

Washington and other activities where they have brought young people in from all over the country.

There are some people I want to mention. Trina Batte, Janet Hand, Jenna Carter, Loretta Esprey, Sylvia Gould, and I could go on and on. These are but a few of the names of the staff members that work at the headquarters. So I am pleased to praise all of the wonderful people who work not only at the headquarters in Chevy Chase, but the volunteers and those people that work for 4-H throughout the country. They do make a difference.

Mr. DEAL of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would first of all like to thank my staff person, Peter Dale, for his work in bringing this resolution to the floor. He has been involved in 4-H, as has his family.

As has been reiterated by others, I have been involved in 4-H. My oldest daughter was a National 4-H Citizenship Winner, and in my local community we have people who are volunteering their time through an adult organization sponsoring scholarships through the 4-H program so young people can get a college education. My State is indeed fortunate to have one of the premier State 4-H educational and recreational facilities, known as Rock Eagle, in the State of Georgia. Many young people pass through that facility each year and are enriched by the experiences that they receive.

In conclusion, Mr. Speaker, I would simply urge the favorable adoption of this resolution as a recognition of the outstanding contributions that the 4-H Clubs have made to our communities and to our country. I would urge favorable adoption of the resolution.

Mr. SOUTHER. Mr. Speaker, I rise today in support of H. Con. Res. 194. For nearly a century, 4-H has been helping the children of this Nation "learn by doing." As the largest youth organization in the United States, 4-H educates children through practical, hands-on methods that emphasize life skills. It is difficult to point to another organization that has had a comparable positive impact on America's youth. Since its inception in the early 1900s, more than 45 million Americans have participated in 4-H. In my home state alone, 4-H is currently helping over 252,000 young people improve their self-confidence and learn important skills such as leadership, citizenship, and decision-making that can be applied over a lifetime. Originally founded as an agricultural youth organization, the 4-H program is no longer limited to rural communities. 4-H clubs are thriving in urban centers across the country, teaching inner city kids the same values and self confidence that have helped so many rural youth. Today, kids from all walks of life can learn to design web pages, participate in mock legislatures, and organize community clean-ups. 4-H continues to work toward the development of youth as individuals and as responsible and productive citizens. I urge you to join me in supporting this resolution.

Mr. DEAL of Georgia. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GOODLATTE). The question is on the

motion offered by the gentleman from Georgia (Mr. DEAL) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 194.

The question was taken.

Mr. DEAL of Georgia. 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### GENERAL LEAVE

Mr. DEAL of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 194.

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

There was no objection.

#### AUTHORIZING PAY ADJUSTMENTS FOR ADMINISTRATIVE LAW JUDGES

Mrs. BIGGERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 915) to authorize a cost of living adjustment in the pay of administrative law judges, as amended.

The Clerk read as follows:

H.R. 915

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

#### SECTION 1. PAY OF ADMINISTRATIVE LAW JUDGES.

*Section 5372(b) of title 5, United States Code, is amended—*

*(1) in paragraph (1), by inserting "(A)" after "(I)" and by striking all after the first sentence and inserting the following:*

*"(B) Within level AL-3, there shall be 6 rates of basic pay, designated as AL-3, rates A through F, respectively. Level AL-2 and level AL-1 shall each have 1 rate of basic pay.*

*"(C) The rate of basic pay for AL-3, rate A, may not be less than 65 percent of the rate of basic pay for level IV of the Executive Schedule, and the rate of basic pay for AL-1 may not exceed the rate for level IV of the Executive Schedule."*

*(2) in paragraph (3)(A), by striking "upon" each time it appears and inserting "at the beginning of the next pay period following"; and*

*(3) by adding at the end the following:*

*"(4) Subject to paragraph (1), effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5303 in the rates of basic pay under the General Schedule, each rate of basic pay for administrative law judges shall be adjusted by an amount determined by the President to be appropriate."*

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois (Mrs. BIGGERT).

#### GENERAL LEAVE

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days within which to revise and extend their remarks on H.R. 915, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. BIGGERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 915, sponsored by my esteemed colleague the gentleman from Pennsylvania (Mr. GEKAS). H.R. 915 is a bipartisan bill to reform the process for setting the pay of the Federal Government's administrative law judges, otherwise known as ALJs. The Federal Government employs over 1,400 administrative law judges. Their work is crucial and very important to the Federal Government's operations. ALJs decide important cases, ranging from the Social Security complaints of senior citizens to complex securities litigation.

In order to recruit and retain qualified administrative law judges, steps must be taken to ensure their pay remains competitive. Regrettably, circumstances are making this difficult. Each grade and step of the current ALJ pay schedule is rigidly set as a fixed percentage of Level IV of the Executive Schedule. As a result, pay increases for ALJs have lagged behind those of their colleagues under the general schedule or in the Senior Executive Service.

This situation creates a disincentive for highly qualified attorneys, both in the Federal Government and in the private sector, to compete and apply for these important positions. The disincentive is particularly acute for private sector attorneys. While they must generally start at the bottom of the ALJ pay scale, government attorneys at least have the option to keep a comparable salary when they become ALJs.

By reforming the pay-setting process, H.R. 915 will make ALJ positions more attractive for attorneys across the board. Although the bill retains the current grade and step structure for ALJs, H.R. 915 provides the President with more flexibility to adjust ALJ pay. Rather than link each grade and step to a specific percentage of Level IV of the Executive Schedule, H.R. 915 simply establishes minimum and maximum rates of pay for ALJs. These are the same as the current minimum of 65 percent of Level IV and the current maximum of 100 percent of Level IV.

H.R. 915 also authorizes the President to adjust ALJ pay rates below the maximum when employees under the general schedule receive an annual pay adjustment. This mirrors the authority the President now has to adjust the pay of the Senior Executive Service.

Mr. Speaker, I am pleased to have this chance to offer H.R. 915 for consideration by the House. I encourage the support of all Members.

Mr. Speaker, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Federal administrative law judges, often referred to as the Federal Administrative Trial Judiciary, perform judicial functions within the Executive Branch of Government. In adjudicating cases before them, administrative law judges conduct formal trial-type hearings, make findings of fact and law, apply agency regulations and issue either initial or recommended decisions.

There are over 1,300 ALJs assigned to 31 Federal agencies. The agency employing the largest number of ALJs, over 1,184, is the Social Security Administration, which has its headquarters in my district in Baltimore.

I am pleased that the gentleman from Pennsylvania (Mr. GEKAS), the author of the legislation before us today, was able to work with the Office of Personnel Management to craft a bill that has bipartisan support. H.R. 915, a bill to authorize a cost of living adjustment in the pay of administrative law judges, makes a needed improvement in the ALJ pay system.

Under current law, both Federal judges and ALJs are paid under the Executive Schedule, as are Members of Congress. ALJs are the only executive branch Federal employees whose pay is linked to Members of Congress. From 1993 through 1996, ALJs and Federal judges received no cost of living adjustments because Congress prohibited those subject to the Executive Schedule from receiving a COLA.

When Executive Schedule pay goes unchanged, so does the basic pay for ALJs. Consequently, ALJ pay levels have not kept pace with those of other groups of Federal employees, such as the General Service and the Senior Executive Schedule. Under H.R. 915, the pay adjustment process for ALJs would mirror the process for setting the basic pay rates for the Senior Executive Schedule. The structure of the ALJ pay system would remain unchanged. The bill would retain the minimum and maximum rates for the ALJ pay range, while eliminating the specific linkages to executive pay within that range. The President would be authorized to adjust ALJ pay within that pay range at the same time as SES basic pay rates are adjusted, which is the time of the annual GS pay adjustment. The top ALJ pay rate could still not exceed the statutory maximum, which would remain the rate for the executive Level IV.

I urge my colleagues to support this legislation and bring the pay of administrative law judges in line with other groups of Federal employees.

Mr. Speaker, I reserve the balance of my time.

Mrs. BIGGERT. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, I wholeheartedly support this bill. I think we do need to in-

clude the administrative law judges under H.R. 915, and I hope we will be able in the future to look to the Social Security appeals judges also.

I am pleased to also support H.R. 915, which I think is very important. I thank also the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from Maryland (Mr. HOYER) for their support of it.

Mr. CUMMINGS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. HOYER), one who has been at the forefront of protecting the rights of Federal employees and who has been a mentor to me in regard to those kind of issues and many other issues.

Mr. HOYER. Mr. Speaker, I thank the former Speaker pro tem of the Maryland House for his kind words.

Mr. Speaker, I rise today in strong support of H.R. 915, which, as has been stated, is a bill that will provide the President with the authority to provide annual cost of living adjustments to our Nation's more than 1,300 Federal administrative judges, the same authority he now has, frankly, with respect to members of the Senior Executive Service. Currently the pay and step levels for administrative law judges are tied to the Executive Schedule, so they are unable to receive an increase in pay in the years when the Executive Schedule remains unchanged. Since 1991, the basic pay for administrative law judges has increased only three times, in 1992, 1993 and not until 1998, and only one time in the last 5 years, as the figures reflect.

□ 1530

That is in contrast to employees under the General Schedule and the Senior Executive Schedule, who have received a COLA increase in 4 of the last 5 years. This legislation will bring the pay of administrative law judges into line with career employees in the General Schedule and Senior Executive Service.

Mr. Speaker, prior to 1990, administrative law judges fell under the General Schedule and were paid at the GS-15 and 16 rates. In 1990, as part of the Federal Employees Pay Comparability Act, a legislation which I had the honor of sponsoring, the judges had their pay linked to the executive schedule.

While this legislation, H.R. 915, will not change the current grade and step structures for administrative law judges, it will tie each grade and step to fixed percentages of the SES.

I support this legislation, and hope this bill will provide increased competition, and draw the highly qualified candidates that these judgeship positions require for the sound administration of the Federal Government and Federal rules and regulations.

I urge my colleagues to join me and the gentlewoman from Illinois and the gentleman from Maryland in supporting this legislation.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just take a moment to urge my colleagues to vote in favor of this very important legislation. As the gentleman from Maryland (Mr. HOYER) just stated, one of the things we are most concerned about is making sure that we attract the very best to the administrative law judge system.

Certainly, as much as we might not want to think it, pay is very important. It is something that does attract. We want to make sure that they are treated fairly. They do do an outstanding job over and over again, and are sometimes overlooked because they are on the administrative law judge level. The fact is, they do a very important job.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. CUMMINGS. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I think the gentleman's comments are very important and relevant. We need to keep focused on that.

Too often we tend to denigrate Federal service at whatever level, from the administrative law judge level to a file clerk. The fact of the matter is they are very important to the fair and proper administration of the people's government. We certainly want to make sure that we have people at these positions who have sound judgment, significant legal ability, and can wisely dispose of the issues that confront them.

I also want to say that I very much appreciate the leadership of my colleague, the gentleman from Maryland, who has been the ranking member of this subcommittee, and as such has worked with the chairman in a very positive way in ensuring that we have a sound, wise public employee policy in this country. I thank the gentleman for his leadership.

Mr. CUMMINGS. I thank the gentleman very much, Mr. Speaker.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the ranking member for yielding time to me, and I thank him for his leadership. As well, I thank the gentleman from Maryland (Mr. HOYER) and also I thank the gentlewoman from Illinois (Mrs. BIGGERT).

Let me offer to say, having worked with administrative law judges, and in particular, serving on the Subcommittee on Immigration and Claims, where there is an enormous body of administrative law judges that deal with some of the issues that confront immigrants who are seeking legal admission to the United States, I do know of the great value of the service of the administrative law judges.

I wanted to offer my support for this legislation as a way of equalizing the compensation equal to the amount of work and the amount of service that the ALJs participate in.

My first exposure to ALJs was as a lawyer, but also as a member of the

Houston City Council, because many times constituents, not knowing which governmental agency to call, would call with social security issues. Those issues invariably might be addressed at the level of the ALJs.

I realize what a heavy caseload ALJs have had in a variety of areas. Social security happens to be one. I think that many people do not understand the ALJ tasks. They are not Federal judges in terms of not being judges that are appointed with the advice and consent of the Senate, they come through the administrative civil service process. Yet, they serve a very important responsibility.

When I traveled to visit the detention centers, or at least one of the detention centers in New York, I was able to see the work of ALJs as they held court right in the detention centers, to give due process to those individuals who had been detained who might have an explanation or defense for their being detained as an illegal alien or with some other concerns. It was the ALJ who presided over the proceeding, and was considered the first line of defense, or at least the first line of justice for these individuals.

So I say to the gentleman from Maryland, I simply wanted to add that ALJs play an important role in the life of justice in the United States. Although they are called administrative law judges, and they respond to the administrative process and they come through a civil service process, they are competent, they are qualified, they are trained lawyers, and therefore, they are very much a cornerstone to the justice system in this country.

I am delighted that we are now correcting or at least providing adequate compensation in this manner.

Mr. Speaker, I would like to rise in support of H.R. 915, which authorizes a Cost Of Living Adjustment (COLA), in the pay of Administrative Law Judges. Specifically, H.R. 915 reforms the compensation process for Administrative Law Judges (ALJ) by establishing maximum and minimum salaries for Administrative Law Judges.

Currently, Administrative Law Judges are appointed pursuant to Title 5 of the United States Code, establishing the Administrative Law Judge as an independent decision maker who implements the Administrative Procedure Act.

In an age where a good percentage of this country's legal minds are practicing their craft in the private sector, government must do all it can to attract and keep qualified practitioners of the Judiciary. Under current law, both Federal Judges and Administrative Law Judges are paid under the executive Schedule, as are members of Congress.

From 1993 through 1996, Administrative Law Judges and Federal Judges received no Cost Of Living Adjustment (COLA) because Congress restricted those subject to the Executive Schedule from receiving a COLA. When the Executive Schedule pay remains unchanged, so does the basic pay for Administrative Law Judges. As a result, the pay of Administrative Law Judges has not kept pace with those of other groups of federal employ-

ees, such as the General Schedule and the Senior Executive Schedule.

H.R. 915 seeks to address these concerns by adjusting the pay process for Administrative Law Judges to mirror the process for setting the basic pay rates for the Senior Executive Service. This bill would authorize the President to adjust the pay for Administrative Law Judges within the pay range at the same time that Senior Executive Service basic pay rates are adjusted, which is the time of the annual General Service pay adjustment. The top Administrative Law Judge pay rate will still not exceed the statutory maximum, which would remain the rate for Executive Level IV. As a result, instead of adjusting Administrative Law Judges's rates only when there is an increase in executive pay, the President could adjust any Administrative Law Judge pay rate, which had not reached the statutory maximum.

Mr. Speaker, dear colleagues, this is a well-needed bill that will compensate our judges for a job well done. I urge its adoption.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentlewoman for what she had to say. As I was listening to the gentlewoman, I could not help but remember, in law school one of the things we learn early on is before one gets to court, they have to exhaust their administrative process first, so they do play a very important role. Many cases are resolved before they get to the courts. Our courts would certainly be clogged if they were not resolved.

I want to thank the gentlewoman for her comments. I am sure it means a lot to all of our administrative law judges who might be listening or may read this transcript.

Mr. Speaker, again, I would urge all Members to vote in favor of this very important legislation. I also want to thank the gentlewoman from Illinois (Mrs. BIGGERT) for her efforts with regard to this, and also the gentleman from Florida (Mr. SCARBOROUGH), the chairman of our subcommittee, and certainly the chairman of the full committee and the ranking member.

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

Mrs. BIGGERT. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, H.R. 915 is supported by the administration, the Association of Administrative Law Judges, the Federal Administrative Law Judges Conference, the American Bar Association, and the Federal Bar Association.

Mr. Speaker, H.R. 915 is good public policy, and will help attract some of the best and brightest legal minds to serve as administrative law judges. I thank the sponsor of this bill, the gentleman from Pennsylvania (Mr. GEKAS) for his work on this important issue. I also applaud the gentleman from Maryland (Mr. CUMMINGS) for his leadership in this legislation. I urge all Members to vote for H.R. 915.

Mr. DAVIS of Virginia. Mr. Speaker, I strongly support H.R. 915 and I am proud to have been a co-sponsor of this important legislation. I would like to thank my good friend

and colleague from Pennsylvania, Mr. GEKAS, for introducing this important legislation. I would also like to thank the Civil Service Subcommittee and Chairman JOE SCARBOROUGH for acting on this legislation in such a timely manner. It is a fair bill and is sorely needed. With the recent passage of legislation to grant virtually all Federal civilian and military employees a 4.8 percent pay raise, this bill would finally permit a small number of administrative law judges, also career employees, the right to have their pay adjustment determined by the President on an annual basis.

At the present time, ALJs are on the Executive Pay Schedule which includes Members of Congress, Cabinet Secretaries, and Federal District Court Judges. As a result of this classification, ALJs have received only two cost-of-living-adjustments in the past 8 years. Unfortunately, ALJs have been caught in the middle of the controversial political debate surrounding pay raises for Members of Congress and have not received a pay increase. This is despite the fact that their salaries are commensurate with that of the Senior Executive Service (SES), or General Schedule employees. Clearly, it is appropriate to decouple ALJ pay raises from congressional pay raises and not freeze their salaries.

These career employees are among the very few career Federal employees who pay is still tied to congressional salaries. H.R. 915 will place them on the same level as the Senior Executive Service. This change is supported by the Office of Personnel Management (OPM) and was included in the President's FY 2000 budget request. The President will make the final decision each year as to what, if any pay adjustment these employees will have. This change is critically important to encouraging qualified individuals to serve as ALJs and to begin to adequately compensate those who are currently working as ALJs.

Mr. Speaker, many ALJs live in my congressional district in Northern Virginia. I am glad to see that we are taking action on this legislation before the end of the year. ALJs have had to wait too many years for the appropriate level of compensation. This bill is good public policy and will encourage the best and the brightest to serve their government. I urge all of my colleagues to support H.R. 915 today. Again, I would like to thank my colleague from Pennsylvania, Mr. GEKAS for introducing this legislation and working tirelessly to shepherd it through the legislative process.

Mr. GEKAS. Mr. Speaker, I rise in strong support for H.R. 915, a bill that will change the manner in which the approximately 1,300 administrative law judges (ALJs) in Federal agencies receive annual cost of living adjustments. I want to thank Chairman BURTON for his leadership in steering the bill through the Government Reform Committee, along with both the current and former Civil Service Subcommittee Chairmen SCARBOROUGH and MICA for their help in bringing this bill forward, and for their continued efforts to correct the injustice done to ALJ compensation. I would also like to thank OPM for their time and technical expertise in helping to put this bill together.

H.R. 915 is a bipartisan and noncontroversial bill that passed through both the Judiciary Subcommittee on Commercial and Administrative Law and the Civil Service Subcommittee and the full Government Reform Committees by unanimous consent on voice votes without objection. The bipartisan cosponsorship of

H.R. 915, as well as the support of the administration, expressed in a May, 1999 hearing in my Judiciary Subcommittee on Commercial and Administrative Law, are a testament to the strong support for this legislation.

Administrative law judges serve a vital role as an administrative judiciary to insure agency compliance with the Administrative Procedure Act. In fact, the average citizen is far more likely to appeal to these judges for redress of claims against the government than to the Federal courts.

The ALJ position demands commitment and a high degree of professional legal competence as a senior trial attorney. Therefore, it is important that Federal agencies maintain the ability to attract high quality lawyers to serve as ALJs.

In 1990 in recognition of the ALJ's unique role as independent decision makers, Congress and the Office of Personnel Management (OPM) created a judicial pay classification for the ALJs, at 60 percent to 90 percent of level four of the Executive Schedule. The new classification is above the General Schedule 16 classification, and was to compensate ALJs at a level similar to Senior Executive Service (SES) employees.

Unfortunately, according to OPM, ALJ pay has fallen to the level of GS 15 pay and has not maintained the level of SES pay. As a result, OPM, the American Bar Association, and the Federal Bar Association have all expressed concerns that the high quality of ALJ candidates will be diminished if ALJ compensation is not competitive with other senior level Federal employees.

I have sought to correct this erosion in the ALJ pay since the last Congress, when I introduced H.R. 1240 last session to provide ALJs a cost of living adjustment (COLA) when the General Schedule received a COLA. H.R. 1240 passed the full House Judiciary Committee last year by voice vote without any objection, and was included in the draft Civil Service Subcommittee reform package.

OPM proposed some changes to that approach, and I have embodied those changes in the text for H.R. 915 this year, which would treat ALJs the same as SES for COLA purposes. It does not grant an automatic COLA, but instead gives the President the discretion and authority to grant a COLA and the rate.

Additionally, I would like to point out that H.R. 915 would for the first time allow ALJs to have access to the COLA funds already contained in the budgets of the agencies where they sit, requiring no new appropriation of funds. Currently, these already appropriated ALJ COLA funds go to pay additional bonuses for SES personnel.

Enactment of H.R. 915 is a modest step to maintain a competent and independent Federal ALJ corps, and I urge its passage by the House.

Mr. GILMAN. Mr. Speaker, I rise in support of H.R. 915, legislation to authorize a cost of living adjustment in the pay of administrative law judges. Furthermore, I want to thank the sponsor of this H.R. 915, my friend and colleague the gentleman from Pennsylvania, GEORGE GEKAS and Civil Service Subcommittee chair, JOE SCARBOROUGH for all of their hard work on this important legislation. H.R. 915 will adjust the basic pay for the more than 1,300 administrative law judges employed by the Federal Government and will authorize the President the same authority

to provide annual pay adjustments to ALJs who now serve in the Senior Executive Service.

The pay for ALJs has not kept pace over the years with those in other Federal employee positions, making it extremely difficult to attract and retain qualified and experienced attorneys to serve as ALJs.

Throughout my tenure in Congress I have had the opportunity to work with many of our ALJs and have always found their abilities and commitment to public service second to none. The bill before us today will not only reward our ALJs for their tireless dedicated years of public service, but will insure that the Federal Government will continue to maintain an exceptional ALJ roster.

Accordingly, I urge all of my colleagues to support this legislation.

Mrs. BIGGERT. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GOODLATTE). The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 915, as amended.

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

A motion to reconsider was laid on the table.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m.

Accordingly (at 3 o'clock and 39 minutes p.m.), the House stood in recess until approximately 6 p.m.

□ 1802

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BARRETT of Nebraska) at 6 o'clock and 2 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 approving the Journal and on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

Approval of the Journal, *de novo*;  
H.R. 754, by the yeas and nays;  
H.R. 2303, by the yeas and nays; and  
House Concurrent Resolution 194, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

#### THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending

business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

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

Mr. REYNOLDS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 341, nays 49, answered “present” 1, not voting 42, as follows:

	[Roll No. 533] YEAS—341
Abercrombie	Davis (VA)
Allen	Deal
Andrews	DeGette
Archer	Delahunt
Armey	DeLauro
Bachus	DeLay
Baker	DeMint
Baldwin	Deutsch
Barcia	Diaz-Balart
Barr	Dicks
Barrett (NE)	Dingell
Barrett (WI)	Dixon
Bartlett	Doggett
Barton	Doolittle
Bass	Doyle
Bateman	Dreier
Bentsen	Duncan
Bereuter	Dunn
Berkley	Edwards
Berman	Ehlers
Berry	Ehrlich
Biggert	Engel
Bilirakis	Eshoo
Bishop	Etheridge
Blagojevich	Everett
Bliley	Ewing
Blumenauer	Farr
Blunt	Fattah
Boehlert	Fletcher
Bonior	Foley
Boswell	Forbes
Boucher	Ford
Boyd	Fossella
Brady (TX)	Fowler
Brown (FL)	Frank (MA)
Brown (OH)	Franks (NJ)
Bryant	Frelinghuysen
Burr	Frost
Burton	Gallegly
Buyer	Ganske
Callahan	Gejdenson
Calvert	Gekas
Camp	Gephardt
Campbell	Gilchrest
Canady	Gillmor
Cannon	Gilman
Capps	Gonzalez
Cardin	Goode
Castle	Goodlatte
Chabot	Goodling
Chambliss	Gordon
Chenoweth-Hage	Goss
Clayton	Graham
Clement	Green (TX)
Coble	Green (WI)
Coburn	Greenwood
Collins	Gutierrez
Combest	Hall (OH)
Condit	Hall (TX)
Conyers	Hansen
Cooksey	Hastings (WA)
Cox	Hayes
Coyne	Hayworth
Cubin	Herger
Cummings	Hill (IN)
Cunningham	Hinchey
Danner	Hobson
Davis (FL)	Hoefel
Davis (IL)	Hoekstra
	Menendez