

Cubin John
 Culberson Johnson (CT)
 Cummings Johnson (IL)
 Cunningham Johnson, E. B.
 Davis (AL) Johnson, Sam
 Davis (TN) Jones (NC)
 Davis, Jo Ann Keller
 Davis, Tom Kennedy (MN)
 Deal (GA) Kennedy (RI)
 DeLay Kildee
 DeMint Kind
 Diaz-Balart, L. King (IA)
 Diaz-Balart, M. King (NY)
 Dicks Kingston
 Dingell Kirk
 Dooley (CA) Kline
 Doolittle Knollenberg
 Dreier Kolbe
 Dunn LaHood
 Edwards Larsen (WA)
 Ehlers Larson (CT)
 Emerson Latham
 English LaTourette
 Etheridge Leach
 Everett Levin
 Feeney Lewis (CA)
 Ferguson Lewis (KY)
 Flake Linder
 Fletcher LoBiondo
 Foley Lucas (OK)
 Forbes Maloney
 Ford Manzullo
 Fossella Marshall
 Frank (MA) Matheson
 Franks (AZ) Matsui
 Frelinghuysen McCarthy (NY)
 Frost McCotter
 Gallegly McCrery
 Garrett (NJ) McHugh
 Gerlach McInnis
 Gibbons McIntyre
 Gilchrest McKeon
 Gillmor Meehan
 Gingrey Meek (FL)
 Gonzalez Meeks (NY)
 Goode Mica
 Goodlatte Miller (FL)
 Goss Miller (MI)
 Granger Miller (NC)
 Graves Miller, Gary
 Green (TX) Moran (KS)
 Green (WI) Moran (VA)
 Greenwood Murphy
 Gutknecht Musgrave
 Hall Myrick
 Harris Neal (MA)
 Hart Nethercutt
 Hastings (WA) Neugebauer
 Hayes Ney
 Hayworth Northup
 Hefley Norwood
 Herger Nunes
 Hobson Nussle
 Hoekstra Olver
 Honda Ose
 Hostettler Oxley
 Hulshof Pallone
 Hyde Paul
 Isakson Pearce
 Issa Whitfield
 Istook Wicker
 Jackson-Lee (TX) Petri
 Janklow Pickering
 Jefferson Pitts
 Jenkins Platts
 Pombo

NAYS—127

Ackerman Davis (IL)
 Allen DeFazio
 Andrews DeGette
 Baird Delahunt
 Baldwin DeLauro
 Bell Doggett
 Berkley Doyle
 Berman Duncan
 Berry Emanuel
 Bishop (GA) Engel
 Boyd Eshoo
 Brady (PA) Evans
 Brown (OH) Farr
 Capps Filner
 Cardin Grijalva
 Clyburn Gutierrez
 Cooper Harman
 Costello Hastings (FL)
 Crowley Hill
 Davis (CA) Hinchey
 Davis (FL) Hinojosa

Lucas (KY) Owens
 Lynch Pascrell
 Majette Pelosi
 Markey Peterson (MN)
 McCarthy (MO) Rahall
 McCollum Rodriguez
 McDermott Ross
 McGovern Rothman
 McNulty Roybal-Allard
 Menendez Rush
 Michaud Ryan (OH)
 Millender Sabo
 McDonald Sanchez, Loretta
 Miller, George Sanders
 Mollohan Schiff
 Moore Scott (VA)
 Murtha Serrano
 Nadler Shays
 Napolitano Sherman
 Oberstar Skelton
 Obey Slaughter
 Ortiz Smith (MI)

Snyder Solis
 Spratt Spratt
 Stark Strickland
 Tanner Tauscher
 Thompson (CA) Thompson (MS)
 Tierney Towns
 Udall (CO) Udall (NM)
 Van Hollen Velazquez
 Visclosky Waxman
 Weiner Wexler
 Wu Wynn

NOT VOTING—19

Ballance Houghton
 Carter Hunter
 Deutsch Israel
 Fattah Lewis (GA)
 Gephardt Osborne
 Gordon Otter
 Hensarling Pastor

Payne Ruppberger
 Sweeney Terry
 Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1924

Messrs. MOLLOHAN, SPRATT and SHERMAN changed their vote from "yea" to "nay."

Mr. MEEKS of New York changed his vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ISRAEL. Mr. Speaker, early tonight when the House voted on the Ryan Motion to Instruct on H.R. 1308, rollcall No. 509, the Stenholm Motion to Instruct on H.R. 1, rollcall No. 510, the Rodriguez Motion to Instruct on H.R. 1588, rollcall No. 511, and passage of H.R. 1409, rollcall No. 512, I was not present. Unfortunately, I was compelled to miss these votes due to a long-standing meeting with Prime Minister Silvio Berlusconi of Italy. Had I been present I would have voted "yes" on rollcall Nos. 509 through 511, "no" on rollcall No. 512.

PERSONAL EXPLANATION

Mr. DEUTSCH. Mr. Speaker, I was unavoidably absent from the chamber today during rollcall votes No. 509, No. 510, No. 511, and No. 512. Had I been present, I would have voted "yea" on rollcall No. 509, "yea" on rollcall No. 510, "yea" on rollcall No. 511, and "no" on rollcall No. 512.

DIRECTING SECRETARY OF INTERIOR TO CONDUCT STUDY TO DETERMINE NATIONAL SIGNIFICANCE OF MIAMI CIRCLE IN FLORIDA AND OF ITS INCLUSION IN NATIONAL PARK SYSTEM AS PART OF BISCAYNE NATIONAL PARK

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the Senate bill, S. 111.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

Mr. KIND. Mr. Speaker, subject to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1, the Medicare Prescription Drug and Modernization Act of 2003.

The form of the motion is as follows:

Mr. KIND moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1 be instructed as follows:

(1) The House recede to the Senate on the provisions to guarantee access to prescription drug coverage under section 1860D-13(e) of the Social Security Act, as added by section 101(a) of the Senate amendment.

(2) To reject the provisions of section 501 of the House bill.

(3) The House recede to the Senate on the following provisions of the Senate amendment to improve rural health care:

(A) Section 403 (relating to inpatient hospital adjustment for low volume hospitals).

(B) Section 404 (relating to medicare disproportionate share adjustment for rural areas), but with the effective date applicable under section 401(b) of the House bill.

(C) Section 404A (relating to MedPAC report on medicare disproportionate share hospital adjustment payments).

(D) The following provisions of section 405 (relating to critical access hospital improvements):

(i) Subsection (a), but with the effective date applicable under section 405(f)(4) of the House bill.

(ii) Subsection (b), but with the effective date applicable under section 405(c)(2) of the House bill.

(iii) Subsections (e), (f), and (g).

(E) Section 414 (relating to rural community hospital demonstration program).

(F) Section 415 (relating to critical access hospital improvement demonstration program).

(G) Section 417 (relating to treatment of certain entities for purposes of payment under the medicare program).

(H) Section 420 (relating to conforming changes relating to Federally qualified health centers).

(I) Section 420A (relating to increase for hospitals with disproportionate indigent care revenues).

(J) Section 421 (relating to establishment of floor on geographic adjustments of payments for physicians' services).

(K) Section 425 (relating to temporary increase for ground ambulance services), but with the effective date applicable under the amendment made by section 410(2) of the House bill.

(L) Section 426 (relating to appropriate coverage of air ambulance services under ambulance fee schedule).

(M) Section 427 (relating to treatment of certain clinical diagnostic laboratory tests furnished by a sole community hospital).

(N) Section 428 (relating to improvement in rural health clinic reimbursement).

(O) Section 444 (relating to GAO study of geographic differences in payments for physicians' services).

(P) Section 450C (relating to authorization of reimbursement for all medicare part B services furnished by Indian hospitals and clinics).

(Q) Section 452 (relating to limitation on reduction in area wage adjustment factors under the prospective payment system for home health services).

(R) Section 455 (relating to MedPAC study on medicare payments and efficiencies in the health care system).

(S) Section 459 (relating to increase in medicare payment for certain home health services).

(T) Section 601 (Increase in medicaid DSH allotments for fiscal years 2004 and 2005).

(4) The House insist upon the following provisions of the House bill:

(A) Section 402 (relating to immediate establishment of uniform standardized amount in rural and small urban areas).

(B) Section 403 (relating to establishment of essential rural hospital classification).

(C) Subsections (a), (b), (d), and (e) of section 405 (relating to improvements to critical access hospital program).

(D) Section 416 (relating to revision of labor-related share of hospital inpatient pps wage index).

(E) Section 417 (relating to medicare incentive payment program improvements).

(F) Section 504 (relating to wage index classification reform).

(G) Section 601 (relating to revision of up dates for physician services).

(H) Section 1001 (relating to medicaid disproportionate share hospital (DSH) payments).

□ 1930

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1588, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004.

Mr. CROWLEY. Mr. Speaker, pursuant to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1588, the defense authorization bill.

The form of the motion is as follows:

Mr. CROWLEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1588 be instructed to agree to the provisions contained in paragraphs (3) and (4) of section 1074a(f) of title 10, United States Code, as proposed to be added by section 701 of the Senate amendment (relating to health care for members of reserve components).

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. MURPHY). Under the Speaker's announced policy of January 7, 2003, and

under a previous order of the House, the following Members will be recognized for 5 minutes each.

HONORING JUDGE A. JAY CRISTOL

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to share the story of a man who is far more than ordinary, a man who has achieved more than some do in three lifetimes, always compassionate, caring and loving to the community to which he belongs.

Today I am proud to honor Judge A. Jay Cristol, an astonishing man and native of Miami who remains vital, curious, and energetic. This pious man, who is dedicated to his country, put off law school to ultimately earn his distinguished Navy Wings of Gold. Judge Cristol braved active duty as an aircraft carrier combat pilot during the Korean Conflict, in addition to flying operational flights during the Cuban missile crisis. His commitment to our Nation was also seen in his volunteering to perform airlift missions to Vietnam, his affirmation being, "I am proud to be an American and I love my country."

Judge Cristol, who was later made an honorary professor of the Naval Justice School, was assigned by the Department of Defense to lecture abroad concerning law of naval warfare. After retiring from the Navy in 1988 and dutifully practicing law for 25 years, Judge Cristol was appointed to the bench of the U.S. bankruptcy court where he continues to serve in Florida's Southern District. If that were not enough, it is noteworthy to state that Judge Cristol is also an adjunct professor at the University School of Law.

Always positive and with a smile on his face, Jay's inquisitiveness for international terrorism led him right into the university's graduate school of international studies. Interested in naval history, he began to research the 1967 incident with the USS *Liberty* where Israeli air and naval forces erroneously engaged the ship in international waters off the Sinai Peninsula. His meticulous analysis formed the basis for his book, "The Liberty Incident," and earned him his Ph.D. His studies and his experience in the field have made him a sought-after scholar, appearing on national broadcasts such as CNN's "Late Edition with Wolf Blitzer."

Mr. Speaker, what more could be said about the man who refused to see Pan Am Airlines shattered and who told the owners to "kick the tires, light the fires and get those planes in the air," or the man who donates his aircraft and his time to perform angel flights, bringing children in need of medical aid who are in difficult-to-reach areas.

In his humility, Judge Cristol attributes everything simply to being lucky and always believing that we

have to make peace for mankind, love instead of hate, as there we find the promise of a better humankind.

Indeed, it is an honor to speak of a man who pioneered in all of his endeavors and who continues to motivate others to do as well. Judge A. Jay Cristol is a brilliant, concerned individual who has put ripples in time with his profound dedication to a Nation that deserves him well.

Congratulations, Judge Cristol.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE CLEAR ACT OF 2003

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. NORWOOD) is recognized for 5 minutes.

Mr. NORWOOD. Mr. Speaker, earlier this month was a very somber time for our Nation, in fact, for all freedom-loving people. It was 2 years ago this month that America and the world watched in horror as terrorist thugs took the lives of an estimated 3,000 innocent people on American soil. Our worst fears were realized, our very way of life was challenged, and our world was changed on that day, perhaps forever. In the days, weeks, months, and now years that have followed, our Nation has responded to that challenge. In the war on terrorism that ensued and continues today, we have led the free world in rooting out these terrorist thugs and in holding accountable those who would harbor and aid them in their insidious pursuits. The challenge and cost has been great, but the stakes are even greater. This is a war we simply cannot afford to lose.

Still, Mr. Speaker, for all we have done and all we are doing at home and abroad to secure our homeland, there is a troubling and growing crisis within our borders that has been largely ignored and presents another challenge in securing our homeland that simply must be met. It is a crisis that has created countless innocent victims and that continues to put our Nation's citizens and law enforcement officers in greater and unnecessary danger with each passing day it is not addressed.

Mr. Speaker, the crisis I am referring to is America's criminal alien crisis. The sad fact is our own badly broken immigration system has created this very crisis; and the numbers, quite frankly, are staggering and shocking. First, consider the staggering. Today, there are roughly 400,000 individuals living in the United States who have received their final deportation orders to go, but have not left. Why have they not left? It is pretty simple. It is because our Federal Government does not know where they are. Now for the truly