

And it is not just New York that is hurting. The American people have become victims of the fear and uncertainty that terrorism breeds. And, while investments in homeland security will not allay all the fears—they will go a long way to keep our communities safe. Safe from threats to our postal system and our food and water supply. Safe from threats to our ports, borders, and our schools. It is our responsibility to invest in safety both at home and abroad—providing adequate funds to ensure the superiority of our military and the security of our citizens.

It is simply wrong to force the American people to choose between homeland security and a strong national defense. And it is wrong to force us to choose between either of these and cleaning up New York.

\$40 billion will not be enough to meet all of our commitments, but we have been blocked from increasing this amount before the end of the year. I urge our conferees to maximize our investment in all of these priorities, and I hope Congress will return in January ready to do our job—to commit whatever it takes to rebuild New York, win the war against terrorism, and keep America safe.

The SPEAKER pro tempore (Mr. THORNBERRY). All time has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Wisconsin (Mr. OBEY).

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

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

This 15-minute vote will be followed by a 5-minute vote on the motion to close the conference.

The vote was taken by electronic device, and there were—yeas 370, nays 44, not voting 19, as follows:

[Roll No. 494]

YEAS—370

Abercrombie	Blunt	Castle
Ackerman	Boehlert	Chambliss
Aderholt	Boehner	Clay
Allen	Bonilla	Clayton
Andrews	Bonior	Clement
Baca	Bono	Clyburn
Bachus	Boozman	Combest
Baird	Borski	Condit
Baker	Boswell	Conyers
Baldacci	Boucher	Cooksey
Baldwin	Boyd	Costello
Ballenger	Brady (PA)	Cox
Barcia	Brady (TX)	Coyne
Barr	Brown (FL)	Cramer
Barrett	Brown (OH)	Crane
Bartlett	Brown (SC)	Crenshaw
Bass	Bryant	Crowley
Becerra	Burton	Cummings
Bentsen	Callahan	Cunningham
Bereuter	Calvert	Davis (CA)
Berkley	Cantor	Davis (FL)
Berman	Capito	Davis (IL)
Berry	Capps	Davis, Jo Ann
Biggart	Capuano	Davis, Tom
Bilirakis	Cardin	DeFazio
Blagojevich	Carson (IN)	DeGette
Blumenauer	Carson (OK)	DeLauro

DeLay	Kilpatrick	Rahall
Deutsch	Kind (WI)	Ramstad
Diaz-Balart	Kingston	Rangel
Dicks	Kirk	Regula
Dingell	Kleczka	Rehberg
Doggett	Knollenberg	Reyes
Doyle	Kolbe	Reynolds
Dreier	Kucinich	Riley
Dunn	LaFalce	Rivers
Edwards	LaHood	Rodriguez
Ehrlich	Lampson	Roemer
Emerson	Langevin	Rogers (KY)
Engel	Lantos	Rogers (MI)
English	Largent	Ros-Lehtinen
Eshoo	Larsen (WA)	Ross
Etheridge	Larson (CT)	Rothman
Evans	Latham	Roukema
Everett	LaTourette	Roybal-Allard
Farr	Leach	Rush
Fattah	Lee	Sabo
Ferguson	Levin	Sanchez
Filner	Lewis (CA)	Sanders
Fletcher	Lewis (GA)	Sandlin
Foley	Lewis (KY)	Sawyer
Forbes	Linder	Saxton
Ford	Lipinski	Schiff
Fossella	LoBiondo	Schrock
Frank	Lofgren	Scott
Frelinghuysen	Lucas (KY)	Serrano
Frost	Lucas (OK)	Shaw
Gallegly	Lynch	Shays
Ganske	Maloney (CT)	Sherman
Gekas	Maloney (NY)	Sherwood
Gibbons	Manzullo	Shimkus
Gilchrest	Markey	Shows
Gillmor	Mascara	Shuster
Gilman	Matheson	Simmons
Gordon	Matsui	Skeen
Goss	McCarthy (MO)	Skelton
Graham	McCarthy (NY)	Slaughter
Granger	McCollum	Smith (NJ)
Green (TX)	McCrery	Smith (TX)
Green (WI)	McDermott	Smith (WA)
Greenwood	McGovern	Snyder
Grucci	McHugh	Soils
Gutierrez	McInnis	Souder
Gutknecht	McIntyre	Spratt
Hall (OH)	McKeon	Stark
Hall (TX)	McKinney	Stenholm
Hansen	McNulty	Strickland
Harman	Meehan	Stump
Hart	Meeks (NY)	Stupak
Hastings (FL)	Menendez	Sununu
Hastings (WA)	Mica	Sweeney
Hayes	Millender-	Tanner
Hayworth	McDonald	Tauscher
Hefley	Miller, Dan	Tauzin
Herger	Miller, Gary	Taylor (MS)
Hill	Miller, Jeff	Taylor (NC)
Hilleary	Mink	Thomas
Hilliard	Mollohan	Thompson (CA)
Hinchey	Moore	Thompson (MS)
Hinojosa	Moran (VA)	Thornberry
Hobson	Morella	Thune
Hoeckstra	Murtha	Thurman
Holden	Nadler	Tiahrt
Holt	Napolitano	Tiberi
Honda	Neal	Tierney
Hookey	Nethercutt	Towns
Horn	Ney	Trafficant
Houghton	Northup	Turner
Hoyer	Norwood	Udall (CO)
Hulshof	Oberstar	Udall (NM)
Hunter	Obey	Velazquez
Hyde	Olver	Visclosky
Inslee	Ortiz	Vitter
Isakson	Osborne	Walden
Israel	Ose	Walsh
Issa	Owens	Wamp
Istook	Oxley	Waters
Jackson (IL)	Pallone	Watkins (OK)
Jackson-Lee	Pascrell	Watson (CA)
(TX)	Pastor	Watt (NC)
Jefferson	Payne	Watts (OK)
Jenkins	Pelosi	Waxman
John	Peterson (PA)	Weiner
Johnson (CT)	Phelps	Weldon (FL)
Johnson (IL)	Pickering	Weldon (PA)
Johnson, E. B.	Pitts	Weller
Jones (OH)	Platts	Whitfield
Kanjorski	Pomeroy	Wicker
Kaptur	Portman	Wilson
Keller	Price (NC)	Wolf
Kelly	Pryce (OH)	Woolsey
Kennedy (MN)	Putnam	Wu
Kennedy (RI)	Quinn	Wynn
Kildee	Radanovich	Young (FL)

NAYS—44

Akin	Goode	Royce
Armey	Goodlatte	Ryan (WI)
Barton	Graves	Ryun (KS)
Burr	Johnson, Sam	Schaffer
Cannon	Jones (NC)	Sensenbrenner
Chabot	Kerns	Sessions
Coble	Moran (KS)	Shadegg
Collins	Myrick	Simpson
Culberson	Nussle	Smith (MI)
Deal	Otter	Stearns
DeMint	Paul	Tancredo
Doolittle	Peterson (MN)	Terry
Duncan	Petri	Toomey
Ehlers	Pombo	Upton
Flake	Rohrabacher	

NOT VOTING—19

Bishop	Gonzalez	Miller, George
Buyer	Hoefel	Pence
Camp	Hostettler	Schakowsky
Cubin	King (NY)	Wexler
Delahunt	Lowey	Young (AK)
Dooley	Luther	
Gephardt	Meek (FL)	

□ 1737

Messrs. MORAN of Kansas, SMITH of Michigan, GRAVES, DUNCAN, EHLERS, PETRI, and UPTON changed their vote from “yea” to “nay.”

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. THORNBERRY). Without objection, the Chair appoints the following conferees:

For consideration of Division A of the House bill and Division A of the Senate amendment, and modifications committed in conference: Messrs. LEWIS of California, YOUNG of Florida, SKEEN, HOBSON, BONILLA, NETHERCUTT, CUNNINGHAM, FRELINGHUYSEN, TIAHRT, MURTHA, DICKS, SABO, VISCLOSKEY, MORAN of Virginia, and OBEY.

For consideration of all other matters of the House bill and all other matters of the Senate amendment, and modifications committed to conference: Messrs. YOUNG of Florida, LEWIS of California, and OBEY.

There was no objection.

MOTION TO CLOSE CONFERENCE COMMITTEE MEETINGS ON H.R. 3338, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2002, WHEN CLASSIFIED NATIONAL SECURITY INFORMATION IS UNDER CONSIDERATION

Mr. LEWIS of California. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. LEWIS of California moves, pursuant to clause 12 of rule 22, that conference committee meetings on the bill H.R. 3338 be closed to the public at such time as classified national security information is under consideration, provided, however, that any sitting Member of Congress shall have the right to attend any closed or open meeting.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. LEWIS).

Pursuant to clause 12 of rule XXII, this vote must be taken by the yeas and nays.

This will be a 5-minute vote. The vote was taken by electronic device, and there were—yeas 407, nays 0, not voting 26, as follows:

[Roll No. 495] YEAS—407

- Abercrombie, Crenshaw, Hill, Ackerman, Crowley, Hilleary, Aderholt, Culberson, Hilliard, Akin, Cummings, Hinchey, Allen, Cunningham, Hinojosa, Andrews, Davis (CA), Hobson, Arney, Davis (IL), Hoekstra, Baca, Davis, Jo Ann, Holden, Bachus, Davis, Tom, Holt, Baird, Deal, Honda, Baker, DeFazio, Hooley, Baldacci, DeGette, Horn, Baldwin, DeLauro, Houghton, Ballenger, DeLay, Hoyer, Barcia, DeMint, Hulshof, Barr, Deutsch, Hunter, Barrett, Diaz-Balart, Inslee, Bartlett, Dicks, Isakson, Barton, Dingell, Jackson (IL), Bass, Doggett, Istook, Becerra, Doolittle, Jackson-Lee, Bentsen, Doyle, Jackson-Lee (TX), Bereuter, Dreier, Jefferson, Berkley, Duncan, Jenkins, Berman, Dunn, John, Berry, Edwards, Johnson (CT), Biggert, Ehlers, Johnson (IL), Bilirakis, Ehrlich, Johnson (IL), Blagojevich, Emerson, Johnson, E. B., Blumenauer, Engel, Johnson, Sam, Blunt, English, Jones (NC), Boehlert, Eshoo, Jones (OH), Boehner, Etheridge, Kanjorski, Bonilla, Everett, Keller, Bonior, Farr, Kelly, Bono, Fattah, Kennedy (MN), Boozman, Filner, Kennedy (RI), Borski, Flake, Owens, Boswell, Fletcher, Kildee, Boucher, Foley, Kilpatrick, Boyd, Forbes, Kind (WI), Brady (PA), Ford, King (NY), Brady (TX), Fossella, Kingston, Brown (FL), Frank, Kirk, Brown (OH), Frelinghuysen, Kleczka, Brown (SC), Frost, Knollenberg, Bryant, Gallegly, Kolbe, Burr, Ganske, Kucinich, Burton, Gekas, LaFalce, Callahan, Gibbons, LaHood, Calvert, Gilchrest, Lampson, Cannon, Gillmor, Langevin, Cantor, Gilman, Lantos, Capito, Goode, Largent, Capps, Goodlatte, Larsen (WA), Capuano, Gordon, Larson (CT), Cardin, Goss, Latham, Carson (IN), Graham, LaTourette, Carson (OK), Granger, Leach, Castle, Graves, Lee, Chabot, Green (TX), Levin, Chambliss, Green (WI), Lewis (CA), Clay, Greenwood, Lewis (GA), Clayton, Grucci, Lewis (KY), Clement, Gutierrez, Linder, Clyburn, Gutknecht, Lipinski, Coble, Hall (OH), LoBiondo, Collins, Hall (TX), Lofgren, Combest, Hansen, Lucas (KY), Condit, Harman, Lucas (OK), Conyers, Hart, Lynch, Cooksey, Hastings (FL), Maloney (CT), Costello, Hastings (WA), Maloney (NY), Cox, Hayes, Manzullo, Coyne, Hayworth, Markey, Cramer, Hefley, Mascara, Crane, Herger, Matheson

- Matsui, Pomeroy, Snyder, McCarthy (MO), Portman, Solis, McCarthy (NY), Price (NC), Souder, McCollum, Pryce (OH), Spratt, McCrery, Putnam, Stark, McDermott, Quinn, Stearns, McGovern, Radanovich, Stenholm, McHugh, Rahall, Strickland, McInnis, Ramstad, Stump, McIntyre, Rangel, Stupak, McKeon, Regula, Sununu, McKinney, Rehberg, Sweeney, McNulty, Reyes, Tancredo, Meehan, Reynolds, Tanner, Meeks (NY), Riley, Tauscher, Menendez, Rivers, Tauzin, Mica, Rodriguez, Taylor (MS), Millender, Roemer, Taylor (NC), McDonald, Rogers (KY), Terry, Miller, Dan, Rogers (MI), Thomas, DeGette, Rohrabacher, Thompson (CA), Miller, Gary, Ros-Lehtinen, Thompson (MS), Miller, Jeff, Ross, Thornberry, Mink, Rothman, Thune, Mollohan, Roukema, Thurman, Moore, Roybal-Allard, Tiahrt, Moran (KS), Royce, Tiberi, Moran (VA), Issa, Rush, Tierney, Morella, Ryan (WI), Toomey, Myrick, Nadler, Ryun (KS), Towns, Napolitano, Sabo, Traficant, Neal, Sanchez, Turner, Nethercutt, Sanders, Udall (CO), Ney, Sandlin, Udall (NM), Northup, Sawyer, Upton, Norwood, Saxton, Velazquez, Nussle, Schaffer, Vitter, Oberstar, Schiff, Walden, Obey, Schrock, Walsh, Oliver, Scott, Wamp, Ortiz, Sensenbrenner, Serrano, Waters, Osborne, Sessions, Watkins (OK), Ose, Shadegg, Watson (CA), Otter, Shaw, Watt (NC), Owens, Shays, Watts (OK), Kerns, Sherman, Waxman, Pallone, Sherwood, Weldon (FL), Pascrell, Shimkus, Weldon (PA), Pastor, Shimkus, Weller, Paul, Shows, Whitfield, Payne, Shuster, Whitfield, Pelosi, Simmons, Wicker, Peterson (MN), Simpson, Wilson, Peterson (PA), Skeen, Wolf, Petri, Skelton, Woolsey, Phelps, Slaughter, Wu, Pickering, Smith (MI), Wynn, Pitts, Smith (NJ), Young (FL), Platts, Smith (TX), Young (FL), Pombo, Smith (WA)

that the Senate has passed without amendment a bill of the House of the following title:

H.R. 3323. An act to ensure that covered entities comply with the standards for electronic health care transactions and code sets adopted under part C of title XI of the Social Security Act, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1729. An act to provide assistance with respect to the mental health needs of individuals affected by the terrorist attacks of September 11, 2001.

S. 1789. An act to amend the Federal Food, Drug, and Cosmetic Act to improve the safety and efficacy of pharmaceuticals for children.

DIFFERENCES WITH THE OTHER BODY

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

Mr. KINGSTON. Mr. Speaker, the House this year has had a very, very productive year. We have passed a good education bill, we have passed a faith-based initiative bill, we have passed an energy package; and, of course, we have passed an economic stimulus bill.

A funny thing has happened, though, on the way to the President's desk. It is called the United States other body, whose leader said, and I quote, or this is what has been said by that leader: "The economic stimulus issue is not a front-burner issue. Other legislation, particularly government spending, is more important."

That is a defining difference between the Republican House and the Democrat Senate. We believe people who are out of work, businesses that are cutting back, the economy that is going sluggish should be a front-burner issue. Unfortunately, the United States other body thinks it is no big deal, and that passing spending bills is more important.

But how are they doing on passing other spending? Here is what we have done on the House side. We have passed the energy bill, the economic stimulus, faith-based, the farm bill, trade promotion, antiterrorism and human cloning.

Where is the Senate? Nowhere. Maybe Mr. JEFFORDS needs to reexamine.

NOT VOTING—26

- Bishop, Gephardt, Meek (FL), Buyer, Gonzalez, Miller, George, Camp, Hoeffel, Murtha, Cubin, Hostettler, Pence, Davis (FL), Hyde, Schakowsky, Delahunt, Israel, Weiner, Dooley, Kaptur, Wexler, Evans, Lowey, Young (AK), Ferguson, Luther

□ 1748

So the motion was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced

APPROPRIATIONS BILLS, 107TH CONGRESS, 1ST SESSION

Table with 5 columns: Bill, House passed, Senate passed, CNF passed, Time elapsed between H/S. Rows include Supplemental, FY 01, Supplemental, FY 02, Agriculture, Commerce/Justice/State, Defense, DC, Energy/Water, Foreign Operations, Interior.