

**HOUSE OF REPRESENTATIVES—Thursday, May 3, 2001**

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

**DESIGNATION OF THE SPEAKER PRO TEMPORE**

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

WASHINGTON, DC,  
May 3, 2001.

I hereby appoint the Honorable RAY LAHOOD to act as Speaker pro tempore on this day.

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

**PRAYER**

Dr. Lloyd J. Ogilvie, Chaplain, U.S. Senate, offered the following prayer:

Almighty God, on this National Day of Prayer, we join with millions across our land in intercession and supplication to You, the Sovereign Lord of the United States of America. As we sound that sacred word Sovereign, we echo Washington, Jefferson, Madison and Lincoln along with other leaders through the years, in declaring that You are our ultimate ruler. We make a new commitment to be one Nation under You, Dear God, and we place our trust in You.

You have promised that if Your people will humble themselves, seek Your face and pray, You will answer and heal our land. Lord, as believers in You, we are Your people. You have called us to be salt in any bland neglect of our spiritual heritage and light in the darkness of what contradicts Your vision for our Nation.

Give us courage to be accountable to You and to Your Commandments. We repent for the pride, selfishness, and prejudice that often contradict Your justice and righteousness in our society.

Lord of new beginnings, our Nation needs a great spiritual awakening. May this day of prayer be the beginning of that awakening with each of us here in the Congress. We urgently ask that our honesty about the needs of our Nation and our humble confession of our spiritual hunger may sweep across this Nation.

Hear our prayers, the prayers of Your people, and continue to bless America. In Your Holy Name, Amen.

**MOTION TO ADJOURN**

Mr. BONIOR. Mr. Speaker, I offer a privileged motion.

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

The Clerk read as follows:

Mr. BONIOR moves that the House do now adjourn.

The SPEAKER pro tempore. This motion is not debatable.

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 noes appeared to have it.

Mr. BONIOR. 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.

The vote was taken by electronic device, and there were—yeas 157, nays 250, not voting 24, as follows:

[Roll No. 97]

YEAS—157

Ackerman	Gephardt	Menendez
Allen	Gonzalez	Millender-
Andrews	Gutierrez	McDonald
Baca	Hall (OH)	Miller, George
Baird	Hall (TX)	Mink
Baldacci	Hastings (FL)	Moore
Baldwin	Hill	Nadler
Barrett	Hilliard	Neal
Becerra	Hinchey	Oberstar
Bentsen	Hinojosa	Obey
Berkley	Hoefel	Olver
Berry	Holt	Owens
Bishop	Honda	Pallone
Blagojevich	Hooley	Pascrell
Blumenauer	Hoyer	Pastor
Bonior	Inslee	Payne
Boswell	Israel	Pelosi
Boucher	Jackson-Lee	Peterson (MN)
Brady (PA)	(TX)	Phelps
Brown (FL)	Jefferson	Pomeroy
Brown (OH)	John	Reyes
Capps	Johnson, E. B.	Ross
Cardin	Jones (OH)	Roybal-Allard
Carson (OK)	Kanjorski	Rush
Clayton	Kaptur	Sabo
Clyburn	Kennedy (RI)	Sanders
Condit	Kucinich	Sandlin
Conyers	LaFalce	Sawyer
Crowley	Lampson	Schakowsky
Cummings	Langevin	Scott
Davis (CA)	Lantos	Serrano
Davis (IL)	Larsen (WA)	Sherman
DeFazio	Larson (CT)	Shows
DeGette	Lee	Skelton
DeLauro	Levin	Slaughter
Deutsch	Lewis (GA)	Smith (WA)
Dicks	Lowey	Snyder
Dingell	Lucas (KY)	Solis
Doggett	Luther	Spratt
Doyle	Maloney (CT)	Stark
Engel	Maloney (NY)	Stenholm
Eshoo	Markey	Strickland
Etheridge	Matheson	Stupak
Evans	Matsui	Tanner
Farr	McCarthy (MO)	Tauscher
Fattah	McCollum	Taylor (MS)
Filner	McIntyre	Thompson (CA)
Ford	McNulty	Thompson (MS)
Frank	Meehan	Thurman
Frost	Meeks (NY)	Tierney

Towns	Velázquez	Wexler
Udall (CO)	Waters	Woolsey
Udall (NM)	Weiner	Wynn

NAYS—250

Abercrombie	Goode	Ney
Aderholt	Goodlatte	Northup
Akin	Gordon	Norwood
Bachus	Goss	Osborne
Baker	Graham	Ose
Ballenger	Granger	Otter
Barcia	Graves	Oxley
Barr	Green (TX)	Paul
Bartlett	Green (WI)	Pence
Barton	Greenwood	Peterson (PA)
Bass	Grucci	Petri
Bereuter	Gutknecht	Pickering
Berman	Hansen	Pitts
Biggert	Harman	Platts
Bilirakis	Hart	Pombo
Blunt	Hastings (WA)	Portman
Boehlert	Hayes	Price (NC)
Boehner	Hayworth	Pryce (OH)
Bonilla	Hefley	Putnam
Bono	Herger	Quinn
Borski	Hilleary	Radanovich
Boyd	Hobson	Rahall
Brady (TX)	Hoekstra	Ramstad
Brown (SC)	Holden	Rangel
Bryant	Horn	Regula
Burr	Hostettler	Rehberg
Burton	Hunter	Reynolds
Buyer	Isakson	Riley
Callahan	Issa	Rivers
Calvert	Istook	Rodriguez
Camp	Jackson (IL)	Roemer
Cannon	Jenkins	Rogers (KY)
Cantor	Johnson (CT)	Rogers (MI)
Capito	Johnson (IL)	Rohrabacher
Capuano	Johnson, Sam	Ros-Lehtinen
Carson (IN)	Jones (NC)	Rothman
Castle	Keller	Roukema
Chabot	Kelly	Royce
Chambliss	Kennedy (MN)	Ryan (WI)
Clement	Kerns	Ryun (KS)
Coble	Kildee	Sanchez
Collins	Kind (WI)	Saxton
Combest	King (NY)	Scarborough
Cooksey	Kingston	Schaffer
Costello	Kirk	Schiff
Cox	Kleczka	Schrock
Cramer	Knollenberg	Sensenbrenner
Crane	Kolbe	Shadegg
Crenshaw	LaHood	Shaw
Cubin	Latham	Shays
Culberson	LaTourette	Sherwood
Cunningham	Leach	Shimkus
Davis, Jo Ann	Lewis (CA)	Simmons
Deal	Lewis (KY)	Simpson
DeMint	Linder	Skeen
Diaz-Balart	Lipinski	Smith (MI)
Dooley	LoBiondo	Smith (NJ)
Doolittle	Lofgren	Smith (TX)
Dreier	Lucas (OK)	Souder
Duncan	Manzullo	Spence
Dunn	Mascara	Stearns
Edwards	McCarthy (NY)	Stump
Ehlers	McCrery	Sununu
Ehrlich	McDermott	Sweeney
English	McHugh	Tancredo
Everett	McInnis	Taylor (NC)
Ferguson	McKeon	Terry
Flake	McKinney	Thomas
Fletcher	Meek (FL)	Thornberry
Foley	Mica	Thune
Fossella	Miller (FL)	Tiahrt
Frelinghuysen	Miller, Gary	Tiberi
Galleghy	Mollohan	Toomey
Ganske	Moran (KS)	Trafficant
Gekas	Moran (VA)	Turner
Gibbons	Morella	Upton
Gilchrest	Myrick	Visclosky
Gillmor	Napolitano	Vitter
Gilman	Nethercutt	Walden

☐ 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.

Walsh  
Wamp  
Watkins  
Watt (NC)  
Watts (OK)

Waxman  
Weldon (FL)  
Weldon (PA)  
Weller  
Whitfield

Wilson  
Wolf  
Wu

## NOT VOTING—24

Armev  
Clay  
Coyne  
Davis (FL)  
Davis, Tom  
Delahunt  
DeLay  
Emerson

Houghton  
Hulshof  
Hutchinson  
Hyde  
Kilpatrick  
Largent  
McGovern  
Moakley

Murtha  
Nussle  
Ortiz  
Sessions  
Tauzin  
Wicker  
Young (AK)  
Young (FL)

□ 1028

Messrs. MCKEON, KENNEDY of Minnesota, THUNE, and CANTOR changed their vote from "yea" to "nay."

Messrs. SANDERS, HILLIARD, REYES, and LEWIS of Georgia changed their vote from "nay" to "yea."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. CLAY. Mr. Speaker, this morning I was testifying before the Senate Government Affairs Committee and missed rollcall 97. Had I been present, I would have voted "yea."

## THE JOURNAL

The SPEAKER pro tempore (Mr. LAHOOD). 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.

Mr. GREEN of Texas. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Chair's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

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

Mr. GREEN of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

□ 1029

## PLEDGE OF ALLEGIANCE

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

Mr. SCHIFF 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.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair de-

clares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 30 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1133

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LAHOOD) at 11 o'clock and 33 minutes a.m.

CONFERENCE REPORT ON HOUSE  
CONCURRENT RESOLUTION 83,  
CONCURRENT RESOLUTION ON  
THE BUDGET FOR FISCAL YEAR  
2002

Mr. NUSSLE submitted the following conference report and statement on the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011:

## CONFERENCE REPORT (H. REPT. 107-55)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the concurrent resolution (H. Con. Res. 83), establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

## SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2002.

(a) DECLARATION.—Congress determines and declares that the concurrent resolution on the budget for fiscal year 2001 is revised and replaced and that this resolution is the concurrent resolution on the budget for fiscal year 2002 including the appropriate budgetary levels for fiscal years 2003 through 2011 as authorized by section 301 of the Congressional Budget Act of 1974 (2 U.S.C. 632).

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

Sec. 1. Concurrent resolution on the budget for fiscal year 2002.

## TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.  
Sec. 102. Major functional categories.  
Sec. 103. Reconciliation in the Senate.  
Sec. 104. Reconciliation in the House.

## TITLE II—BUDGET ENFORCEMENT AND RULEMAKING

## Subtitle A—Budget Enforcement

Sec. 201. Restrictions on advance appropriations in the House.  
Sec. 202. Restrictions on advance appropriations in the Senate.  
Sec. 203. Mechanism for implementing increase of fiscal year 2002 discretionary spending limits.  
Sec. 204. Compliance with section 13301 of the Budget Enforcement Act of 1990.

## Subtitle B—Reserve Funds

Sec. 211. Reserve fund for Medicare.  
Sec. 212. Reserve fund for Family Opportunity Act.  
Sec. 213. Reserve fund for agriculture.  
Sec. 214. Reserve fund for additional tax cuts and debt reduction.  
Sec. 215. Technical reserve fund for student loans.  
Sec. 216. Reserve fund for health insurance for the uninsured.  
Sec. 217. Reserve fund for defense in the Senate.  
Sec. 218. Strategic reserve fund in the House.

## Subtitle C—Miscellaneous Provisions

Sec. 221. Application and effect of changes in allocations and aggregates.  
Sec. 222. Exercise of rulemaking powers.

## TITLE III—SENSE OF THE SENATE AND CONGRESS PROVISIONS

## Subtitle A—Sense of the Senate

Sec. 301. Sense of the Senate on conservation.  
Sec. 302. Sense of the Senate on aids and other infectious diseases.  
Sec. 303. Sense of the Senate on consolidated health centers.  
Sec. 304. Funding for Department of Justice programs for State and local law enforcement assistance.  
Sec. 305. Sense of the Senate regarding United States Coast Guard fiscal year 2002 funding.  
Sec. 306. Strengthening our national food safety infrastructure.  
Sec. 307. Sense of the Senate with respect to increasing funds for renewable energy research and development.

## Subtitle B—Sense of the Congress

Sec. 311. Asset building for the working poor.  
Sec. 312. Federal fire prevention assistance.  
Sec. 313. Funding for graduate medical education at children's teaching hospitals.  
Sec. 314. Concurrent retirement and disability benefits to retired members of the Armed Forces.  
Sec. 315. Federal employee pay.  
Sec. 316. Sales tax deduction.

## TITLE I—RECOMMENDED LEVELS AND AMOUNTS

## SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for the fiscal years 2001 through 2011:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—  
(A) The recommended levels of Federal revenues are as follows:  
Fiscal year 2001: \$1,630,462,000,000.  
Fiscal year 2002: \$1,653,202,000,000.  
Fiscal year 2003: \$1,706,044,000,000.  
Fiscal year 2004: \$1,780,310,000,000.  
Fiscal year 2005: \$1,852,646,000,000.  
Fiscal year 2006: \$1,901,304,000,000.