

Bonilla Gallegly
 Bonner Garrett (NJ)
 Bono Gerlach
 Boozman Gibbons
 Boswell Gilchrist
 Boucher Gillmor
 Boyd Gingrey
 Brady (PA) Goode
 Brady (TX) Goodlatte
 Brown (OH) Gordon
 Brown (SC) Goss
 Brown, Corrine Granger
 Brown-Waite, Graves
 Ginny Green (WI)
 Burgess Greenwood
 Burns Grijalva
 Burr Gutknecht
 Burton (IN) Hall
 Buyer Harman
 Calvert Harris
 Camp Hart
 Cannon Hastings (FL)
 Cantor Hastings (WA)
 Capito Hayes
 Capps Hayworth
 Capuano Hefley
 Cardin Hensarling
 Cardoza Herger
 Carson (IN) Hill
 Carson (OK) Hinchey
 Carter Hobson
 Castle Hoeffel
 Chabot Hoekstra
 Chocola Holt
 Clay Honda
 Clyburn Hooley (OR)
 Coble Hostettler
 Cole Houghton
 Collins Hoyer
 Conyers Hulshof
 Cooper Hunter
 Costello Hyde
 Cox Inslee
 Cramer Isakson
 Crane Israel
 Crenshaw Issa
 Crowley Istook
 Cubin Jackson (IL)
 Culberson Jackson-Lee
 Cummings (TX)
 Cunningham Janklow
 Davis (AL) Jefferson
 Davis (CA) John
 Davis (FL) Johnson (CT)
 Davis (IL) Johnson (IL)
 Davis (TN) Johnson, E. B.
 Davis, Jo Ann Johnson, Sam
 Davis, Tom Jones (NC)
 Deal (GA) Jones (OH)
 DeFazio Kanjorski
 DeGette Kaptur
 Delahunt Keller
 DeLauro Kelly
 DeLay Kennedy (MN)
 DeMint Kennedy (RI)
 Deutsch Kildee
 Diaz-Balart, L. Kilpatrick
 Diaz-Balart, M. Kind
 Dicks King (IA)
 Dingell King (NY)
 Doggett Kingston
 Doolittle Kirk
 Doyle Kleczka
 Dreier Kline
 Duncan Knollenberg
 Dunn Kolbe
 Edwards Kucinich
 Ehlers LaHood
 Emanuel Langevin
 Emerson Lantos
 Engel Larsen (WA)
 English Larson (CT)
 Eshoo Latham
 Etheridge LaTourette
 Evans Leach
 Everett Lee
 Farr Levin
 Fattah Lewis (CA)
 Feeney Lewis (GA)
 Ferguson Lewis (KY)
 Filner Linder
 Flake Lipinski
 Foley LoBiondo
 Forbes Lofgren
 Ford Lowey
 Fossella Lucas (KY)
 Frank (MA) Lucas (OK)
 Franks (AZ) Lynch
 Frelinghuysen Majette

Maloney
 Manzullo
 Markey
 Marshall
 Matheson
 Matsui
 McCarthy (MO)
 McCarthy (NY)
 McCollum
 McCreery
 McDermott
 McGovern
 McHugh
 McInnis
 McIntyre
 McKeon
 McNulty
 Meehan
 Meek (FL)
 Meeks (NY)
 Menendez
 Mica
 Michaud
 Millender-
 McDonald
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Miller, George
 Mollohan
 Moore
 Moran (KS)
 Moran (VA)
 Murphy
 Murtha
 Musgrave
 Myrick
 Nadler
 Napolitano
 Neal (MA)
 Nethercutt
 Neugebauer
 Ney
 Northup
 Norwood
 Nunes
 Nussle
 Oberstar
 Obey
 Olver
 Osborne
 Ose
 Otter
 Owens
 Oxley
 Pallone
 Pascrell
 Pastor
 Payne
 Pelosi
 Pence
 Peterson (MN)
 Peterson (PA)
 Petri
 Pickering
 Pitts
 Platts
 Pombo
 Pomeroy
 Porter
 Portman
 Price (NC)
 Pryce (OH)
 Putnam
 Quinn
 Radanovich
 Rahall
 Ramstad
 Rangel
 Regula
 Rehberg
 Renzi
 Reyes
 Reynolds
 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
 Stark
 Stearns
 Stenholm
 Strickland
 Sullivan
 Sweeney
 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 (CO)

Udall (NM)
 Upton
 Van Hollen
 Velazquez
 Visclosky
 Vitter
 Walden (OR)
 Walsh
 Wamp
 Waters
 Watson
 Watt
 Waxman
 Weiner
 Weldon (FL)
 Weldon (PA)
 Weller
 Wexler
 Whitfield
 Wicker
 Wilson (NM)
 Wilson (SC)
 Wolf
 Wu
 Wynn
 Young (AK)
 Young (FL)

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

Mr. BECERRA. Mr. Speaker, subject to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1308, the Child Tax Credit bill. The form of the motion is as follows:

Mr. Speaker, I move that the managers on the part of the House and the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

One, the House conferees shall be instructed to include in the conference report the provision of the Senate amendment, not included in the House amendment, that provides immediate payments to taxpayers receiving an additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.

Two, the House conferees shall be instructed to include in the conference report the provision of the Senate amendment, not included in the House amendment, that provides families of military personnel in Iraq, Afghanistan and other combat zones a child credit based on the earnings of the individuals serving in the combat zone.

Three, the House conferees shall be instructed to include in the conference report all of the other provisions of the Senate amendment and shall not report back a conference report that includes additional tax benefits not offset by other provisions.

Four, to the maximum extent possible within the scope of conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and families of the astronauts who died in the *Columbia* disaster.

Five, the House conferees shall, as soon as practicable after the adoption of this motion, meet in open session with the Senate conferees and the House conferees shall file a conference report consistent with the preceding provisions of this instruction, not later than the second legislative day after adoption of this motion.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1626

Mr. CARSON of Oklahoma. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1626.

The SPEAKER pro tempore (Mr. BE-REUTER). Is there objection to the request of the gentleman from Oklahoma?
 There was no objection.

PERSONAL EXPLANATION

Ms. KAPTUR. Mr. Speaker, due to my attending the funeral of a member

NAYS—1

Paul

NOT VOTING—22

Akin	Gonzalez	Miller (NC)
Bell	Green (TX)	Ortiz
Bradley (NH)	Gutierrez	Pearce
Case	Hinojosa	Rodriguez
Dooley (CA)	Holden	Stupak
Fletcher	Jenkins	Woolsey
Frost	Lampson	
Gephardt	McCotter	

□ 1748

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Speaker, I regret that I was unavoidably detained. Had I been present, I would have voted "yes" on rollcall Nos. 576, 577, 578 and 579.

PERSONAL EXPLANATION

Mr. GREEN of Texas. Mr. Speaker, earlier this evening, I regret I was called away on urgent business and missed the vote on rollcall 576, 577, 578 and 579. I would like the RECORD to reflect that had I been present, I would have voted in the following manner:

On rollcall 567, I would have voted "aye".

On rollcall 577, I would have voted "aye".

On rollcall 578, I would have voted "aye".

On rollcall 579, I would have voted "aye".

MESSAGE FROM THE PRESIDENT

Message writing from the President of the United States were communicated to the House by Ms. Wanda Evans, one of his secretaries.

of our family on Wednesday, October 8, 2003, a day for which I requested and was granted leave of absence, I missed five recorded votes.

I would like the RECORD to reflect that had I been here for these votes, on rollcall 535, final passage of H.R. 3108, Pension Funding Equity Act of 2003, I would have voted "yea."

On rollcall 536, H.R. 2297, Veteran Benefits Act of 2003, I would have voted "yea."

On rollcall 537, H.R. 2998, to amend title 10, U.S. Code, to exempt certain members of the Armed Forces from the requirement to pay subsistence charges while hospitalized, I strongly support this bill and have been complaining to the Secretary of Defense regarding unconscionable charging of \$1 per minute for men and women on duty in Iraq who want to call home, and would have voted "yea."

On rollcall 538, H. Res. 355, commemorating the 100th anniversary of diplomatic relations between the United States and Bulgaria, I would have voted "yea."

On rollcall 539, expressing the condolences of the House of Representatives in response to the murder of Swedish Foreign Minister Anna Lindh, I would have voted "yea."

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 6, ENERGY POLICY ACT OF 2003

Mr. FILNER. Mr. Speaker, pursuant to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 6, the Energy Policy Act.

The form of the motion is as follows:

I move 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. 6 be instructed to reject section 12403 of the House bill, relating to the definition of oil and gas exploration and production in the Federal Water Pollution Control Act.

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

Mrs. CAPPS. Mr. Speaker, under 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.

The form of the motion is as follows:

Mrs. CAPPS of California 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:

One, to reject the provision of subtitle C of title II of the House bill.

Two, to reject the provisions of section 231 of the Senate amendment.

Three, within the scope of the conference, to increase payments for physician services by an amount equal to the amount of savings attributable to the rejection of aforementioned provisions.

Four, to insist upon section 601 of the House bill.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 2660, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

Ms. DELAURO. Mr. Speaker, pursuant to clause 7(c) of House rule XXII, I hereby notify the House of my intention tomorrow to offer the following motion to instruct House conferees on H.R. 2660, the fiscal year 2004 Labor, Health and Human Services, Education and Related Agencies Appropriations Act.

I move that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill H.R. 2660 be instructed to insist on the Senate level for part B of the Individuals with Disabilities Education Act.

MOTION TO INSTRUCT CONFEREES ON H.R. 2660, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

Mr. OBEY. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. OBEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 2660, be instructed to insist on the highest funding levels possible for programs authorized by the No Child Left Behind Act.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Ohio (Mr. REGULA) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. PELOSI), the distinguished minority leader.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me the time. I thank him for presenting this motion to instruct, and I thank him for his extraordinary leadership on behalf of America's children. His lifelong service in the Congress and commitment to America's children is an example to all of us. He knows the education issue chapter and verse, and he gives us a very important motion to vote on this evening.

Mr. Chairman, agreeing to the highest level in a conference, as the gentleman from Wisconsin's (Mr. OBEY) motion to instruct calls for, is the very least that we can do for the children of America. As my colleagues know, earlier, not in this Congress but a Congress before, we authorized the No Child Left Behind legislation. It was

groundbreaking. It called for standards in the schools, and it was controversial. It received bipartisan support. It was the President's initiative, and it received bipartisan support in the House, in the Congress.

It was never imagined, I do not think, that when we would go forward with these mandates on public schools in our country that we would give them the mandates and withhold the money. That this bill falls \$8 billion short on funding for Leave No Child Behind is appalling, and it is impossible for the schools to meet the mandate.

President Bush and the Republicans have made a great show in supporting education, and they have promised with great fanfare Leave No Child Behind, but when they cut billions of dollars from the bill, they are leaving millions of children behind. When it comes time to keep the promises, President Bush and the Republicans in Congress take a recess from responsibility and again leave millions of children behind.

No matter what else students have learned in school this year, students and their parents across the country have learned a valuable lesson about the Republicans. They do not keep their promises on education. The appropriation bill the Republicans passed this summer falls a staggering \$8 billion below the funding level promised in the Leave No Child Behind bill. It only funds a small portion of what was promised for Title I, the program that helps at-risk students master the basics.

It falls more than \$1 billion short of the special education funding promised in the recently passed Individuals With Disabilities Education Act reauthorization bill, a 55 percent gap between what the Republicans promised and what they delivered.

The vote on this appropriations bill clearly defined the differences between the parties. Not one single Democrat voted to support this affront to America's education needs and with good reason. I will just take my own State of California for example. It underfunds our needs in California by \$1.3 billion for our children. In Georgia, it underfunds by \$280 million. When my Republican colleagues voted for this bill, if they were from Georgia, they voted to shortchange the children of Georgia by \$280 million; in Arizona, \$168 million. The list goes on and on.

By voting for this bill, Republicans showed that all of their rhetoric supporting education is just that, empty rhetoric. It is yet another example of the credibility gap between the rhetoric around here and the harsh realities of the budget priorities the Republicans have. It is more important for them to give tax breaks to corporations, moving manufacturing jobs offshore. It is more important for them to give tax breaks that are even described by the CATO Institute in a negative way to the energy sector.