

Brown (FL) Graves
Brown (OH) Green (TX)
Brown (SC) Green (WI)
Bryant Greenwood
Burr Grucci
Burton McKeon
Buyer McNulty
Callahan Meehan
Calvert Hall (TX)
Camp Hansen
Cannon Harman
Cantor Hart
Capito Hastings (WA)
Capps Hayes
Capuano Hayworth
Cardin Hefley
Carson (IN) Herger
Carson (OK) Hill
Castle Hilliard
Chabot Hinchey
Chambliss Hinojosa
Clay Hobson
Clayton Hoefel
Clement Hoekstra
Clyburn Holden
Coble Holt
Collins Honda
Combest Hooley
Condit Horn
Costello Hostettler
Coyne Houghton
Cramer Hoyer
Crane Hulshof
Crenshaw Hunter
Crowley Hyde
Cubin Inslee
Culberson Isakson
Cummins Israel
Cunningham Issa
Davis (CA) Jackson (IL)
Davis (FL) Jackson-Lee
Davis (IL) (TX)
Davis, Jo Ann Jefferson
Davis, Tom John
Deal Johnson (CT)
DeFazio Johnson (IL)
DeGette Johnson, E. B.
Delahunt Johnson, Sam
DeLauro Jones (NC)
DeLay Jones (OH)
DeMint Kaptur
Deutsch Keller
Diaz-Balart Kelly
Dicks Kennedy (MN)
Dingell Kennedy (RI)
Doggett Kerns
Dooley Kildee
Doolittle Kilpatrick
Doyle Kind (WI)
Dreier King (NY)
Duncan Kingston
Dunn Kirk
Edwards Kleczka
Ehlers Knollenberg
Ehrlich Kolbe
Emerson Kucinich
Engel LaFalce
English LaHood
Eshoo Lampson
Etheridge Langevin
Evans Lantos
Everett Larsen (WA)
Farr Larson (CT)
Fattah Latham
Filner LaTourette
Flake Leach
Fletcher Lee
Foley Levin
Forbes Lewis (KY)
Ford Linder
Fossella Lipinski
Frank LoBiondo
Frelinghuysen Lofgren
Frost Lowey
Gallegly Lucas (KY)
Ganske Lucas (OK)
Gekas Luther
Gephardt Lynch
Gibbons Maloney (CT)
Gilchrest Maloney (NY)
Gillmor Manzullo
Gilman Markey
Gonzalez Matheson
Goode Matsui
Goodelatte McCarthy (MO)
Gordon McCarthy (NY)
Goss McCollum
Graham McCrery
Granger McDermott

McGovern Sherman
McHugh Sherman
McInnis Shimkus
McIntyre Shows
McKeon Shuster
McNulty Simmons
Meehan Simpson
Meek (FL) Skeen
Meeks (NY) Skelton
Menendez Slaughter
Mica Smith (MI)
Millender-Smith (NJ)
McDonald Smith (TX)
Miller, Dan Smith (WA)
Miller, Gary Snyder
Miller, George Souder
Miller, Jeff Spratt
Mollohan Stark
Moore Stearns
Moran (KS) Stenholm
Moran (VA) Strickland
Morella Stupak
Murtha Sullivan
Myrick Sweeney

Tancredo Walden
Tanner Walsh
Tauscher Wamp
Tauzin Waters
Taylor (MS) Watkins (OK)
Taylor (NC) Watson (CA)
Terry Watt (NC)
Thomas Watts (OK)
Thompson (CA) Waxman
Thompson (MS) Weiner
Thornberry Weldon (FL)
Thune Weller
Thurman Wexler
Tiahrt Whitfield
Tiberi Wicker
Tierney Wilson (NM)
Toomey Wilson (SC)
Turner Wolf
Udall (CO) Woolsey
Udall (NM) Wu
Upton Wynn
Velazquez Young (AK)
Viscosky Young (FL)
Vitter

NAYS—1

McKinney

ANSWERED "PRESENT"—1

Owens

NOT VOTING—21

Bereuter Hilleary
Bilirakis Istook
Conyers Kanjorski
Cooksey Lewis (CA)
Cox Lewis (GA)
Ferguson Mascara
Hastings (FL) Neal

Roukema
Schaffer
Solis
Stump
Sununu
Towns
Weldon (PA)

□ 1210

So (two thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BILIRAKIS. Mr. Speaker, because I was attending a funeral for a close family friend on October 8, 2002, I was in my district and unable to vote on H. Res. 549. Had I been present, I would have voted "yea" on the roll-call vote No. 447.

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 447 on H. Res. 549, expressing appreciation for the Prime Minister of Great Britain; I was unavoidably detained. Had I been present, I would have voted "yea."

CORRECTING ENROLLMENT OF H.R. 2215, 21ST CENTURY DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the concurrent resolution (H. Con. Res. 503) directing the Clerk of the House of Representatives to correct the enrollment of the bill H.R. 2215.

The Clerk read the title of the concurrent resolution.

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

Mr. HINCHEY. Mr. Speaker, reserving the right to object, I ask to engage in a colloquy with the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. HINCHEY. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Speaker, as the gentleman wishes an explanation, this concurrent resolution directs the Clerk of the House to make certain technical corrections in the enrollment of H.R. 2215, the 21st Century Department of Justice Authorization Act, which passed both Houses in the last 2 weeks.

The concurrent resolution is supported by the ranking member of the Committee on the Judiciary, the gentleman from Michigan (Mr. CONYERS), the chairman and ranking member of the Committee on the Judiciary in the other body, and has been cleared by both the Republican and the Democratic leadership in the House.

Mr. HINCHEY. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 503

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H.R. 2215), An Act to authorize appropriations for the Department of Justice for fiscal year 2002, and for other purposes, the Clerk of the House of Representatives shall correct the bill by amending—

(1) section 206 of the bill by inserting "the 1st place it appears" after "or complaint";

(2) section 2201(b) of the bill by striking "1 year" and inserting "2 years";

(3) section 2501 of the bill to read as follows:

"SEC. 2501. AMENDMENT TO CONTROLLED SUBSTANCES ACT.

"Section 303(g)(2) of the Controlled Substances Act (21 U.S.C. 823(g)(2)) is amended—

"(1) in subparagraph (I), by striking 'on October 17, 2000,' and all that follows through 'such drugs,' and inserting 'on the date of approval by the Food and Drug Administration of a drug in schedule III, IV, or V, a State may not preclude a practitioner from dispensing or prescribing such drug, or combination of such drugs,; and

"(2) in subparagraph (J)(i), by striking 'October 17, 2000,' and inserting 'the date referred to in subparagraph (I),'";

(4) subsection (j) of section 1512 of title 18 of the United States Code, as added by section 3001(a)(3) of the bill, by striking "(j)" and inserting "(k)";

(5) section 3001 of the bill—

(A) in subsection (c)(1) by striking "(c)(2)" and inserting "(d)(2)"; and

(B) by striking subsection (d),

(6) section 4003(b)(3) of the bill by striking "and inserting 'services contract made,'";

(7) section 11006(3) of the bill by striking "20110(2)" and inserting "200110(2)";

(8) section 11009 of the bill—

(A) in subsection (b)(5) by striking "7,200" and inserting "1,500"; and

(B) by adding at the end the following:

"(3) PENALTIES.—Section 924(a) of title 18, United States Code, is amended by adding at the end the following:

"(7) Whoever knowingly violates section 931 shall be fined under this title, imprisoned not more than 3 years, or both."

"(f) DONATION OF FEDERAL SURPLUS BODY ARMOR.—

"(1) DEFINITIONS.—In this subsection, the terms 'Federal agency' and 'surplus property' have the meanings given such terms under section 3 of the Federal Property and

Administrative Services Act of 1949 (40 U.S.C. 472).

“(2) DONATION OF BODY ARMOR.—Notwithstanding section 203 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484), the head of a Federal agency may donate body armor directly to any State or local law enforcement agency, if such body armor—

“(A) is in serviceable condition;

“(B) is surplus property; and

“(C) meets or exceeds the requirements of National Institute of Justice Standard 0101.03 (as in effect on the date of enactment of this Act).

“(3) NOTICE TO ADMINISTRATOR.—The head of a Federal agency who donates body armor under this subsection shall submit to the Administrator of General Services a written notice identifying the amount of body armor donated and each State or local law enforcement agency that received the body armor.

“(4) DONATION BY CERTAIN OFFICERS.—

“(A) DEPARTMENT OF JUSTICE.—In the administration of this subsection with respect to the Department of Justice, in addition to any other officer of the Department of Justice designated by the Attorney General, the following officers may act as the head of a Federal agency:

“(i) The Administrator of the Drug Enforcement Administration.

“(ii) The Director of the Federal Bureau of Investigation.

“(iii) The Commissioner of the Immigration and Naturalization Service.

“(iv) The Director of the United States Marshals Service.

“(B) DEPARTMENT OF THE TREASURY.—In the administration of this subsection with respect to the Department of the Treasury, in addition to any other officer of the Department of the Treasury designated by the Secretary of the Treasury, the following officers may act as the head of a Federal agency:

“(A) The Director of the Bureau of Alcohol, Tobacco, and Firearms.

“(B) The Commissioner of Customs.

“(C) The Director of the United States Secret Service.

“(5) NO LIABILITY.—Notwithstanding any other provision of law, the United States shall not be liable for any harm occurring in connection with the use or misuse of any body armor donated under this subsection.”

(9) section 11011(b) of the bill by striking “1 year” and inserting “2 years”.

(10) section 11016 of the bill by striking “of 1953”.

(11) section 11017(c) of the bill by striking “section 1 of this legislation” and inserting “subsection (a)”.

(12) Rule 16 of the Federal Rules of Criminal Procedure—

(A) in subdivision (a)(1)(G) of such Rule, as amended by section 11019(b)(1) of the bill—

(i) by striking “Government” each place it appears and inserting “government”.

(ii) by striking “shall” each place it appears and inserting “must”, and

(iii) by striking “medical” and inserting “mental”, and

(B) in subdivision (b)(1)(C) of such Rule, as amended by section 11019(b)(2) of the bill—

(i) by striking “Government” each place it appears and inserting “government”.

(ii) by striking “Government’s” and inserting “government’s”, and

(iii) by striking “shall” each place it appears and inserting “must”.

(13) part R of the Omnibus Crime Control and Safe Streets Act of 1968, as added by section 12102 of the bill—

(A) in subsections (a)(2) and (b)(1)(B) of section 1802 of such part by striking “subsection (c)” and inserting “subsection (d)”, and

(B) in section 1808(b) of such part by striking “90” and inserting “120”, and

(14) section 5037(b) of title 18 of the United States Code, as amended by section 12301(2)(B) of the bill, by striking “imprisonment” and inserting “official detention”.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002

Mr. HYDE. Mr. Speaker, pursuant to House Resolution 574, I call up the joint resolution (House Joint Resolution 114) to authorize the use of United States Armed Forces against Iraq and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER. Pursuant to House Resolution 574, the joint resolution is considered read for amendment.

The text of House Joint Resolution is as follows:

H.J. RES. 114

Whereas in 1990 in response to Iraq’s war of aggression against and illegal occupation of Kuwait, the United States forged a coalition of nations to liberate Kuwait and its people in order to defend the national security of the United States and enforce United Nations Security Council resolutions relating to Iraq;

Whereas after the liberation of Kuwait in 1991, Iraq entered into a United Nations sponsored cease-fire agreement pursuant to which Iraq unequivocally agreed, among other things, to eliminate its nuclear, biological, and chemical weapons programs and the means to deliver and develop them, and to end its support for international terrorism;

Whereas the efforts of international weapons inspectors, United States intelligence agencies, and Iraqi defectors led to the discovery that Iraq had large stockpiles of chemical weapons and a large scale biological weapons program, and that Iraq had an advanced nuclear weapons development program that was much closer to producing a nuclear weapon than intelligence reporting had previously indicated;

Whereas Iraq, in direct and flagrant violation of the cease-fire, attempted to thwart the efforts of weapons inspectors to identify and destroy Iraq’s weapons of mass destruction stockpiles and development capabilities, which finally resulted in the withdrawal of inspectors from Iraq on October 31, 1998;

Whereas in 1998 Congress concluded that Iraq’s continuing weapons of mass destruction programs threatened vital United States interests and international peace and security, declared Iraq to be in “material and unacceptable breach of its international obligations” and urged the President “to take appropriate action, in accordance with the Constitution and relevant laws of the United States, to bring Iraq into compliance with its international obligations” (Public Law 105-235);

Whereas Iraq both poses a continuing threat to the national security of the United States and international peace and security in the Persian Gulf region and remains in material and unacceptable breach of its international obligations by, among other things, continuing to possess and develop a significant chemical and biological weapons capability, actively seeking a nuclear weap-

ons capability, and supporting and harboring terrorist organizations;

Whereas Iraq persists in violating resolutions of the United Nations Security Council by continuing to engage in brutal repression of its civilian population thereby threatening international peace and security in the region, by refusing to release, repatriate, or account for non-Iraqi citizens wrongfully detained by Iraq, including an American serviceman, and by failing to return property wrongfully seized by Iraq from Kuwait;

Whereas the current Iraqi regime has demonstrated its capability and willingness to use weapons of mass destruction against other nations and its own people;

Whereas the current Iraqi regime has demonstrated its continuing hostility toward, and willingness to attack, the United States, including by attempting in 1993 to assassinate former President Bush and by firing on many thousands of occasions on United States and Coalition Armed Forces engaged in enforcing the resolutions of the United Nations Security Council;

Whereas members of al Qaida, an organization bearing responsibility for attacks on the United States, its citizens, and interests, including the attacks that occurred on September 11, 2001, are known to be in Iraq;

Whereas Iraq continues to aid and harbor other international terrorist organizations, including organizations that threaten the lives and safety of American citizens;

Whereas the attacks on the United States of September 11, 2001, underscored the gravity of the threat posed by the acquisition of weapons of mass destruction by international terrorist organizations;

Whereas Iraq’s demonstrated capability and willingness to use weapons of mass destruction, the risk that the current Iraqi regime will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them to international terrorists who would do so, and the extreme magnitude of harm that would result to the United States and its citizens from such an attack, combine to justify action by the United States to defend itself;

Whereas United Nations Security Council Resolution 678 authorizes the use of all necessary means to enforce United Nations Security Council Resolution 660 and subsequent relevant resolutions and to compel Iraq to cease certain activities that threaten international peace and security, including the development of weapons of mass destruction and refusal or obstruction of United Nations weapons inspections in violation of United Nations Security Council Resolution 687, repression of its civilian population in violation of United Nations Security Council Resolution 688, and threatening its neighbors or United Nations operations in Iraq in violation of United Nations Security Council Resolution 949;

Whereas Congress in the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102-1) has authorized the President “to use United States Armed Forces pursuant to United Nations Security Council Resolution 678 (1990) in order to achieve implementation of Security Council Resolutions 660, 661, 662, 664, 665, 666, 667, 669, 670, 674, and 677”;

Whereas in December 1991, Congress expressed its sense that it “supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 687 as being consistent with the Authorization of Use of Military Force Against Iraq Resolution (Public Law 102-1),” that Iraq’s repression of its civilian population violates United Nations Security Council Resolution 688 and “constitutes a continuing threat to