and Commerce to protect the veterans programs. Now in that language that's coming from the Senate to here for which we're not going to get to vote on nor amend, it says that we will take care of the chapter 17 veterans programs. Veterans programs.

But this chapter 17, there are other programs to survivors and dependents which would not be covered. So their programs which presently exist would not be under the minimum essential. Who are they? That would be the widows, the survivors, and the orphaned children, to include, for example, an agent orange Vietnam veteran whose child or adult dependent has spina bifida would not be covered.

#### PARLIAMENTARY INQUIRIES

Mr. BUYER. I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Indiana will state his inquiry.

Mr. BUYER. My parliamentary inquiry would be this: The bill that is under suspension was dropped last night. We had to immediately respond to all of this, and I have dropped a bill just in the last hour. I apologize to my Democrat friends. I know you're just getting a chance to look at this.

My parliamentary inquiry is, how would I be able to ask for an immediate consideration of this bill under a suspension?

The SPEAKER pro tempore. Is the gentleman speaking to a separate measure other than the one that is before the House?

Mr. BUYER. That's correct. Yes, as a separate measure. How can I call this bill to an immediate consideration?

The SPEAKER pro tempore. The Speaker's policy for recognition requires clearance with leadership on both sides before entertaining such a request.

Mr. BUYER. At the conclusion of this bill, could I ask for unanimous consent for immediate consideration of this bill to protect the survivors and orphans of our veterans?

The SPEAKER pro tempore. The Chair is constrained to recognize for such a request only if both leaderships have cleared it.

Mr. BUYER. Further parliamentary inquiry. Does that mean that at the conclusion of this vote that the Chair would not recognize me for a unanimous consent request?

The SPEAKER pro tempore. The gentleman is correct.

Mr. BUYER. So the U.C. would not be in order.

Mr. LEVIN. Would the gentleman yield?

Mr. BUYER. I yield to the gentleman.

Mr. LEVIN. Let me suggest this: The provision that is in question here or is before us doesn't take effect—the overall provision—until 2014. What our purpose is here today is not to correct a flaw but to reaffirm so there could be zero questions. I would suggest this: That we proceed—and I want to assure you, I think I can on behalf of everyone concerned—that we will look at your bill, and we will work with you, and if there's agreement, we will proceed expeditiously. So I would hope that would work for you. I just wanted to assure you of our good will on this. And if there is an issue that has to be considered, we'll do that.

The problem right now is, it's impossible—we just received this—to understand whether or not it might have an impact in terms of the overall bill. The overall bill has to be scored. As you know, Mr. BUYER, it's very technical. So again, let me suggest that we proceed and give you the assurance that we will look at this and proceed expeditiously.

Mr. BUYER. Reclaiming my time on the parliamentary inquiry, would it be made in order under a unanimous consent request on a suspension that the gentleman could amend? In other words, could I offer a unanimous consent request to amend to include the general authority language that is very similar to which the House had already passed previously under the health bill?

The SPEAKER pro tempore. The proposition would be allowed to withdraw, amend, and re-offer.

Mr. BUYER. So the gentleman—I accept your good faith. You could withdraw this bill. We are moving quickly, and you're correct that it is highly technical. We only got to see this bill a few days ago. So Mr. SKELTON and Mr. McKEON, all of their staffs didn't get to fully cover it. It's immediately dropped at midnight. We immediately bring it to the floor. We then have to react.

Further parliamentary inquiry. As gentlemen, why don't we pause under the rules? We can withdraw the suspension. We can work, and then the gentleman can bring it back, in good faith. I would ask of the gentleman under the comity of the House—

The SPEAKER pro tempore. The Chair will look to the majority manager for any change in plans.

Mr. BUYER. All right. I would ask of the gentleman, would the gentleman consider to withdraw the suspension to allow us to include the general authority provisions and correct the errors in the bill?

Mr. LEVIN. Let me suggest the reason why I think we need to proceed with this bill. We can accomplish what you want to accomplish by taking up your bill separately. The purpose of this bill is not to correct a flaw. The purpose of it simply is to reaffirm what should already be clear. I don't think in this period of time that we could look at your bill and be sure that it would have no impact in terms of the overall legislation.

I know that this bill will have no such effect. I'm not sure of yours because we've just received it. So let me just offer again in the best of good faith that we will take a note that the—

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will note that the colloquy is on the time of the gentleman from Indiana.

Mr. BUYER. All right. I'm going to reclaim my time. The gentleman's position is that you have chosen not to withdraw the bill to correct the errors, but you want to proceed.

Mr. LEVIN. I don't think it's a question of correcting an error.

Mr. BUYER. Let me reclaim my time, because we have a really large distinction here. Because the bill that is about to be deemed—we don't even have the right to vote on it. See, this is what's blowing my mind, Mr. LEVIN. Those of us who have actually worn the uniform, we don't fight for any bounty of our own. We fight for liberty, we fight for freedom, the right to speak, the right to vote. And then we're going to be denied the right to vote on a Senate bill, and nor do we have the opportunity to amend? And to say that there are not errors when we move this fast, we don't even allow the deliberative process to be used. I'm pleading with you, Mr. LEVIN. I'm pleading with you. The bill that's before us only covers TRICARE for life. I know this.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman will be reminded to address the Chair.

Mr. BUYER. Mr. Speaker, I apologize. Mr. LEVIN, I apologize. I drafted TRICARE for Life. I understand this program. This bill only covers TRICARE for Life. So individuals who are enrolled in TRICARE—it's not considered a minimum essential health program.

Now I know you didn't mean to do that. So let's get that corrected. That's why you're going to do this bill. So then why don't we absolutely make sure we correct chapter 17 to then protect survivors and dependents? It's an error. I'm not going to stand here and say you intentionally meant to leave out widows and orphans. I don't believe that. But if you're going to correct it on TRICARE, let's take care of the veterans too. I would just plead for the gentleman to stop and pause while we're in consideration here. Let's amend this, and let's do it right. That's my plea.

I will also let you know that we do things substantively. We also do things politically. Ha. There's a response. Letters are coming in, and emails are coming in right now from all the VSOs, and the Veterans Service Organizations are pretty upset. Pretty upset. Whenever we move fast, we're sloppy, and people get hurt in the process. This is not one of our finest hours.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address the Chair and not other Members in the second person.

The Chair will also remind all persons in the gallery that they are here as guests of the House, and that any manifestation of approval or disapproval of proceedings or other audible conversations is in violation of the Rules of the House.

Mr. DAVIS of Kentucky. I reserve the balance of my time.

Mr. LEVIN. I yield 3 minutes to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, I support the health reform bill that this body will consider tomorrow, yet section 1501 of the Senate bill needs to be modified to ensure that the insurance our brave men and women in uniform have qualifies as "minimum essential coverage" under the new law. I already believe that TRICARE and the nonappropriated fund health plans will meet the minimum requirements for individual health insurance coverage in the health care bill. Yet like Mr. SKELTON, I believe this legislation should explicitly state that these health plans meet the minimum threshold.

As chairwoman of the Military Personnel Subcommittee, I am a strong proponent of the TRICARE system and do not want that great benefit threatened in any way by health care reform in the United States. Fixing section 1501 of the Senate bill will help achieve this goal and will remove any ambiguity for men and women in uniform and for my colleagues who do not believe that the current bill goes far enough to protect those who serve.

Mr. Speaker, this language to protect TRICARE originally passed the House Education and Labor Committee on a bipartisan basis. I remember it. I was there. I would ask my colleagues on the other side of the aisle to put aside politics for this one vote and help pass

a measure that will allow our men and women in uniform to focus on their mission, not their health insurance. I urge a "yes" vote on this measure.

Mr. DAVIS of Kentucky. Mr. Speaker, may I inquire as to how much time is remaining on our side?

The SPEAKER pro tempore. The gentleman from Kentucky has 8 minutes remaining, and the gentleman from Michigan has 14½ minutes remaining.

Mr. DAVIS of Kentucky. Thank you, Mr. Speaker. Now I would like to yield 2 minutes to the gentleman from Florida (Mr. STEARNS), an Air Force veteran and another distinguished member of the Veterans Committee.

Mr. STEARNS. I thank the distinguished chairman. The bottom line—this is the bottom line—the Senate language in the health care bill does not protect VA and Department of Defense health care systems from interference by other Federal agencies, such as Health and Human Services. We need to have the Buyer-McKeon bill part of this package, or you're going to leave out a whole segment of veterans who are under TRICARE, not to mention survivors and dependents who are covered under the CHAMPVA.

This is extremely important to American veterans, so I urge you, Democrats who are in the majority, to reconsider Mr. BUYER's simple request to make part of your bill today, immediately, as much as possible, to amend it so that we include the Buyer language which is H.R. 4894. It's not a major thing to do here. We can do that.

Mr. SKELTON here earlier said that he's against the health care bill. He emphatically said he's going to vote "no." I understand that. He feels that the Democrat health care bill is not something he can support. He's chairman of the Armed Services Committee. He understands that passage of this rule that we're going to talk about later will deem passage of the entire health care bill in America. But then here we are, trying in desperation because this is a farce, this health care bill, because it strips TRICARE from the military veterans. It hurts survivors and dependents.

Now in a charade here of a farce, they're trying to amend a bill that has never passed. Think of that. This bill that we're going to vote on, the Skelton bill, is amending a bill that has not even passed. So I even question the constitutionality and the procedures here. The health care bill is not going to protect Department of Defense military people under TRICARE and veterans.

Now why is this occurring? I think we realize it is because the Democrats moved too quickly, and they're penalizing our veterans. So the chairman of the Armed Services Committee is against it. More importantly, he's here with this bill, and I think all of us should understand that without passage of the Buyer-McKeon bill, which is H.R. 4894—the bill has been dropped—to amend the patient protection and af-

fordable care to ensure appropriate treatment of Department of Veterans Affairs and Department of Defense health programs—this is a simple statement, but it has huge implications.

So Mr. LEVIN, I urge you to reconsider and to make sure that part of this McKeon bill has the language of the Buyer-McKeon. Again, I will just close by saying that the reason why we're here today is because the bill was put together improperly, and it's just an affront to our veterans, to our military retirees that they are going to be affected by this health care bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are once again reminded to address the Chair and not others in the second person.

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Mr. LEVIN. Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Kentucky. Mr. Speaker, I yield 30 seconds to the distinguished gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, in consultation with the chairman of the Ways and Means Committee, a gentleman that I respect, I think the best approach is we will vote on your bill and ask the minority leader, and approach the majority leader and the Speaker, and you can do your due diligence on the policy aspects to make sure that things can get corrected and then maybe we can call for immediate consideration of the Buyer-McKeon bill. I think that is a good approach.

I yield to the gentleman.

Mr. LEVIN. I agree.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will once again remind Members to speak through the Chair and not in the second person.

Mr. LEVIN. I reserve the balance of my time. Do I have the right to close?

The SPEAKER pro tempore. Yes.

Mr. DAVIS of Kentucky. As we revisit this event, we are correcting an egregious wrong that was done by oversight to not fully cover our veterans and those on active duty and their families. The fact that TRICARE would not fall into the so-called minimally accepted coverage leads me back to the false standard that was set in the beginning on this bill in the first place.

I was, among other things in the military, an assault helicopter pilot. One of the things that we learned as young aviators is that accidents normally didn't happen because of one big thing. Normally an accident would happen, and several of my close friends paid the ultimate price in this, was because several little things would begin to pile up, small events, things unseen. The faster the environment began to process, the more they would pile up, and eventually they became uncontrollable. Not noticing power, not noticing air speed, not noticing their rate of descent, their altitude, their visual ref-

erences, lots of things can come into play.

The bottom line is we are doing the same thing now, except we are doing it with one of the largest and most sweeping bills in the history of this country. We are rushing headlong without even a week; 72 hours for a bill this big, give me a break. Let's think about the reality of what we are doing, rushing headlong to do the largest transfer of power to the executive branch in the history of the United States.

This is about turning us into a different Nation. This is about stepping beyond article I of the Constitution to deem. To deem what? We are fixing a small mistake. I guarantee you, there are hundreds of others. Deeming actually is pronouncing something that isn't as if it were done, for all practical purposes, and it was designed from a legislative perspective for simple corrections. Let us deem everybody good health; that has about the same effect in the eyes of the American people. If we are dealing with veterans, let us deem world peace so there won't be any more risks internationally.

You see the absurdity of this argument presented over and over and over. And for the thousands of Americans outside this building, while we stand in here trying to work together to fix a small piece, there are hundreds and hundreds of other things piling up.

Remember what the Speaker said: the Speaker said we have to pass this bill so we can find out what's in it. In the name of heaven, shouldn't we know what is in it before it even comes to this floor for a vote? I demand to know the justice in that, in ramming a piece of legislation through here that is going to change the lives of our children and our grandchildren.

You ask the people dying in hospitals in England, you ask the people who wait 18 months for bypass surgery, you ask the veterans who are yet to come forward who will not have health care because of this on some technical fix. We are hiring over 100,000 new government bureaucrats and not making the changes the rest of the country uses. And every time in the Ways and Means Committee we tried to offer those changes, they were rejected. Think about this for a moment.

I don't want the most important thing that we are handling in this administration to become a train wreck waiting to happen when we see all of the events beginning to pile up. We need to slow the overall bill down. The fact that we would have to do this, the fact that there are thousands of people demonstrating tells us that there is more to this than simply giving people health care.

I yield 1 minute to the distinguished gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Speaker, there is something else that is going on here, too. Okay, so the Skelton bill passes without the Buyer-McKeon. Okay, then the health care bill comes tomorrow. We vote on it tomorrow night, and it

passes. But still, the veterans will still be without care because this bill that is passing here has to go to the Senate. The Senate could make some changes and then it comes back to the House. So you will have a health care bill out there standing by itself that has passed, gone to the President, signed into law that does not protect veterans on TRICARE. You should be very concerned about that, and I think the American people should be concerned that our veterans, who are in two wars today, are not going to be protected because you are delaying the enforcement of the rigorous understanding of what this bill is about.

So just simply passing this today under suspension will not mean that the veterans are protected. It still has to go to the Senate and comes back to the House before it is signed by the President.

Mr. DAVIS of Kentucky. Mr. Speaker, I will go ahead and close with these final remarks.

Next year will be the 30th anniversary of my graduation from the United States Military Academy. When I am back there seeing these men and women who have served this country in so many distinguished ways, through times of peace and war and turbulence, the one thing that I want to be able to look in their eyes and say that we did as a Congress, not simply me, is that we served their needs, their family needs, the needs of their soldiers, the needs of veterans in general.

And it is clear from the overall legislation that we are seeking to amend before it even becomes law, although I think that is constitutionally in question if we are not actually going to vote on the Senate bill, we need to slow this process down and stop the Senate bill from being forced through this House, this reconciliation process, and go back to square one and do this step by step and get it right the first time rather than having to make corrections.

I thank the chairman of the Armed Services Committee and the chairman of the Ways and Means Committee for bringing this critical fix forward. There are many more. Let us get to those.

I yield back the balance of my time. Mr. LEVIN. Mr. Speaker, I yield myself the balance of my time.

I want to make two points clearly and very forcefully: veterans and veterans' health are protected and will be protected. We are glad to bring our record before the world where this party that I belong to has been in terms of protecting veterans and veterans' health. I just want to say a word about that because I have been here now for some years; and a few years ago the party that I belong to, when we had the power, took the steps to make sure that the health of veterans was protected, indeed, enhanced. What we did was to pass billions of dollars' worth in programs to make sure that veterans in this country were protected as to their health care needs. That is

absolutely clear. No veterans need to be worried about their health care. No one covered by TRICARE needs to be worried about whether that will be in effect. No one.

This is done simply to reassure in terms of the language. It is not to fix a flaw. It is to reassure. Indeed, it is being brought for the very reason that we feared that some people might decide to misstate what the reality was. The reality is that we are simply reassuring. There is no flaw to fix, period.

So no one in any place, any veteran or anybody and their family needs to worry about our dedication or the impact of this legislation. That is point one.

Number two, I think what is being done here, what is being said here is pretty clear. The argument isn't really over veterans' health. We are all dedicated to sustaining that. It isn't over TRICARE. We are dedicated to improving TRICARE wherever possible. What we hear on the other side instead are speeches and words about the reconciliation bill. You don't like it.

Mr. DAVIS of Kentucky. Would the gentleman yield?

Mr. LEVIN. I am not sure that I want to carry on much longer a debate over the health care bill, but sure.

Mr. DAVIS of Kentucky. I would point out that TRICARE for life was excised from the Senate bill.

Mr. LEVIN. Look, the Senate bill, we wanted to be 100 percent sure that nobody would misstate its impact. So don't misstate it. That's the purpose of this.

Instead, after you talk about veterans' health, you begin to talk about the reconciliation bill. Now we will debate that tomorrow, but we should not use any question about coverage for veterans as a reason to attack the reconciliation bill. I support it. I think it will have a major positive impact. You used all kinds of words about a different Nation, about rushing headlong. That has nothing to do with this bill. I think you are completely wrong about this being a different Nation. You raised it, so I will say a few words.

What this is going to do is continue the path of this Nation, to make sure that health care can be afforded, to make sure that health care is spread to everybody. It is not a different Nation; it is continuing the best in our Nation. And so we are not rushing headlong. We have been talking about health care for a century in this country. I said at the Rules Committee, my first political experience as I remember it was as a kid passing out leaflets for the dad of JOHN DINGELL. His father had introduced a health care bill how many decades ago, and before him, others. Going back to Teddy Roosevelt, no huge radical.

So now decades later we come to a moment when we can step up to the plate, and you call it a different Nation. No, I say it is in the best traditions of the United States of America. And so this is simply a bill to reassure;

don't use it as an opportunity to talk about something else. We want to say clearly to the veterans of this country and to the families of those veterans, to everybody who is part of that family, that their health care is going to be protected. That is the purpose of this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. LEVIN) that the House suspend the rules and pass the bill, H.R. 4887, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. LEVIN. 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### COMMENDING AGRI-BUSINESS DEVELOPMENT TEAMS OF THE NATIONAL GUARD FOR THEIR EFFORTS IN WAR-TORN COUNTRIES

Mr. SKELTON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1075) commending the members of the Agri-business Development Teams of the National Guard for their efforts, together with personnel of the Department of Agriculture and the United States Agency for International Development, to modernize agriculture practices and increase food production in war-torn countries, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 1075

Whereas the Agri-business Development Teams of the National Guard began as a pilot program started in Missouri, and the Missouri National Guard worked with the Missouri Farm Bureau and the University of Missouri to draw a blueprint that could be followed by other Army National Guard units;

Whereas the Agri-business Development Teams consist of National Guard members who have a civilian background in farming or a related agricultural business;

Whereas the Agri-business Development Teams now consist of units from 11 States;

Whereas before deploying overseas, members of an Agri-business Development Team collaborate with land-grant universities, which spend weeks teaching and preparing strategies for the farms to which the Agri-business Development Team will deploy;

Whereas in Afghanistan, the goals of the Agri-business Development Teams include improving irrigation systems and providing sustainable methods for fertilizing, planting, harvesting, marketing, and storing agricultural crops, modernizing slaughter facilities, setting up markets to trade crops and livestock, developing a juicing and canning facility, and improving livestock health through mobile vet clinics, all of which can help divert cropland from poppy production;