

year after year, have raised their premiums, raised their copays, and raised their deductibles, all while slashing their benefits.

They don't trust Medicare HMOs any farther than they can throw them. Our seniors don't want HMOs, and this Congress shouldn't force them on them.

Now on the government fallback provision, you don't need to be an insurance expert to know that insurers aren't going to sell a policy that everyone is going to make claims against.

And we know that 86 percent of seniors have prescription drug costs. So we know that individuals buying these policies are going to use them.

The risks of individual claims far outweigh any potential profits from these policies. Insurers know that, seniors know that and I think even my colleagues on the other side of the aisle know that.

But if they admit that, than I guess they'd have to admit that the private market just does not work for Medicare beneficiaries.

So they've refused to allow for even the possibility that private insurers won't participate in this plan.

But I would argue that, if the private market really works for this population, than they shouldn't have any objection to a government fall-back, because—if they're right—they're never going to need it.

Mr. Speaker, when it comes down to it, fixing these two provisions would clear the way for passage of this legislation. I think anyone who has campaigned that they would be the ones to fight for a prescription drug benefit should vote for this motion to instruct conferees so that we can move this process forward, get a prescription drug benefit enacted and actually start providing some help to our seniors.

With that, Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.  
The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Maine (Mr. MICHAUD).

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

Mr. MICHAUD. 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 motion will be postponed.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put each question on which further proceedings were postponed earlier today in the following order:

Motion to instruct on H.R. 1588, by the yeas and nays;

Motion to instruct on H.R. 1308, by the yeas and nays;

Motion to instruct on H.R. 1, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining

electronic votes will be conducted as 5-minute votes.

**MOTION TO INSTRUCT CONFEREES OFFERED BY MR. EDWARDS ON H.R. 1588, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004**

The SPEAKER pro tempore. The pending business is the question on the motion to instruct conferees on the bill, H.R. 1588.

The Clerk will designate the motion. The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Texas (Mr. EDWARDS) on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 406, nays 0, not voting 28, as follows:

[Roll No. 500]  
YEAS—406

- Abercrombie
- Aderholt
- Akin
- Alexander
- Allen
- Andrews
- Baca
- Bachus
- Baird
- Baker
- Baldwin
- Ballance
- Ballenger
- Barrett (SC)
- Bartlett (MD)
- Barton (TX)
- Bass
- Beauprez
- Becerra
- Bell
- Bereuter
- Berkley
- Berman
- Berry
- Biggart
- Bilirakis
- Bishop (GA)
- Bishop (NY)
- Bishop (UT)
- Blackburn
- Blumenauer
- Blunt
- Boehkert
- Boehner
- Bonilla
- Bonner
- Bono
- Boozman
- Boswell
- Boucher
- Boyd
- Bradley (NH)
- Brady (PA)
- Brady (TX)
- Brown (OH)
- Brown (SC)
- Brown, Corrine
- Brown-Waite,
- Ginny
- Burgess
- Burns
- Burr
- Burton (IN)
- Buyer
- Calvert
- Camp
- Cannon
- Cantor
- Capito
- Capps
- Capuano
- Cardin
- Cardoza
- Carson (IN)
- Carson (OK)
- Carter
- Case
- Castle
- Chabot
- Chocola
- Clyburn
- Coble
- Cole
- Collins
- Conyers
- Cooper
- Costello
- Cox
- Cramer
- Crane
- Crenshaw
- Crowley
- Cubin
- Culberson
- Cunningham
- Davis (AL)
- Davis (CA)
- Davis (FL)
- Davis (TN)
- Davis, Jo Ann
- Davis, Tom
- Deal (GA)
- DeFazio
- DeGette
- Delahunt
- DeLauro
- DeLay
- DeMint
- Deutsch
- Diaz-Balart, L.
- Diaz-Balart, M.
- Dicks
- Dingell
- Doggett
- Doolittle
- Doyle
- Dreier
- Duncan
- Dunn
- Edwards
- Ehlers
- Emanuel
- Engel
- English
- Eshoo
- Etheridge
- Evans
- Everett
- Fattah
- Feeney
- Ferguson
- Filner
- Flake
- Fletcher
- Foley
- Forbes
- Ford
- Fossella
- Franks (AZ)
- Frelinghuysen
- Frost
- Garrett (NJ)
- Gerlach
- Gibbons
- Gilchrest
- Gillmor
- Gingrey
- Gonzalez
- Goode
- Goodlatte
- Gordon
- Goss
- Granger
- Graves
- Green (TX)
- Green (WI)
- Greenwood
- Grijalva
- Gutierrez
- Gutknecht
- Hall
- Harman
- Harris
- Hart
- Hastings (FL)
- Hastings (WA)
- Hayes
- Hayworth
- Hefley
- Hensarling
- Herger
- Hill
- Hinchev
- Hinojosa
- Hobson
- Hoeffel
- Holden
- Holt
- Honda
- Hostettler
- Houghton
- Hoyer
- Hulshof
- Hunter
- Hyde
- Inslee
- Isakson
- Israel
- Issa
- Istook
- Jackson (IL)
- Jackson-Lee
- (TX)
- Jefferson
- Jenkins
- John
- Johnson (CT)
- Johnson (IL)
- Johnson, E. B.
- Johnson, Sam
- Jones (NC)
- Jones (OH)
- Kanjorski
- Kaptur
- Keller
- Kelly
- Kennedy (MN)
- Kennedy (RI)

- Kildee
- Kilpatrick
- Kind
- King (IA)
- King (NY)
- Kingston
- Kirk
- Kline
- Knollenberg
- Kolbe
- Kucinich
- LaHood
- Lampson
- Langevin
- Lantos
- Larsen (WA)
- Larson (CT)
- Latham
- LaTourette
- Leach
- Lee
- Levin
- Lewis (CA)
- Lewis (GA)
- Lewis (KY)
- Linder
- LoBiondo
- Lofgren
- Lowey
- Lucas (KY)
- Lucas (OK)
- Lynch
- Majette
- Maloney
- Manzullo
- Marshall
- Matheson
- McCarthy (MO)
- McCarthy (NY)
- McCollum
- McCotter
- McCrery
- McDermott
- McGovern
- McHugh
- McInnis
- McIntyre
- McKeon
- McNulty
- Meehan
- Meek (FL)
- Meeks (NY)
- Menendez
- Mica
- Michaud
- Millender-
- McDonald
- Miller (FL)
- Miller (MI)
- Miller (NC)
- Miller, Gary
- Miller, George
- Mollohan
- Moore
- Moran (KS)
- Moran (VA)
- Murphy
- Musgrave
- Myrick
- Napolitano
- Neal (MA)
- Nethercutt
- Neugebauer
- Ney
- Northup
- Norwood
- Nunes
- Nussle
- Oberstar
- Obey
- Olver
- Ortiz
- Osborne
- Ose
- Otter
- Owens
- Oxley
- Pallone
- Pascrell
- Pastor
- Paul
- Payne
- Pearce
- Pelosi
- Peterson (MN)
- Peterson (PA)
- Petri
- Pitts
- Platts
- Pombo
- Pomeroy
- Porter
- Portman
- Price (NC)
- Pryce (OH)
- Putnam
- Quinn
- Radanovich
- Rahall
- Ramstad
- Regula
- Rehberg
- Renzi
- Reyes
- Reynolds
- Rodriguez
- Rogers (AL)
- Rogers (KY)
- Rogers (MI)
- Rohrabacher
- Ros-Lehtinen
- Ross
- Rothman
- Roybal-Allard
- Royce
- Ruppersberger
- Rush
- Ryan (OH)
- Ryan (WI)
- Ryun (KS)
- Sabo
- Sanchez, Linda
- T.
- Sanchez, Loretta
- Sanders
- Sandlin
- Saxton
- Schakowsky
- Schiff
- Schrock
- Scott (GA)
- Scott (VA)
- Sensenbrenner
- Serrano
- Sessions
- Shadegg
- Shaw
- Shays
- Sherman
- Sherwood
- Shimkus
- Shuster
- Simmons
- Simpson
- Skelton
- Slaughter
- Smith (MI)
- Smith (NJ)
- Smith (TX)
- Smith (WA)
- Snyder
- Solis
- Souder
- Spratt
- Stearns
- Stenholm
- Strickland
- Stupak
- Sullivan
- Tancredo
- Tanner
- Tauscher
- Tauzin
- Taylor (MS)
- Taylor (NC)
- Terry
- Thomas
- Thompson (CA)
- Thompson (MS)
- Thornberry
- Tiahrt
- Tiberi
- Tierney
- Toomey
- Towns
- Turner (OH)
- Turner (TX)
- Udall (NM)
- Upton
- Van Hollen
- Velazquez
- Visclosky
- Vitter
- Walden (OR)
- Walsh
- Wamp
- Watson
- Watt
- Waxman
- Weiner
- Weldon (FL)
- Weldon (PA)
- Weller
- Wexler
- Whitfield
- Wicker
- Wilson (NM)
- Wilson (SC)
- Wolf
- Wu
- Wynn
- Young (FL)

**NOT VOTING—28**

- Ackerman
- Clay
- Cummins
- Davis (IL)
- Dooley (CA)
- Emerson
- Farr
- Frank (MA)
- Gallegly
- Gephardt
- Hoekstra
- Hooley (OR)
- Janklow
- Kleczka
- Lipinski
- Markey
- Matsui
- Murtha
- Nadler
- Pence
- Pickering
- Rangel
- Stark
- Sweeney
- Udall (CO)
- Waters
- Woolsey
- Young (AK)

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore (Mr. HASTINGS of Washington) (during the vote). Members are advised there are 2 minutes remaining in the vote.

□ 2300

Messrs. SIMMONS, BONILLA, LINDER, SAM JOHNSON OF TEXAS, KING OF IOWA, ROHRABACHER, GINGREY, SMITH of Michigan, HUNTER and Mrs. BLACKBURN

changed their vote from "nay" to "yea."

So the motion to instruct 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. Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on each question on which the Chair has postponed further proceedings.

#### MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

The SPEAKER pro tempore. The pending business is the question on the motion to instruct conferees on the bill, H.R. 1308.

The Clerk will designate the motion. The Clerk designated the motion.

Mr. SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Tennessee (Mr. DAVIS) on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 195, nays 214, not voting 25, as follows:

[Roll No. 501]  
YEAS—195

Abercrombie	Deutsch	Kanjorski
Alexander	Dicks	Kaptur
Allen	Dingell	Kennedy (RI)
Andrews	Doggett	Kildee
Baca	Doyle	Kilpatrick
Baird	Edwards	Kind
Baldwin	Ehlers	Kucinich
Ballance	Emanuel	Lampson
Becerra	Engel	Langevin
Bell	Eshoo	Lantos
Bereuter	Etheridge	Larsen (WA)
Berkley	Evans	Larson (CT)
Berry	Farr	Leach
Bishop (GA)	Fattah	Lee
Bishop (NY)	Filner	Levin
Blumenauer	Ford	Lewis (GA)
Boswell	Frank (MA)	Lofgren
Boucher	Frost	Lowey
Boyd	Gonzalez	Lucas (KY)
Brady (PA)	Gordon	Lynch
Brown (OH)	Green (TX)	Majette
Brown, Corrine	Grijalva	Maloney
Capps	Gutierrez	Marshall
Capuano	Hall	Matheson
Cardin	Harman	McCarthy (MO)
Cardoza	Hastings (FL)	McCarthy (NY)
Carson (IN)	Hill	McCollum
Carson (OK)	Hinchev	McDermott
Case	Hinojosa	McGovern
Castle	Hoefel	McIntyre
Clyburn	Holden	McNulty
Conyers	Holt	Meehan
Cooper	Honda	Meek (FL)
Costello	Hoolley (OR)	Meeks (NY)
Cramer	Hoyer	Menendez
Crowley	Inslee	Michaud
Cummings	Israel	Millender-
Davis (AL)	Jackson (IL)	McDonald
Davis (CA)	Jackson-Lee	Miller (NC)
Davis (FL)	(TX)	Miller, George
Davis (TN)	Jefferson	Mollohan
DeFazio	John	Moore
DeGette	Johnson, E. B.	Moran (VA)
Delahunt	Jones (NC)	Napolitano
DeLauro	Jones (OH)	Neal (MA)

Oberstar	Ryan (OH)	Stupak
Obey	Sabo	Tanner
Oliver	Sanchez, Linda	Tauscher
Ortiz	T.	Taylor (MS)
Owens	Sanchez, Loretta	Thompson (CA)
Pallone	Sanders	Thompson (MS)
Pascarell	Sandlin	Tierney
Pastor	Schakowsky	Towns
Payne	Schiff	Turner (TX)
Pelosi	Scott (GA)	Udall (NM)
Peterson (MN)	Scott (VA)	Upton
Pomeroy	Serrano	Van Hollen
Price (NC)	Sherman	Velazquez
Rahall	Skelton	Visclosky
Reyes	Slaughter	Watson
Rodriguez	Smith (WA)	Watt
Ross	Snyder	Waxman
Rothman	Solis	Weiner
Roybal-Allard	Spratt	Wexler
Ruppersberger	Stenholm	Wu
Rush	Strickland	Wynn

#### NAYS—214

Aderholt	Gibbons	Osborne
Akin	Gilchrest	Ose
Bachus	Gillmor	Otter
Baker	Gingrey	Oxley
Ballenger	Goode	Paul
Barrett (SC)	Goodlatte	Pearce
Bartlett (MD)	Goss	Peterson (PA)
Barton (TX)	Granger	Petri
Bass	Graves	Pitts
Beauprez	Green (WI)	Platts
Biggett	Greenwood	Pombo
Bilirakis	Gutknecht	Porter
Bishop (UT)	Harris	Portman
Blackburn	Hart	Pryce (OH)
Blunt	Hastings (WA)	Putnam
Boehert	Hayes	Quinn
Boehner	Hayworth	Radanovich
Bonilla	Hefley	Ramstad
Bonner	Hensarling	Regula
Bono	Herger	Rehberg
Boozman	Hobson	Renzi
Bradley (NH)	Hostettler	Reynolds
Brady (TX)	Houghton	Rogers (AL)
Brown (SC)	Hulshof	Rogers (KY)
Brown-Waite,	Hunter	Rogers (MI)
Ginny	Hyde	Rohrabacher
Burgess	Isakson	Ros-Lehtinen
Burns	Issa	Royce
Burr	Istook	Ryan (WI)
Burton (IN)	Jenkins	Ryun (KS)
Buyer	Johnson (CT)	Saxton
Calvert	Johnson (IL)	Schrock
Camp	Johnson, Sam	Sensenbrenner
Cannon	Keller	Sessions
Cantor	Kelly	Shadegg
Capito	Kennedy (MN)	Shaw
Carter	King (IA)	Shays
Chabot	King (NY)	Sherwood
Chocola	Kingston	Shimkus
Coble	Kirk	Shuster
Cole	Kline	Simmons
Collins	Knollenberg	Simpson
Cox	Kolbe	Smith (MI)
Crane	LaHood	Smith (NJ)
Crenshaw	Latham	Smith (TX)
Cubin	LaTourette	Souder
Culberson	Lewis (CA)	Stearns
Cunningham	Lewis (KY)	Sullivan
Davis, Jo Ann	Linder	Tancredo
Davis, Tom	LoBiondo	Tauzin
Deal (GA)	Lucas (OK)	Taylor (NC)
DeLay	Manzullo	Terry
DeMint	McCotter	Thomas
Diaz-Balart, L.	McCrery	Thornberry
Diaz-Balart, M.	McHugh	Tiahrt
Doolittle	McInnis	Tiberi
Dreier	McKeon	Toomey
Duncan	Mica	Turner (OH)
Dunn	Miller (FL)	Vitter
English	Miller (MI)	Walden (OR)
Everett	Miller, Gary	Walsh
Feehey	Moran (KS)	Wamp
Ferguson	Murphy	Weldon (FL)
Flake	Musgrave	Weldon (PA)
Fletcher	Myrick	Weller
Foley	Nethercutt	Whitfield
Forbes	Neugebauer	Wicker
Fossella	Ney	Wilson (NM)
Franks (AZ)	Northup	Wilson (SC)
Frelinghuysen	Norwood	Wolf
Garrett (NJ)	Nunes	Young (FL)
Gerlach	Nussle	

#### NOT VOTING—25

Ackerman	Clay	Dooley (CA)
Berman	Davis (IL)	Emerson

Gallegly	Matsui	Sweeney
Gephardt	Murtha	Udall (CO)
Hoekstra	Nadler	Waters
Janklow	Pence	Woolsey
Klecza	Pickering	Young (AK)
Lipinski	Rangel	
Markey	Stark	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 2308

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

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

The SPEAKER pro tempore. The pending business is the vote on the motion to instruct conferees on the bill, H.R. 1.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Maine (Mr. MICHAUD) on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 189, nays 220, not voting 25, as follows:

[Roll No. 502]  
YEAS—189

Abercrombie	Dingell	Kind
Alexander	Doggett	Kucinich
Allen	Doyle	Lampson
Andrews	Edwards	Langevin
Baca	Emanuel	Lantos
Baird	Engel	Larsen (WA)
Baldwin	Eshoo	Larson (CT)
Ballance	Etheridge	Lee
Becerra	Evans	Levin
Bell	Farr	Lewis (GA)
Berkley	Fattah	Lofgren
Berman	Filner	Lowey
Berry	Ford	Lucas (KY)
Bishop (GA)	Frank (MA)	Lynch
Bishop (NY)	Frank (NY)	Frost
Blumenauer	Gonzalez	Maloney
Boswell	Gordon	Marshall
Boucher	Green (TX)	Matheson
Boyd	Grijalva	McCarthy (MO)
Brady (PA)	Gutierrez	McCarthy (NY)
Brown (OH)	Hall	McCollum
Brown, Corrine	Harman	McDermott
Capps	Hastings (FL)	McGovern
Capuano	Hill	McIntyre
Cardin	Hinchev	McNulty
Cardoza	Hinojosa	Meehan
Carson (IN)	Hoefel	Meek (FL)
Carson (OK)	Holden	Meeks (NY)
Case	Holt	Menendez
Clyburn	Honda	Michaud
Conyers	Hoolley (OR)	Millender-
Cooper	Hoyer	Hoyer
Costello	Inslee	Inslee
Cramer	Israel	Miller (NC)
Crowley	Jackson (IL)	Miller, George
Cummings	Jackson-Lee	Moore
Davis (AL)	(TX)	Moran (VA)
Davis (CA)	Jefferson	Napolitano
Davis (FL)	John	Neal (MA)
Davis (TN)	Johnson, E. B.	Oberstar
DeFazio	Jones (OH)	Obey
DeGette	Kanjorski	Oliver
Delahunt	Kaptur	Ortiz
DeLauro	Kennedy (RI)	Owens
Deutsch	Kildee	Pallone
Dicks	Kilpatrick	Pascarell