

Jefferson	Mollohan	Shadegg
Jenkins	Moore	Shaw
John	Moran (KS)	Shays
Johnson (CT)	Moran (VA)	Sherman
Johnson (IL)	Morella	Sherwood
Johnson, E. B.	Murtha	Shimkus
Johnson, Sam	Myrick	Shows
Jones (NC)	Nadler	Shuster
Jones (OH)	Napolitano	Simmons
Kanjorski	Neal	Simpson
Kaptur	Nethercutt	Skeen
Keller	Ney	Skelton
Kelly	Northup	Slaughter
Kennedy (MN)	Norwood	Smith (MI)
Kennedy (RI)	Nussle	Smith (NJ)
Kerns	Oberstar	Smith (WA)
Kildee	Obey	Snyder
Kilpatrick	Oliver	Solis
Kind (WI)	Ortiz	Souder
King (NY)	Osborne	Spratt
Kingston	Ose	Stark
Kirk	Otter	Stearns
Klecza	Oxley	Stenholm
Knollenberg	Pallone	Strickland
Kolbe	Pascarell	Stump
Kucinich	Pastor	Stupak
LaFalce	Paul	Sullivan
LaHood	Pence	Sununu
Lampson	Peterson (PA)	Sweeney
Langevin	Petri	Tancredo
Lantos	Phelps	Tanner
Larsen (WA)	Pickering	Tauscher
Larson (CT)	Pitts	Tauzin
Latham	Platts	Taylor (MS)
LaTourette	Pombo	Taylor (NC)
Leach	Pomeroy	Terry
Lee	Portman	Thompson (CA)
Levin	Price (NC)	Thompson (MS)
Lewis (CA)	Pryce (OH)	Thornberry
Lewis (GA)	Putnam	Thune
Lewis (KY)	Radanovich	Thurman
Linder	Rahall	Tiahrt
Lipinski	Ramstad	Tiberi
LoBiondo	Rangel	Tierney
Lofgren	Regula	Toomey
Lowey	Rehberg	Towns
Lucas (KY)	Reyes	Turner
Lucas (OK)	Reynolds	Udall (CO)
Luther	Riley	Udall (NM)
Maloney (CT)	Rivers	Upton
Manzullo	Rodriguez	Velazquez
Markey	Roemer	Visclosky
Mascara	Rogers (KY)	Vitter
Matheson	Rogers (MI)	Walden
Matsui	Rohrabacher	Walsh
McCarthy (MO)	Ros-Lehtinen	Wamp
McCarthy (NY)	Ross	Waters
McCollum	Rothman	Watkins (OK)
McDermott	Roukema	Watson (CA)
McGovern	Roybal-Allard	Watt (NC)
McHugh	Royce	Watts (OK)
McInnis	Rush	Waxman
McIntyre	Ryan (WI)	Weiner
McKeon	Ryun (KS)	Weldon (FL)
McKinney	Sanchez	Weldon (PA)
McNulty	Sanders	Weller
Meehan	Sandlin	Wexler
Meek (FL)	Sawyer	Whitfield
Meeks (NY)	Saxton	Wicker
Mica	Schaffer	Wilson (NM)
Millender-	Schakowsky	Wilson (SC)
McDonald	Schiff	Wolf
Miller, Dan	Schrock	Young (AK)
Miller, Gary	Scott	Young (FL)
Miller, George	Sensenbrenner	
Miller, Jeff	Serrano	
Mink	Sessions	

## NAYS—1

Sabo

## ANSWERED "PRESENT"—2

McCrery Thomas

## NOT VOTING—19

Blagojevich	Houghton	Pelosi
Bono	Hunter	Peterson (MN)
Clayton	Lynch	Quinn
Combest	Maloney (NY)	Smith (TX)
Conyers	Menendez	Trafficant
Goss	Owens	
Hall (OH)	Payne	

□ 1736

Messrs. NORWOOD, POMBO, and FOLEY and Mr. PRICE of North Carolina changed their vote from "nay" to "yea."

Mr. THOMAS changed his vote from "yea" to "present."

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.

# MOTION TO INSTRUCT CONFEREES ON H.R. 4775, 2002 SUPPLEMENTAL APPROPRIATIONS ACT FOR FURTHER RECOVERY FROM AND RESPONSE TO TERRORIST ATTACKS ON THE UNITED STATES

The SPEAKER pro tempore (Mr. ISAKSON). The pending business is the question of agreeing to the motion to instruct on H.R. 4775 on which the yeas and nays were ordered.

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 Wisconsin (Mr. OBEY).

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 181, nays 235, not voting 18, as follows:

[Roll No. 224]

YEAS—181

Abercrombie	Filner	McDermott
Ackerman	Ford	McGovern
Allen	Frank	McIntyre
Andrews	Frost	McKinney
Baca	Gephardt	McNulty
Baldacci	Gonzalez	Meehan
Baldwin	Gordon	Meek (FL)
Barcia	Green (TX)	Meeks (NY)
Barrett	Gutierrez	Millender-
Becerra	Harman	McDonald
Bentsen	Hastings (FL)	Miller, George
Berkley	Hilliard	Mink
Berman	Hinche	Moran (VA)
Berry	Hoeffel	Nadler
Bishop	Holt	Napolitano
Honda	Honda	Neal
Bonior	Hookey	Oberstar
Borski	Horn	Obey
Boswell	Hoyer	Oliver
Boucher	Inslee	Pallone
Boyd	Israel	Pascarell
Brady (PA)	Jackson (IL)	Pastor
Brown (FL)	Jackson-Lee	Pomeroy
Brown (OH)	(TX)	Price (NC)
Capps	Jefferson	Rangel
Capuano	Johnson, E. B.	Reyes
Cardin	Kaptur	Rivers
Carson (IN)	Kennedy (RI)	Rodriguez
Carson (OK)	Kildee	Roemer
	Kilpatrick	Ross
	Kind (WI)	Rothman
	Klecza	Roybal-Allard
	Kucinich	Rush
	LaFalce	Sabo
	Lampson	Sanchez
	Langevin	Sanders
	Lantos	Sandlin
	Larsen (WA)	Sawyer
	Larson (CT)	Schakowsky
	Leach	Schiff
	Lee	Scott
	Levin	Serrano
	Lewis (GA)	Sherman
	Lipinski	Shows
	Lofgren	Skelton
	Lowey	Slaughter
	Lucas (KY)	Smith (WA)
	Luther	Snyder
	Maloney (CT)	Solis
	Markey	Spratt
	Mascara	Stark
	Matheson	Strickland
	Matsui	Stupak
	McCarthy (MO)	Tauscher
	McCarthy (NY)	Taylor (MS)
	McCollum	Thompson (CA)

Thompson (MS)	Velazquez	Weiner
Thurman	Waters	Wexler
Tierney	Watson (CA)	Woolsey
Towns	Watt (NC)	Wu
Udall (CO)	Waxman	Wynn

## NAYS—235

Aderholt	Graves	Phelps
Akin	Green (WI)	Pickering
Armey	Greenwood	Pitts
Bachus	Grucci	Platts
Baird	Gutknecht	Pombo
Baker	Hall (TX)	Portman
Ballenger	Hansen	Pryce (OH)
Barr	Hart	Putnam
Bartlett	Hastings (WA)	Radanovich
Barton	Hayes	Rahall
Bass	Hayworth	Ramstad
Bereuter	Hefley	Regula
Biggert	Herger	Rehberg
Bilirakis	Hill	Reynolds
Blunt	Hilleary	Riley
Boehert	Hinojosa	Rogers (KY)
Boehner	Hobson	Rogers (MI)
Bonilla	Hoekstra	Rohrabacher
Boozman	Holden	Ros-Lehtinen
Brady (TX)	Hostettler	Roukema
Brown (SC)	Hulshof	Royce
Bryant	Hunter	Ryan (WI)
Burr	Hyde	Ryun (KS)
Burton	Isakson	Saxton
Buyer	Issa	Schaffer
Callahan	Istook	Schrock
Calvert	Jenkins	Sensenbrenner
Camp	John	Sessions
Cannon	Johnson (CT)	Shadegg
Cantor	Johnson (IL)	Shaw
Capito	Johnson, Sam	Shays
Castle	Jones (NC)	Sherwood
Chabot	Kanjorski	Shimkus
Chambliss	Keller	Shuster
Coble	Kelly	Simmons
Collins	Kennedy (MN)	Simpson
Cooksey	Kerns	Skeen
Cox	King (NY)	Smith (MI)
Cramer	Kingston	Smith (NJ)
Crane	Kirk	Souder
Crenshaw	Knollenberg	Stearns
Cubin	Kolbe	Stenholm
Culberson	LaHood	Stump
Cunningham	Latham	Sullivan
Davis, Jo Ann	LaTourette	Sununu
Davis, Tom	Lewis (CA)	Sweeney
Deal	Lewis (KY)	Tancredo
DeLay	Linder	Tanner
DeMint	LoBiondo	Tauzin
Diaz-Balart	Lucas (OK)	Taylor (NC)
Doggett	Manzullo	Terry
Dooley	McCrery	Thomas
Doolittle	McHugh	Thornberry
Dreier	McInnis	Thune
Duncan	McKeon	Tiahrt
Dunn	Mica	Tiberi
Ehlers	Miller, Dan	Toomey
Ehrlich	Miller, Gary	Turner
Emerson	Miller, Jeff	Udall (NM)
English	Mollohan	Upton
Everett	Moore	Visclosky
Ferguson	Moran (KS)	Vitter
Flake	Morella	Walden
Fletcher	Murtha	Walsh
Foley	Myrick	Wamp
Forbes	Nethercutt	Watkins (OK)
Fossella	Ney	Watts (OK)
Frelinghuysen	Northup	Weldon (FL)
Gallegly	Norwood	Weldon (PA)
Ganske	Nussle	Weller
Gekas	Ortiz	Whitfield
Gibbons	Osborne	Wicker
Gilchrest	Ose	Wilson (NM)
Gillmor	Otter	Wilson (SC)
Gilman	Oxley	Wolf
Goode	Paul	Young (AK)
Goodlatte	Pence	Young (FL)
Graham	Peterson (PA)	
Granger	Petri	

## NOT VOTING—18

Blagojevich	Houghton	Payne
Bono	Jones (OH)	Pelosi
Clayton	Lynch	Peterson (MN)
Combest	Maloney (NY)	Quinn
Goss	Menendez	Smith (TX)
Hall (OH)	Owens	Trafficant

□ 1749

Ms. HART and Mr. RAHALL changed their vote from "yea" to "nay."

Mr. ROSS changed his vote from "nay" to "yea."

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. GOSS. Mr. Speaker, this afternoon I had to depart early for a previously scheduled meeting at the White House. As a result, I was not able to be present for rollcall votes 223 and 224. Had I been present, I would have voted "yea" on rollcall vote 223 and "nay" on rollcall vote 224. I request that this statement appear at the appropriate place in the RECORD.

The SPEAKER pro tempore (Mr. ISAKSON). Without objection, the Chair appoints the following conferees: Messrs. YOUNG of Florida, REGULA, LEWIS of California, ROGERS of Kentucky, SKEEN, WOLF, KOLBE, CALLAHAN, WALSH, TAYLOR of North Carolina, HOBSON, ISTOOK, BONILLA, KNOLLENBERG, OBEY, MURTHA, DICKS, SABO, HOYER, MOLLOHAN, Ms. KAPTUR, Mr. VISCLOSKEY, Mrs. LOWEY, Mr. SERRANO, and Mr. OLIVER.

There was no objection.

#### APPOINTMENT OF CONFEREES ON H.R. 4, SECURING AMERICA'S FUTURE ENERGY ACT OF 2001

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

From the Committee on Energy and Commerce, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. TAUZIN, BILIRAKIS, BARTON of Texas, UPTON, STEARNS, GILLMOR, BURR of North Carolina, DINGELL, WAXMAN, MARKEY, BOUCHER, GORDON and RUSH.

From the Committee on Agriculture, for consideration of section 401 of the House bill and sections 265, 301, 604, 941-948, 950, 1103, 1221, 1311-1313 and 2008 of the Senate amendment, and modifications committed to conference: Messrs. COMBEST, LUCAS of Oklahoma and STENHOLM.

From the Committee on Armed Services, for consideration of sections 401 and 6305 of the House bill and sections 301, 501-507, 509, 513, 809, 821, 914, 920, 1401, 1407-1409, 1411, 1801, and 1803 of the Senate amendment, and modifications committed to conference: Messrs. STUMP, WELDON of Pennsylvania and SKELTON.

From the Committee on the Budget, for consideration of section 1013 of the Senate amendment, and modifications committed to conference: Messrs. NUSSLE, GUTKNECHT and MOORE.

From the Committee on Education and the Workforce, for consideration of section 134 of the House bill and sections 715, 774, 901, 903, 1505 and 1507 of the Senate amendment, and modifications committed to conference: Messrs. McKEON, NORWOOD, and GEORGE MILLER of California.

From the Committee on Financial Services, for consideration of Division D of the House bill and sections 931-940 and 950 of the Senate amendment, and modifications committed to conference: Mr. OXLEY, Mrs. ROUKEMA and Mr. LAFALCE.

From the Committee on the Judiciary, for consideration of sections 206, 209, 253, 531-532, 708, 767, 783 and 1109 of the Senate amendment, and modifications committed to conference: Messrs. SENSENBRENNER, SMITH of Texas and CONYERS.

From the Committee on Resources, for consideration of sections 401, 2441-2451, 6001-6234, and 6301-6801 of the House bill and sections 201, 265, 272, 301, 401-407, 602-606, 609, 612, 705, 707, 712, 721, 1234, 1351-1352, 1704, and 1811 of the Senate amendment, and modifications committed to conference: Mr. HANSEN, Mrs. CUBIN and Mr. RAHALL.

Provided that Mr. GEORGE MILLER of California is appointed in lieu of Mr. RAHALL for consideration of sections 6501-6512 of the House bill, and modifications committed to conference.

From the Committee on Science, for consideration of sections 125, 152, 305-306, 801, Division B, Division E, and section 6512 of the House bill and sections 501-507, 509, 513-516, 770-772, 807-809, 814-816, 824, 832, 1001-1022, title XI, title XII, title XIII, title XIV, section 1502, 1504-1505, title XVI, and sections 1801-1805 of the Senate amendment, and modifications committed to conference: Messrs. BOEHLERT, BARTLETT of Maryland and HALL of Texas.

Provided that Mr. COSTELLO is appointed in lieu of Mr. HALL of Texas for consideration of Division E of the House bill, and modifications committed to conference.

Provided that Ms. WOOLSEY is appointed in lieu of Mr. HALL of Texas for consideration of sections 2001-2178 and 2201-2261 of Division B of the House bill, and modifications committed to conference.

From the Committee on Transportation and Infrastructure, for consideration of sections 121-126, 151, 152, 401, 701, 2101-2105, 2141-2144, 6104, 6507, and 6509 of the House bill and sections 102, 201, 205, 301, 701-783, 812, 814, 816, 823, 911-916, 918-920, 949, 1214, 1261-1262, and 1351-1352 of the Senate amendment, and modifications committed to conference: Messrs. YOUNG of Alaska, PETRI and OBERSTAR.

Provided that Mr. COSTELLO is appointed in lieu of Mr. OBERSTAR for consideration of sections 121-126 of the House bill and sections 911-916 and 918-919 of the Senate amendment, and modifications committed to conference.

Provided that Mr. BORSKI is appointed in lieu of Mr. OBERSTAR, for consideration of sections 151, 2101-2105, and 2141-2144 of the House bill and sections 812, 814 and 816 of the Senate amendment, and modifications committed to conference.

Provided that Mr. DEFazio is appointed in lieu of Mr. OBERSTAR for

consideration of section 401 of the House bill and sections 201, 205, 301, 1262 and 1351-1352 of the Senate amendment, and modifications committed to conference.

From the Committee on Ways and Means for consideration of Division C of the House bill and Division H and I of the Senate amendment, and modifications committed to conference: Messrs. THOMAS, MCCRERY and RANGEL.

For consideration of the House bill and Senate amendment, and modifications committed to conference: Mr. DELAY.

There was no objection.

#### PROPOSING A TAX LIMITATION AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

Mr. SESSIONS. Mr. Speaker, by the direction of the Committee on Rules, I call up House Resolution 439 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 439

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 96) proposing a tax limitation amendment to the Constitution of the United States. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution and any amendment thereto to final passage without intervening motion except: (1) two hours of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; (2) an amendment in the nature of a substitute printed in the Congressional Record pursuant to clause 8 of rule XVIII, if offered by the Minority Leader or his designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time is yielded for purposes of debate only.

Mr. Speaker, House Resolution 439 provides for the consideration of H.J. Res. 96, proposing an amendment to the Constitution of the United States with respect to tax limitation.

The rule provides for 2 hours of debate in the House, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule provides for one amendment in the nature of a substitute printed in the CONGRESSIONAL RECORD, if offered by the minority leader or his designee, which shall be considered as read and shall be separately debatable for 1 hour, equally divided and controlled by the proponent and opponent.