

Federal law relating to Indian Trust management reform should be interpreted. That interpretive function is the responsibility of the courts.

The House Committee on Resources held two hearings on Indian Trust funds this year, and it plans to hold more hearings. These hearings in the authorizing committee will produce the proper framework for settlement negotiations to resolve the Cobell case. Let us give the authorizing committee the opportunity to complete its job.

Mr. Speaker, the gentleman from California (Mr. POMBO) and the gentleman from West Virginia (Mr. RAHALL) are seriously committed to this. That is why they asked just a few minutes ago that if this rule is passed and the bill does come for a vote, the conference report, that we vote "no" on that conference report.

So I urge my colleagues, Mr. Speaker, to oppose the rule and to vote against the conference report.

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered. The SPEAKER pro tempore (Mr. SHAW). The question is on the resolution.

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

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

The yeas and nays were ordered. The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately noon.

Accordingly (at 11 o'clock and 22 minutes a.m.), the House stood in recess until approximately noon.

□ 1205

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SHIMKUS) at 12 o'clock and 5 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on adoption of those resolutions on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

House Resolution 417, by the yeas and nays; and

House Resolution 418, by the yeas and nays.

The Chair will reduce to 5 minutes the time for the second electronic vote.

PROVIDING FOR CONSIDERATION OF H.J. RES. 75, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2004

The SPEAKER pro tempore. The pending business is the question of agreeing to the resolution, House Resolution 417, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 311, nays 112, not voting 11, as follows:

[Roll No. 574]

YEAS—311

- |               |                 |              |
|---------------|-----------------|--------------|
| Abercrombie   | Cubin           | Holden       |
| Ackerman      | Culberson       | Hostettler   |
| Aderholt      | Cunningham      | Hoyer        |
| Alexander     | Davis (CA)      | Hulshof      |
| Baca          | Davis (FL)      | Hunter       |
| Bachus        | Davis (TN)      | Hyde         |
| Baker         | Davis, Jo Ann   | Isakson      |
| Ballenger     | Davis, Tom      | Israel       |
| Barrett (SC)  | Deal (GA)       | Issa         |
| Bartlett (MD) | DeLauro         | Istook       |
| Barton (TX)   | DeLay           | Jackson (IL) |
| Bass          | DeMint          | Janklow      |
| Beauprez      | Diaz-Balart, L. | Jenkins      |
| Bell          | Diaz-Balart, M. | John         |
| Bereuter      | Dicks           | Johnson (CT) |
| Berkley       | Doolittle       | Johnson (IL) |
| Bilirakis     | Dreier          | Johnson, Sam |
| Bishop (GA)   | Duncan          | Jones (NC)   |
| Bishop (NY)   | Dunn            | Jones (OH)   |
| Bishop (UT)   | Ehlers          | Kanjorski    |
| Blackburn     | Emerson         | Keller       |
| Blumenauer    | Engel           | Kelly        |
| Blunt         | English         | Kennedy (MN) |
| Boehlert      | Evans           | Kennedy (RI) |
| Boehner       | Everett         | Kind         |
| Bonilla       | Farr            | King (IA)    |
| Bonner        | Fattah          | King (NY)    |
| Bono          | Feeney          | Kingston     |
| Boozman       | Ferguson        | Kirk         |
| Boswell       | Flake           | Kline        |
| Boucher       | Foley           | Knollenberg  |
| Boyd          | Forbes          | Kolbe        |
| Bradley (NH)  | Fossella        | LaHood       |
| Brady (PA)    | Franks (AZ)     | Larson (CT)  |
| Brady (TX)    | Frelinghuysen   | Latham       |
| Brown (SC)    | Gallely         | LaTourette   |
| Brown-Waite,  | Garrett (NJ)    | Leach        |
| Ginny         | Gerlach         | Lewis (CA)   |
| Burgess       | Gibbons         | Lewis (KY)   |
| Burns         | Gilchrest       | Linder       |
| Burr          | Gillmor         | LoBiondo     |
| Burton (IN)   | Gingrey         | Lucas (KY)   |
| Buyer         | Goode           | Lucas (OK)   |
| Calvert       | Goodlatte       | Majette      |
| Cantor        | Gordon          | Maloney      |
| Capito        | Goss            | Manzullo     |
| Cardin        | Granger         | Marshall     |
| Cardoza       | Graves          | Matheson     |
| Carson (OK)   | Green (WI)      | Matsui       |
| Carter        | Greenwood       | McCotter     |
| Case          | Gutknecht       | McCrery      |
| Castle        | Hall            | McHugh       |
| Chabot        | Harman          | McInnis      |
| Chocola       | Harris          | McKeon       |
| Clyburn       | Hart            | McNulty      |
| Coble         | Hastings (WA)   | Meek (FL)    |
| Cole          | Hayes           | Menendez     |
| Collins       | Hayworth        | Mica         |
| Cox           | Hefley          | Millender-   |
| Cramer        | Hensarling      | McDonald     |
| Crane         | Herger          | Miller (FL)  |
| Crenshaw      | Hill            | Miller (MI)  |
| Crowley       | Hobson          | Miller (NC)  |
|               | Hoefel          | Miller, Gary |
|               | Hoekstra        | Mollohan     |

- |               |               |               |
|---------------|---------------|---------------|
| Moore         | Ramstad       | Souder        |
| Moran (KS)    | Regula        | Stearns       |
| Murphy        | Rehberg       | Stenholm      |
| Murtha        | Renzi         | Sullivan      |
| Musgrave      | Reyes         | Sweeney       |
| Myrick        | Reynolds      | Tancred       |
| Napolitano    | Rogers (AL)   | Tanner        |
| Nethercutt    | Rogers (KY)   | Tauzin        |
| Neugebauer    | Rogers (MI)   | Taylor (MS)   |
| Ney           | Rohrabacher   | Taylor (NC)   |
| Northup       | Ros-Lehtinen  | Terry         |
| Norwood       | Ross          | Thomas        |
| Nunes         | Rothman       | Thompson (MS) |
| Nussle        | Roybal-Allard | Thornberry    |
| Oberstar      | Royce         | Tiahrt        |
| Obey          | Ruppersberger | Tiberi        |
| Ortiz         | Rush          | Toomey        |
| Osborne       | Ryan (WI)     | Towns         |
| Ose           | Ryun (KS)     | Turner (OH)   |
| Otter         | Sabo          | Turner (TX)   |
| Oxley         | Saxton        | Upton         |
| Pastor        | Schrock       | Visclosky     |
| Paul          | Scott (GA)    | Vitter        |
| Pearce        | Scott (VA)    | Walden (OR)   |
| Pence         | Sensenbrenner | Walsh         |
| Peterson (MN) | Sessions      | Wamp          |
| Peterson (PA) | Shadegg       | Weldon (FL)   |
| Petri         | Shaw          | Weldon (PA)   |
| Pickering     | Shays         | Weller        |
| Platts        | Sherwood      | Whitfield     |
| Pombo         | Shimkus       | Wicker        |
| Pomeroy       | Shuster       | Wilson (NM)   |
| Porter        | Simmons       | Wilson (SC)   |
| Portman       | Simpson       | Wolf          |
| Price (NC)    | Skelton       | Wu            |
| Pryce (OH)    | Smith (MI)    | Wynn          |
| Putnam        | Smith (NJ)    | Young (AK)    |
| Quinn         | Smith (TX)    | Young (FL)    |
| Radanovich    | Smith (WA)    |               |
| Rahall        | Solis         |               |

NAYS—112

- |                |                |                  |
|----------------|----------------|------------------|
| Allen          | Hinchey        | Neal (MA)        |
| Andrews        | Hinojosa       | Oliver           |
| Baird          | Holt           | Owens            |
| Baldwin        | Honda          | Pallone          |
| Ballance       | Hoolley (OR)   | Pascrell         |
| Becerra        | Inslee         | Payne            |
| Berman         | Jackson-Lee    | Pelosi           |
| Berry          | (TX)           | Rangel           |
| Brown (OH)     | Jefferson      | Rodriguez        |
| Brown, Corrine | Johnson, E. B. | Ryan (OH)        |
| Capps          | Kaptur         | Sanchez, Linda   |
| Capuano        | Kildee         | T.               |
| Carson (IN)    | Kilpatrick     | Sanchez, Loretta |
| Conyers        | Kleczka        | Sanders          |
| Cooper         | Kucinich       | Sandlin          |
| Costello       | Langevin       | Schakowsky       |
| Cummings       | Lantos         | Schiff           |
| Davis (AL)     | Larsen (WA)    | Serrano          |
| Davis (IL)     | Lee            | Sherman          |
| DeFazio        | Levin          | Slaughter        |
| DeGette        | Lewis (GA)     | Snyder           |
| Delahunt       | Lipinski       | Spratt           |
| Deusch         | Lofgren        | Stark            |
| Dingell        | Lowe           | Strickland       |
| Doggett        | Lynch          | Tauscher         |
| Doyle          | Markey         | Thompson (CA)    |
| Edwards        | McCarthy (MO)  | Tierney          |
| Emanuel        | McCarthy (NY)  | Udall (CO)       |
| Eshoo          | McCollum       | Udall (NM)       |
| Etheridge      | McDermott      | Van Hollen       |
| Filner         | McGovern       | Velazquez        |
| Ford           | McIntyre       | Waters           |
| Frank (MA)     | Meehan         | Watson           |
| Frost          | Meeks (NY)     | Watt             |
| Gonzalez       | Michaud        | Waxman           |
| Green (TX)     | Miller, George | Weiner           |
| Grijalva       | Moran (VA)     | Wexler           |
| Hastings (FL)  | Nadler         | Woolsey          |

NOT VOTING—11

- |             |           |         |
|-------------|-----------|---------|
| Akin        | Fletcher  | Lampson |
| Cannon      | Gephardt  | Pitts   |
| Clay        | Gutierrez | Stupak  |
| Dooley (CA) | Houghton  |         |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1229

Messrs. DEUTSCH, RANGEL, JEFFERSON, Mrs. CAPPS, Ms. CORRINE BROWN of Florida, Ms. MCCARTHY of

Missouri, Ms. SCHAKOWSKY, and Ms. LINDA T. SANCHEZ of California changed their vote from “yea” to “nay.”

Messrs. BLUMENAUER, CARDOZA, RUSH, Mrs. NAPOLITANO, and Mrs. JONES of Ohio changed their vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. AKIN. Mr. Speaker, on Wednesday, the 29th of October, I was involved in a briefing with the Central Intelligence Agency. As a consequence, I was unavoidably detained and could not cast a vote for H. Res. 417. Had I been present at the time of the vote, I would have voted in the affirmative.

**WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2691, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2004**

The SPEAKER pro tempore. The pending business is the question of agreeing to the resolution, House Resolution 418, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 289, nays 136, not voting 9, as follows:

[Roll No. 575]

**YEAS—289**

Aderholt Cannon Feeny Abercrombie Harman Millender-  
 Akin Cantor Ferguson Ackerman Hastings (FL) McDonald  
 Alexander Capito Flake Ackerman Hill Miller, George  
 Baca Cardin Foley Andrews Hinchey Moran (VA)  
 Bachus Cardoza Forbes Baird Hinojosa Nadler  
 Baker Carter Fossella Baldwin Holt Napolitano  
 Ballenger Case Franks (AZ) Ballance Honda Neal (MA)  
 Barrett (SC) Castle Frelinghuysen Becerra Hooley (OR) Obey  
 Bartlett (MD) Chabot Gallegly Bell Hoyer Ortiz  
 Barton (TX) Chocola Garrett (NJ) Berman Hoyer Owens  
 Bass Cole Gerlach Bishop (NY) Insee Pallone  
 Beauprez Coble Gibbons Blumenauer Jefferson Pascrell  
 Bereuter Collins Gilchrist Boswell Johnson, E. B. Payne  
 Berkley Cox Gillmor Brown (OH) Jones (OH) Pelosi  
 Berry Cramer Gingrey Capps Kaptur Price (NC)  
 Biggart Crane Goode Capuano Kennedy (RI) Rahall  
 Bilirakis Crenshaw Goodlatte Carson (IN) Rangel  
 Bishop (GA) Crowley Gordon Carson (OK) Reyes  
 Bishop (UT) Cubin Goss Clay Kilpatrick Rodriguez  
 Blackburn Culbertson Granger Clyburn Kind Kleczka  
 Blunt Cunningham Graves Cooper Kucich Kucznik  
 Boehlert Davis (AL) Green (TX) Costello Langevin  
 Boehner Davis (CA) Green (WI) Cummings Lantos  
 Bonilla Davis (FL) Greenwood Davis (IL) Lee  
 Bonner Davis (TN) Gutknecht DeFazio Levin  
 Bono Davis, Jo Ann Hall DeGette Lewis (GA)  
 Boozman Davis, Tom Harris DeLauro Sanders  
 Boucher Deal (GA) Hart Deutsch Lipinski  
 Boyd DeLay Hastings (WA) Dingell Lofgren  
 Bradley (NH) DeMint Hayes Doggett Lynch  
 Brady (PA) Diaz-Balart, L. Hayworth Edwards Maloney  
 Brady (TX) Diaz-Balart, M. Hefley Emanuel Markey  
 Brown (SC) Dicks Hensarling Engel Matheson  
 Brown, Corrine Doollittle Heger Sander Matsui  
 Brown-Waite, Doyle Hobson Etheridge Strickland  
 Ginny Dreier Hoeffel Evans Tanner  
 Burgess Duncan Hoekstra Farr McDermott  
 Burns Dunn Holden Filner McGovern  
 Burr Ehlers Hostettler Ford McIntyre  
 Burton (IN) Emerson Hulshof Frank (MA) McNulty  
 Buyer English Hunter Frost Meeks (NY)  
 Calvert Everett Hyde Gonzalez Menendez  
 Camp Fattah Isakson Grijalva Michaud

Israel Moran (KS) Schiff Van Hollen Watt Woolsey  
 Issa Murphy Schrock Velazquez Waxman Wu  
 Istook Murtha Scott (GA) Weiner  
 Jackson-Lee Musgrave Scott (VA) Weiler  
 (TX) Myrick Sensenbrenner Wexler  
 Janklow Nethercutt Sessions  
 Jenkins Neugebauer Shadegg Conyers Fletcher Houghton  
 John Ney Shaw Delahunt Gephardt Lampson  
 Johnson (CT) Northup Shays Dooley (CA) Gutierrez Stupak  
 Johnson (IL) Norwood Sherwood  
 Johnson, Sam Nunes Shimkus  
 Jones (NC) Nussle Shuster  
 Kanjorski Oberstar Simmons  
 Keller Olver Simpson  
 Kelly Osborne Skelton  
 Kennedy (MN) Ose Smith (MI)  
 King (IA) Otter Smith (NJ)  
 King (NY) Oxley Smith (TX)  
 Kingston Pastor Snyder  
 Kirk Paul Souder  
 Kline Pearce Spratt  
 Knollenberg Pence Stearns  
 Kolbe Peterson (MN) Stenholm  
 LaHood Peterson (PA) Sullivan  
 Larsen (WA) Petri Sweeney  
 Larson (CT) Pickering Tancredo  
 Latham Pitts Tausin  
 LaTourette Platts Taylor (NC)  
 Leach Lewis (CA) Pomeroy Terry  
 Lewis (KY) Porter Thomas  
 Linder Portman Thornberry  
 LoBiondo Pryce (OH) Tiahrt  
 Lowey Putnam Tiberi  
 Lucas (KY) Quinn Toomey  
 Lucas (OK) Radanovich Turner (OH)  
 Majette Ramstad Turner (TX)  
 Manzullo Regula Udall (NM)  
 Marshall Rehberg Upton  
 McCarthy (NY) Renzi Visclosky  
 McCotter Reynolds Vitter  
 McCrery Rogers (AL) Walden (OR)  
 McHugh Rogers (KY) Walsh  
 McInnis Rogers (MI) Wamp  
 McKeon Rohrabacher Weldon (FL)  
 Meehan Ros-Lehtinen Weldon (PA)  
 Meek (FL) Rothman Weller  
 Mica Royce Whitfield  
 Miller (FL) Ruppberger Wicker  
 Miller (MI) Ryan (WI) Wilson (NM)  
 Miller (NC) Ryun (KS) Wilson (SC)  
 Miller, Gary Sabo Wolf  
 Mollohan Sandlin Wynn  
 Moore Saxton Young (AK)  
 Young (FL)

**NAYS—136**

Harman Millender-  
 Hastings (FL) McDonald  
 Hill Miller, George  
 Hinchey Moran (VA)  
 Hinojosa Nadler  
 Holt Napolitano  
 Honda Neal (MA)  
 Hooley (OR) Obey  
 Hoyer Ortiz  
 Insee Owens  
 Jackson (IL) Pallone  
 Jefferson Pascrell  
 Johnson, E. B. Payne  
 Jones (OH) Pelosi  
 Kaptur Price (NC)  
 Kennedy (RI) Rahall  
 Kildee Rangel  
 Kilpatrick Reyes  
 Kind Rodriguez  
 Kleczka Ross  
 Kucich Roybal-Allard  
 Langevin Rush  
 Lantos Ryan (OH)  
 Lee Sanchez, Linda  
 Levin T.  
 Lewis (GA) Sanchez, Loretta  
 Lipinski Sanders  
 Lofgren Schakowsky  
 Lynch Serrano  
 Maloney Sherman  
 Markey Slaughter  
 Matheson Smith (WA)  
 McCarthy (MO) Solis  
 McCollum Stark  
 McDermott Strickland  
 McGovern Tanner  
 McIntyre Taylor (MS)  
 McNulty Thompson (CA)  
 Meeks (NY) Thompson (MS)  
 Menendez Tierney  
 Michaud Udall (CO)

**NOT VOTING—9**

Conyers Fletcher Houghton  
 Delahunt Gephardt Lampson  
 Dooley (CA) Gutierrez Stupak

□ 1236

Mr. MORAN of Virginia and Mr. EDWARDS changed their vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules.

**VETERANS HEALTH CARE FACILITIES CAPITAL IMPROVEMENT ACT**

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1720) to authorize the Secretary of Veterans Affairs to carry out construction projects for the purpose of improving, renovating, establishing, and updating patient care facilities at the Department of Veterans Affairs medical centers, as amended.

The Clerk read as follows:

H.R. 1720

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the “Veterans Health Care Facilities Capital Improvement Act”.

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

- Sec. 1. Short title.
- Sec. 2. Authorization of major medical facility projects for patient care improvements.
- Sec. 3. Authorization of major medical facility projects and leases.
- Sec. 4. Authorization of major medical facility projects, former Fitzsimons Army Medical Center, Aurora, Colorado.
- Sec. 5. Limitation on disposal of Lakeside Division, Department of Veterans Affairs medical facilities, Chicago, Illinois.
- Sec. 6. Plans for facilities in southern New Jersey and far South Texas.
- Sec. 7. Increase in major medical facility construction cost threshold.
- Sec. 8. Study and report on feasibility of coordination of veterans health care services in South Carolina with new university medical center.