

(A) by inserting "(1)" after "(c)"; and

(B) by adding at the end the following:

"(2) If at the time of the appointment of the Deputy Under Secretary for Health under subsection (a)(1), both the position of Under Secretary for Health and the position of Associate Deputy Under Secretary for Health are held by individuals who are doctors of medicine, the individual appointed as Deputy Under Secretary for Health may be someone who is not a doctor of medicine.

"(3) If at the time of the appointment of the Associate Deputy Under Secretary for Health under subsection (a)(2), both the position of Under Secretary for Health and the position of Deputy Under Secretary for Health are held by individuals who are doctors of medicine, the individual appointed as Associate Deputy Under Secretary for Health may be someone who is not a doctor of medicine."

When said bill, as amended, was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: "An Act to amend title 38, United States Code, to allow one of the three senior officials in the Veterans Health Administration of the Department of Veterans Affairs to be an individual who is not a doctor of medicine."

A motion to reconsider the votes whereby the bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said amendments.

#### ¶134.7 VETERANS HEALTH IMPROVEMENT

Mr. MONTGOMERY moved to suspend the rules and pass the bill (H.R. 3313) to amend title 38, United States Code, to improve health care services of the Department of Veterans Affairs relating to women veterans, to extend and expand authority for the Secretary of Veterans Affairs to provide priority health care to veterans who were exposed to ionizing radiation or to Agent Orange, to expand the scope of services that may be provided to veterans through Vet Centers, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. VOLKMER, recognized Mr. MONTGOMERY and Mr. STUMP, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. VOLKMER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

#### ¶134.8 SURVIVING SPOUSES' VA BENEFITS

Mr. MONTGOMERY moved to suspend the rules and pass the bill (H.R. 3456) to amend title 38, United States Code, to restore certain benefits eligibility to unremarried surviving spouses of veterans; as amended.

The SPEAKER pro tempore, Mr. VOLKMER, recognized Mr. MONTGOMERY and Mr. STUMP, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. VOLKMER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

#### ¶134.9 AMERICAN INDIAN AGRICULTURAL LANDS AND RESOURCES

Mr. RICHARDSON moved to suspend the rules and pass the bill (H.R. 1425) to improve the management, productivity, and use of Indian agricultural lands and resources; as amended.

The SPEAKER pro tempore, Mr. VOLKMER, recognized Mr. RICHARDSON and Mr. CALVERT, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MONTGOMERY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

#### ¶134.10 AIR FORCE MEMORIAL

Mr. CLAY moved to suspend the rules and pass the bill (H.R. 898) to authorize the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs.

The SPEAKER pro tempore, Mr. COPPERSMITH, recognized Mr. CLAY and Mr. BARRETT, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. COPPERSMITH, announced that two-

thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

#### ¶134.11 PROVIDING FOR THE CONSIDERATION OF H.R. 322

Ms. SLAUGHTER, by direction of the Committee on Rules, called up the following resolution (H. Res. 303):

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 322) to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered by title rather than by section. Each title shall be considered as read. The amendments en bloc specified in the report of the Committee on Rules accompanying this resolution to be offered by Representative Miller of California or a designee may amend portions of the bill not yet read for amendment, shall be considered as read, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

When said resolution was considered.

After debate,

On motion of Ms. SLAUGHTER, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

#### ¶134.12 MINERAL EXPLORATION AND DEVELOPMENT

The SPEAKER pro tempore, Mr. COPPERSMITH, pursuant to House Resolution 303 and rule XXIII, declared the House resolved into the Committee

of the Whole House on the state of the Union for the consideration of the bill (H.R. 322) to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes.

The SPEAKER pro tempore, Mr. COPPERSMITH, by unanimous consent, designated Mrs. KENNELLY as Chairman of the Committee of the Whole.

The Acting Chairman, Mr. DE LA GARZA assumed the Chair; and after some time spent therein,

¶134.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. WILLIAMS:

Page 39, line 13, after the period insert: "The Secretary shall waive the fee under this subsection in the case of a permit which covers less than 10 acres of land. Not more than one waiver may be granted under the preceding sentence to the same applicant during any 12-month period."

Page 54, line 3, after the period insert: "The Secretary shall waive the fee under this subsection in the case of a permit which covers less than 10 acres of land. Not more than one waiver may be granted under the preceding sentence to the same applicant during any 12-month period."

It was decided in the Yeas ..... 183 negative ..... Nays ..... 250

¶134.14 [Roll No. 568] AYES—183

- Allard English (AZ) Laughlin
Andrews (NJ) Everett Leach
Applegate Ewing Levy
Archer Fields (TX) Lewis (CA)
Arney Fish Lightfoot
Bachus (AL) Flake Linder
Baker (CA) Ford (MI) Lipinski
Baker (LA) Fowler Livingston
Ballenger Gallegly Lloyd
Barrett (NE) Gekas Machtley
Bartlett Geren Manton
Barton Gillmor Manzullo
Bateman Gingrich McCandless
Bentley Goodlatte McCollum
Bereuter Goodling McCrery
Bilbray Goss McDade
Bilirakis Grams McHugh
Blackwell Grandy McInnis
Bliley Gunderson McKeon
Boehner Hall (TX) McMillan
Bonilla Hamilton Mica
Bunning Hancock Michel
Burton Hansen Miller (FL)
Buyer Hastert Molinari
Callahan Hayes Mollohan
Calvert Hefley Montgomery
Camp Hefner Moorhead
Canady Herger Murtha
Castle Hinchey Myers
Clayton Hobson Nussle
Coble Horn Oberstar
Collins (GA) Houghton Ortiz
Combest Hunter Orton
Condit Hutchinson Oxley
Cooper Hutto Packard
Cox Hyde Parker
Crane Inglis Pastor
Crapo Inhofe Paxon
Cunningham Inslee Peterson (FL)
de la Garza Istook Peterson (MN)
DeFazio Johnson, Sam Petri
DeLay Kasich Pickle
Dickey Kim Pombo
Doolittle King Portman
Dornan Kingston Pryce (OH)
Dreier Klink Quinn
Duncan Knollenberg Regula
Dunn Kolbe Ridge
Emerson Kyl Roberts
Engel LaRocco Rogers

- Rohrabacher
Royce
Santorum
Schaefer
Shaw
Shuster
Skeen
Skelton
Smith (IA)
Smith (MI)
Smith (OR)
Smith (TX)
Spence
Stearns
Stenholm
Stump
Stupak
Sundquist
Swift
Talent
Tauzin
Taylor (NC)

NOES—250

- Abercrombie
Ackerman
Andrews (ME)
Andrews (TX)
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bevill
Bishop
Blute
Boehlert
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Clay
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
DeLugo (VI)
Deal
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
English (OK)
Eshoo
Evans
Faleomavaega (AS)
Farr
Fawell
Fazio
Fields (LA)
Filner
Fingerhut
Foglietta
Ford (TN)
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallo
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Glickman
Gonzalez
Gordon
Green

- Tejeda
Thomas (CA)
Thomas (WY)
Unsoeld
Vucanovich
Walker
Walsh
Williams
Wolf
Young (AK)
Zeliff

- Porter
Poshard
Price (NC)
Quillen
Rahall
Ramstad
Rangel
Ravenel
Reed
Reynolds
Richardson
Roemer
Romero-Barcelo (PR)
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpaluis
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shays
Shepherd
Skaggs
Slattery
Slaughter
Smith (NJ)
Snowe
Solomon
Spratt
Stark
Stokes
Strickland
Studds
Swett
Synar
Tanner
Taylor (MS)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torrice
Towns
Traficant
Tucker
Underwood (GU)
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Zimmer

NOT VOTING—5

- Bonior
Chapman
Clinger
Sisisky
Young (FL)

So the amendment was not agreed to. After some further time,

¶134.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. DEFAZIO:

Page 75, beginning in line 7, after the word "significant", strike "permanent and irrevocable".

Page 76, after line 13, insert the following new subparagraphs in section 209(b)(3) and redesignate subparagraph (F) beginning on line 14 as subparagraph (H):

"(F) The designation of all or any portion of such area by the Bureau of Land Management as an Area of Critical Environmental Concern.

"(G) The designation of all or any portion of such area by the Secretary of Agriculture as a Research Natural Area."

It was decided in the Yeas ..... 199 negative ..... Nays ..... 232

¶134.16 [Roll No. 569] AYES—199

- Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Bacchus (FL)
Baesler
Barca
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bishop
Hoagland
Blute
Boehlert
Holden
Hoyer
Jacobs
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klug
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
Lazio
Lehman
Levin
Lewis (FL)
Lewis (GA)
Long
Lowey
Maloney
Mann
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Morella
Murphy
Nadler
Natcher
Neal (MA)
Neal (NC)
Norton (DC)
Obey
Oliver
Owens
Pallone
Payne (NJ)
Payne (VA)
Pelosi
Penny
Pickett
Pomeroy
Gonzalez
Goodling
Goss
Green
Greenwood
Gutierrez
Hamburg
Hamilton
Harman
Hastings
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Hoyer
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson, E.B.
Johnston
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klink
Klug
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
Laughlin
Lazio
Leach
Lewis (GA)
Lipinski
Lowe
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
McCloskey
McDade
McDermott
Torres
Towns
Traficant
Tucker
Valentine
Velazquez
Vento
Visclosky
Washington
Waters