

HOUSE OF REPRESENTATIVES—Wednesday, June 28, 2000

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. LATOURETTE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 28, 2000.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Reverend Mark A. Teslik, Pastor, Immanuel Lutheran Church, East Moline, Illinois, offered the following prayer:

Almighty God, Creator and Ruler of the universe, accept our praise and thanks for Your help in times past in our individual and corporate lives.

Remind us that Your power is chiefly shown through acts of love and mercy in the day-to-day context of our present lives.

Direct and empower us, Mighty God, to be part of a present so marked by acts of love and mercy that the future of this country and the world might be shaped by Your love.

Bless the Members and staff of this House, their families, and all who visit here today with Your love and presence.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Illinois (Mr. MANZULLO) come forward and lead the House in the Pledge of Allegiance.

Mr. MANZULLO led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain one 1-minute address to introduce the guest Chaplain. All other 1-minutes will be at the end of the legislative day.

INTRODUCING THE REVEREND MARK TESLIK OF ROCKFORD, ILLINOIS, GUEST CHAPLAIN

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

Mr. MANZULLO. Mr. Speaker, it is my pleasure that the House has had its invocation given by the Reverend Mark Teslik of Rockford, Illinois. He is here with his wife, Annette, and son Tom, who are in the gallery just in front of me.

Mark was an Eagle Scout. He was an outstanding ROTC Cadet in Jefferson High School in Rockford, Illinois. He is a Ripon College 1976 graduate, with additional studies at Northern Illinois University in DeKalb.

Mark served with the Third Armor in Germany and was a Second Lieutenant in the Signal Corps. He is a graduate of the Airborne School in Fort Benning, Georgia. He is a graduate of Lutheran Northwestern Theological Seminary in St. Paul.

Mark underwent clinical pastoral training with residency at Alexian Brothers Medical Center in Elk Grove Village, Illinois, and was ordained in 1984.

Mr. Speaker, he is the pastor of Immanuel Lutheran Church in East Moline, Illinois, and chairman of the World Hunger Appeal Committee of the Northern Illinois Synod of the Evangelical Lutheran Church of America.

Mr. Speaker, we are honored today to have in our presence the Reverend Mark Teslik and we have been honored with his prayer for our country.

PARLIAMENTARY INQUIRIES

Mr. BONIOR. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BONIOR. Mr. Speaker, under House Rule 539, which governs the debate on prescription drug coverage that we will engage in today, is it in order to consider the text of our Democratic proposal, H.R. 4770, to provide affordable, voluntary, and guaranteed Medicare prescription drug coverage to all seniors?

The SPEAKER pro tempore. The Chair will not respond to the content of a resolution before the House. That is determined during the course of the debate on the resolution.

Mr. BONIOR. Mr. Speaker, I have another parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BONIOR. Mr. Speaker, is it a fact that in order to consider any substitute or alternative, Democratic or otherwise under this shutdown rule, that it would be impossible to do that?

The SPEAKER pro tempore. The Chair would give the same response, and that information can also be discerned during the course of debate on the rule.

Mr. BONIOR. Mr. Speaker, that is my understanding of the situation; that we would not be able to offer our substitute or any substitute on the floor under this rule. With that, Mr. Speaker, I strongly object to the procedures that deny the American people a vote on any real plan to help with the soaring cost of prescription medicine, and I protest this shutdown procedure.

MOTION TO ADJOURN

Mr. BONIOR. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Michigan (Mr. BONIOR).

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 166, nays 237, not voting 32, as follows:

[Roll No. 343]
YEAS—166

Ackerman	Brady (PA)	Dingell
Allen	Brown (FL)	Doggett
Andrews	Brown (OH)	Dooley
Baca	Capps	Doyle
Baird	Capuano	Edwards
Baldacci	Cardin	Engel
Baldwin	Carson	Eshoo
Barrett (WI)	Clayton	Etheridge
Becerra	Clyburn	Evans
Bentsen	Condit	Fattah
Berkley	Conyers	Finer
Berman	Coyne	Forbes
Berry	Cramer	Ford
Bishop	Crowley	Frank (MA)
Blumenauer	Danner	Frost
Bonior	Davis (FL)	Gejdenson
Borski	DeFazio	Gephardt
Boswell	DeLauro	Gonzalez
Boucher	Deutsch	Green (TX)
Boyd	Dicks	Gutierrez

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Hall (OH)	McCarthy (MO)	Rush
Hastings (FL)	McCarthy (NY)	Sabo
Hill (IN)	McDermott	Sanchez
Hilliard	McGovern	Sanders
Hinojosa	McIntyre	Sandlin
Hoeffel	McKinney	Sawyer
Holden	McNulty	Schakowsky
Holt	Meehan	Scott
Hoyer	Meeke (NY)	Sherman
Inslee	Menendez	Sisisky
Jackson (IL)	Millender-	Skelton
Jackson-Lee	McDonald	Slaughter
(TX)	Miller, George	Smith (WA)
Jefferson	Mink	Snyder
Johnson, E.B.	Moakley	Spratt
Jones (OH)	Mollohan	Stark
Kanjorski	Nadler	Stenholm
Kennedy	Napolitano	Stupak
Kildee	Neal	Tanner
Kleczka	Oberstar	Tauscher
LaFalce	Obey	Taylor (MS)
Lampson	Olver	Thompson (CA)
Lantos	Owens	Thompson (MS)
Larson	Pallone	Thurman
Lee	Pascrell	Tierney
Levin	Pastor	Towns
Lewis (GA)	Payne	Turner
Lipinski	Pelosi	Udall (CO)
Lofgren	Phelps	Velazquez
Lowe	Pickett	Visclosky
Lucas (KY)	Pomeroy	Waters
Luther	Price (NC)	Weiner
Maloney (CT)	Rangel	Wexler
Maloney (NY)	Rivers	Weygand
Mascara	Rothman	Woolsey
Matsui	Roybal-Allard	Wynn

NAYS—237

Abercrombie	Duncan	Jones (NC)
Aderholt	Dunn	Kasich
Archer	Ehlers	Kelly
Armey	Ehrlich	Kilpatrick
Bachus	English	Kind (WI)
Baker	Everett	King (NY)
Ballenger	Ewing	Kingston
Barcia	Farr	Klink
Barr	Fletcher	Knollenberg
Barrett (NE)	Foley	Kolbe
Bartlett	Fossella	Kucinich
Barton	Fowler	Kuykendall
Bass	Franks (NJ)	LaHood
Bateman	Frelinghuysen	Largent
Bereuter	Galleghy	Latham
Biggert	Ganske	LaTourette
Bilbray	Gekas	Lazio
Bilirakis	Gibbons	Leach
Blagojevich	Gilchrest	Lewis (CA)
Bliley	Gillmor	Lewis (KY)
Blunt	Gilman	LoBiondo
Boehlert	Goode	Lucas (OK)
Bonilla	Goodlatte	Manzullo
Bono	Goodling	McCollum
Brady (TX)	Gordon	McCrery
Bryant	Goss	McHugh
Burr	Graham	McInnis
Buyer	Granger	McKeon
Callahan	Green (WI)	Metcalfe
Calvert	Greenwood	Mica
Camp	Gutknecht	Miller (FL)
Campbell	Hall (TX)	Miller, Gary
Cannon	Hansen	Minge
Castle	Hastert	Moore
Chabot	Hastings (WA)	Moran (KS)
Chambliss	Hayes	Morella
Chenoweth-Hage	Hayworth	Nethercutt
Coble	Hefley	Ney
Coburn	Herger	Northup
Collins	Hill (MT)	Nussle
Combest	Hilleary	Ortiz
Cooksey	Hobson	Ose
Costello	Hoekstra	Oxley
Cox	Hooley	Packard
Crane	Horn	Paul
Cubin	Hostettler	Pease
Cunningham	Houghton	Peterson (MN)
Davis (IL)	Hulshof	Peterson (PA)
Davis (VA)	Hunter	Petri
Deal	Hutchinson	Pickering
DeGette	Hyde	Pitts
DeLay	Isakson	Pombo
DeMint	Istook	Portman
Diaz-Balart	Jenkins	Pryce (OH)
Dickey	John	Quinn
Doolittle	Johnson (CT)	Radanovich
Dreier	Johnson, Sam	Rahall

Ramstad	Shaw	Thomas
Regula	Shays	Thornberry
Reyes	Sherwood	Thune
Riley	Shimkus	Tiahrt
Rodriguez	Shows	Toomey
Roemer	Shuster	Trafficant
Rogan	Simpson	Udall (NM)
Rogers	Skeen	Upton
Rohrabacher	Smith (MI)	Walden
Ros-Lehtinen	Smith (NJ)	Walsh
Roukema	Souder	Wamp
Royce	Spence	Watkins
Ryan (WI)	Stabenow	Watt (NC)
Ryun (KS)	Stearns	Watts (OK)
Salmon	Stump	Weldon (FL)
Sanford	Sununu	Weldon (PA)
Saxton	Sweeney	Weller
Scarborough	Talent	Whitfield
Schaffer	Tancredo	Wicker
Sensenbrenner	Tauzin	Wilson
Sessions	Taylor (NC)	Wolf
Shadegg	Terry	Wu

NOT VOTING—32

Boehner	Kaptur	Reynolds
Burton	Linder	Serrano
Canady	Markey	Smith (TX)
Clay	Martinez	Strickland
Clement	McIntosh	Vento
Cook	Meek (FL)	Vitter
Cummings	Moran (VA)	Waxman
Delahunt	Murtha	Wise
Dixon	Myrick	Young (AK)
Emerson	Norwood	Young (FL)
Hinchee	Porter	

□ 1027

Mr. DELAY, Mrs. FOWLER, and Messrs. BLILEY, BARTON of Texas, MOORE, and HORN changed their vote from “yea” to “nay.”

Messrs. SPRATT, GEPHARDT and RUSH changed their vote from “nay” to “yea.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

□ 1030

PROVIDING FOR CONSIDERATION OF H.R. 4680, MEDICARE RX 2000 ACT

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 539 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 539

Resolved, That upon the adoption of this resolution it shall be in order, without intervention of any point of order, to consider in the House the bill (H.R. 4680) to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare Program, to modernize the Medicare Program, and for other purposes. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) two hours of debate on the bill, as amended, equally divided among and controlled by the chairmen and ranking minority members of the Committee on Ways and Means and the Committee on Commerce; and (2) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 4680, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill until a time designated by the Speaker.

SEC. 3. It shall be in order at any time on or before the legislative day of Friday, June 30, 2000, for the Speaker to entertain motions to suspend the rules with respect to the following measures:

(1) the bill (H.R. 3240) to amend the Federal Food, Drug, and Cosmetic Act to clarify certain responsibilities of the Food and Drug Administration with respect to the importation of drugs into the United States; and

(2) the resolution (H. Res. 535) expressing the sense of the House of Representatives concerning use of additional projected surplus funds to supplement Medicare funding, previously reduced under the Balanced Budget Act of 1997.

UNFUNDED MANDATES POINT OF ORDER

Mr. STENHOLM. Mr. Speaker, I make a point of order against consideration of the resolution.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman will state his point of order.

Mr. STENHOLM. Mr. Speaker, House Resolution 539 waives all points of order against consideration of H.R. 4680, including points of order against provisions of the House Rules pertaining to intergovernmental mandates as defined in the Unfunded Mandates Reform Act.

Mr. Speaker, the offending language in the resolution is “without intervention of any point of order.” Included in that waiver are points of order that would possibly lie against consideration of H.R. 4680.

The SPEAKER pro tempore. The gentleman from Texas (Mr. STENHOLM) makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

According to section 426(b)(2) of the Act, the gentleman must specify precise language in the resolution that has that effect. Having met his threshold burden to identify the specific language of the resolution under section 426(b)(2), the gentleman from Texas (Mr. STENHOLM) and a Member opposed each will control 10 minutes of debate on the question of consideration under section 426(b)(4).

Following the debate, the Chair will put the question of consideration, to wit: “Will the House now consider the resolution?”

The gentleman from Texas (Mr. STENHOLM) is recognized for 10 minutes.

Mr. STENHOLM. Mr. Speaker, I yield myself such time as I may consume.

I would point out, Mr. Speaker, that the bill contains a number of preemptions of State law that would be intergovernmental mandates as defined in the Unfunded Mandates Reform Act. CBO cannot estimate the cost of a preemption of State taxing authority because of uncertainties about market changes.

The bill also contains a private sector mandate on Medigap insurers that