

Meek (FL) Price (NC) Spratt  
 Meeks (NY) Rahall Stark  
 Menendez Rangel Stenholm  
 Michaud Reyes Strickland  
 Millender- Rodriguez  
 McDonald Ross Tauscher  
 Miller, George Rothman Taylor (MS)  
 Mollohan Roybal-Allard Thompson (CA)  
 Moore Ruppertsberger Thompson (MS)  
 Moran (VA) Rush Tierney  
 Murtha Ryan (OH) Towns  
 Nadler Sabo Turner (TX)  
 Napolitano Sanchez, Loretta Udall (CO)  
 Neal (MA) Sanders Udall (NM)  
 Oberstar Sandlin Van Hollen  
 Obey Schakowsky Velazquez  
 Olver Schiff Visclosky  
 Ortiz Scott (GA) Waters  
 Owens Scott (VA) Watson  
 Pallone Serrano Watt  
 Pascrell Sherman Waxman  
 Pastor Skelton Weiner  
 Payne Slaughter Wexler  
 Pelosi Smith (WA) Woolsey  
 Peterson (MN) Snyder Wu  
 Pomeroy Solis Wynn

NOT VOTING—13

Akin Gephardt Pearce  
 Bradley (NH) Gutierrez Sanchez, Linda  
 Case Hobson T.  
 Clay McCotter Stupak  
 Fletcher Miller (NC)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
 The SPEAKER pro tempore (Mr. LAHOOD) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1552

So the previous question was ordered. The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 220, noes 199, not voting 15, as follows:

[Roll No. 587]

AYES—220

Aderholt Cannon Feeny  
 Bachus Cantor Ferguson  
 Baker Capito Flake  
 Ballenger Carter Foley  
 Barrett (SC) Castle Forbes  
 Bartlett (MD) Chabot Fossella  
 Bass Chocola Franks (AZ)  
 Beauprez Coble Frelinghuysen  
 Bereuter Cole Gallegly  
 Biggart Collins Garrett (NJ)  
 Bilirakis Cox Gerlach  
 Bishop (UT) Crane Gibbons  
 Blackburn Crenshaw Gilchrest  
 Blunt Cubin Gillmor  
 Boehlert Culberson Gingrey  
 Boehner Cunningham Goode  
 Bonilla Davis, Jo Ann Goodlatte  
 Bonner Davis, Tom Goss  
 Bono Deal (GA) Granger  
 Boozman DeLay Graves  
 Brady (TX) DeMint Green (WI)  
 Brown (SC) Diaz-Balart, L. Greenwood  
 Brown-Waite, Diaz-Balart, M. Gutknecht  
 Ginny Doolittle Harris  
 Burgess Dreier Hart  
 Burns Duncan Hastings (WA)  
 Burr Dunn Hayes  
 Burton (IN) Ehlers Hayworth  
 Buyer Emerson Hefley  
 Calvert English Hensarling  
 Camp Everett Herger

Hobson Moran (KS) Sensenbrenner  
 Hoekstra Murphy Sessions  
 Hostettler Musgrave Shadegg  
 Houghton Myrick Shaw  
 Hulshof Nethercutt Schiff  
 Hunter Neugebauer Sherwood  
 Hyde Ney Shimkus  
 Isakson Northup Shuster  
 Issa Norwood Simmons  
 Istook Nunes Simpson  
 Janklow Nussle Smith (MI)  
 Jenkins Osborne Smith (NJ)  
 Johnson (CT) Ose Smith (TX)  
 Johnson (IL) Otter Souder  
 Johnson, Sam Oxley Stearns  
 Jones (NC) Paul Sullivan  
 Keller Pence Sweeney  
 Kelly Peterson (PA) Tancredo  
 Kennedy (MN) Petri Tauzin  
 King (IA) Pitts Taylor (NC)  
 King (NY) Platts Terry  
 Kingston Pombo Thomas  
 Kirk Porter Thornberry  
 Kline Portman Tiahrt  
 Knollenberg Pryce (OH) Tiberi  
 Kolbe Putnam Toomey  
 LaHood Quinn Turner (OH)  
 Latham Radanovich Upton  
 Leach Ramstad Walden (OR)  
 Lewis (CA) Regula Walsh  
 Lewis (KY) Rehberg Wamp  
 Linder Renzi Weldon (FL)  
 LoBiondo Reynolds Weldon (PA)  
 Lucas (OK) Lucas (AL) Weller  
 Manzullo Rogers (KY) Whitfield  
 McCrery Rogers (MI) Wicker  
 McHugh Rohrabacher Wilson (NM)  
 McInnis Ros-Lehtinen Wilson (SC)  
 McKeon Royce Wolf  
 Mica Ryan (WI) Young (AK)  
 Miller (FL) Ryun (KS) Young (FL)  
 Miller (MI) Saxton  
 Miller, Gary Schrock

NOES—199

Abercrombie Eshoo Lucas (KY)  
 Ackerman Etheridge Lynch  
 Alexander Evans Majette  
 Allen Farr Maloney  
 Andrews Fattah Markey  
 Baca Filner Marshall  
 Baird Ford Matheson  
 Baldwin Frank (MA) Matsui  
 Ballance Frost McCarthy (MO)  
 Becerra Gonzalez McCarthy (NY)  
 Bell Gordon McCollum  
 Berkley Green (TX) McDermott  
 Berman Grijalva McGovern  
 Berry Hall McIntyre  
 Bishop (GA) Harman McNulty  
 Bishop (NY) Hastings (FL) Meehan  
 Blumenauer Hill Meek (FL)  
 Boswell Hinchey Meeks (NY)  
 Boucher Hinojosa Menendez  
 Boyd Hoeffel Michaud  
 Brady (PA) Holden Millender-  
 Brown (OH) Holt McDonald  
 Brown, Corrine Honda Miller, George  
 Capps Hooley (OR) Mollohan  
 Capuano Hoyer Moore  
 Cardin Inslee Moran (VA)  
 Cardoza Israel Murtha  
 Carson (IN) Jackson (IL) Nadler  
 Carson (OK) Jackson-Lee Napolitano  
 Clyburn (TX) Neal (MA)  
 Conyers Jefferson Oberstar  
 Cooper John Obey  
 Costello Johnson, E. B. Olver  
 Cramer Jones (OH) Ortiz  
 Crowley Kanjorski Owens  
 Cummings Kaptur Pallone  
 Davis (AL) Kennedy (RI) Pascrell  
 Davis (CA) Kildee Pastor  
 Davis (FL) Kilpatrick Payne  
 Davis (IL) Kind Pelosi  
 Davis (TN) Kleczka Peterson (MN)  
 DeFazio Kucinich Pomeroy  
 DeGette Lampson Price (NC)  
 Delahunt Langevin Rahall  
 DeLauro Lantos Rangel  
 Deutsch Larsen (WA) Reyes  
 Dicks Larson (CT) Rodriguez  
 Dingell LaTourette Ross  
 Doggett Lee Rothman  
 Dooley (CA) Levin Roybal-Allard  
 Doyle Lewis (GA) Ruppertsberger  
 Edwards Lipinski Rush  
 Emanuel Lofgren Ryan (OH)  
 Engel Lowey Sabo

Sanchez, Loretta Spratt Udall (NM)  
 Sanders Stark Van Hollen  
 Sandlin Stenholm Velazquez  
 Schakowsky Strickland Visclosky  
 Schiff Tanner Waters  
 Scott (VA) Tauscher Watson  
 Serrano Taylor (MS) Watt  
 Sherman Thompson (CA) Waxman  
 Skelton Thompson (MS) Weiner  
 Slaughter Tierney Wexler  
 Smith (WA) Towns Woolsey  
 Snyder Turner (TX) Wu  
 Solis Udall (CO) Wynn

NOT VOTING—15

Akin Gephardt Sanchez, Linda  
 Barton (TX) Gutierrez T.  
 Bradley (NH) McCotter Scott (GA)  
 Case Miller (NC) Stupak  
 Clay Pearce  
 Fletcher Pickering

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
 The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1600

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.

MOTION TO ADJOURN

Mr. HASTINGS of Florida. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion to adjourn offered by the gentleman from Florida (Mr. HASTINGS).

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 54, noes 360, not voting 20, as follows:

[Roll No. 588]

AYES—54

Ackerman Grijalva Meek (FL)  
 Allen Hastings (FL) Meeks (NY)  
 Baird Hill Millender-  
 Baldwin Hinchey McDonald  
 Ballance Honda Oberstar  
 Berry Jefferson Pallone  
 Brown, Corrine Johnson, E. B. Pelosi  
 Capuano Jones (OH) Rodriguez  
 Carson (IN) Kennedy (RI) Sandlin  
 Clyburn Kilpatrick Schakowsky  
 Davis (IL) Lampson Thompson (MS)  
 DeFazio Langevin Tierney  
 DeGette Lantos Towns  
 Delahunt Larsen (WA) Velazquez  
 DeLauro Larson (CT) Waters  
 Dingell Lee Waxman  
 Doggett McDermott Woolsey  
 Filner McGovern  
 Frank (MA) McIntyre

NOES—360

Abercrombie Bass Bishop (UT)  
 Aderholt Beauprez Blackburn  
 Alexander Becerra Blunt  
 Andrews Bell Boehlert  
 Baca Bereuter Boehner  
 Bachus Berkley Bonilla  
 Baker Berman Bonner  
 Ballenger Biggart Bono  
 Barrett (SC) Bilirakis Boozman  
 Bartlett (MD) Bishop (GA) Boswell  
 Barton (TX) Bishop (NY) Boucher

Boyd Hastings (WA)  
 Brady (PA) Hayes  
 Brady (TX) Hayworth  
 Brown (OH) Hefley  
 Brown (SC) Hensarling  
 Brown-Waite, Hinojosa  
   Ginny Hobson  
 Burgess Hoeffel  
 Burns Hoekstra  
 Burton (IN) Holden  
 Buyer Holt  
 Calvert Hooley (OR)  
 Camp Hostettler  
 Cannon Houghton  
 Cantor Hoyer  
 Capito Hulshof  
 Capps Hyde  
 Cardin Inslee  
 Cardoza Isakson  
 Carson (OK) Israel  
 Carter Issa  
 Castle Istook  
 Chabot Jackson (IL)  
 Chocola Jackson-Lee  
 Coble (TX)  
 Cole Janklow  
 Collins Jenkins  
 Cooper John  
 Costello Johnson (CT)  
 Cox Johnson (IL)  
 Cramer Johnson, Sam  
 Crane Jones (NC)  
 Crenshaw Kanjorski  
 Crowley Kaptur  
 Cubin Keller  
 Culberson Kelly  
 Cummings Kennedy (MN)  
 Cunningham Kildee  
 Davis (AL) Kind  
 Davis (CA) King (IA)  
 Davis (FL) King (NY)  
 Davis (TN) Kingston  
 Davis, Jo Ann Kirk  
 Davis, Tom Kleczka  
 Deal (GA) Kline  
 DeLay Knollenberg  
 DeMint Kolbe  
 Deutsch Kucinich  
 Diaz-Balart, L. LaHood  
 Diaz-Balart, M. Latham  
 Dicks LaTourette  
 Dooley (CA) Leach  
 Doolittle Levin  
 Doyle Lewis (CA)  
 Dreier Lewis (GA)  
 Duncan Lewis (KY)  
 Dunn Linder  
 Edwards Lipinski  
 Ehlers LoBiondo  
 Emanuel Lofgren  
 Emerson Lowey  
 Engel Lucas (KY)  
 English Lucas (OK)  
 Eshoo Lynch  
 Etheridge Majette  
 Evans Maloney  
 Everett Manzullo  
 Farr Markey  
 Fattah Marshall  
 Ferguson Matheson  
 Flake Matsui  
 Foley McCarthy (MO)  
 Forbes McCarthy (NY)  
 Ford McCollum  
 Fossella McCrery  
 Franks (AZ) McHugh  
 Frelinghuysen McNinnis  
 Frost McKeon  
 Gallegly McNulty  
 Garrett (NJ) Meehan  
 Gerlach Menendez  
 Gibbons Mica  
 Gilchrest Michaud  
 Gillmor Miller (FL)  
 Gingrey Miller (MI)  
 Gonzalez Miller, Gary  
 Goode Mollohan  
 Goodlatte Moore  
 Goss Moran (KS)  
 Granger Moran (VA)  
 Graves Murphy  
 Green (TX) Murtha  
 Green (WI) Musgrave  
 Greenwood Myrick  
 Gutknecht Nadler  
 Hall Napolitano  
 Harman Neal (MA)  
 Harris Nethercutt  
 Hart Neugebauer

Ney  
 Northup  
 Norwood  
 Nunes  
 Nussle  
 Obey  
 Olver  
 Ortiz  
 Osborne  
 Ose  
 Otter  
 Owens  
 Oxley  
 Pascrell  
 Pastor  
 Paul  
 Payne  
 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)  
 Ryan (KS)  
 Sabo  
 Sanchez, Loretta  
 Sanders  
 Saxton  
 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)  
 Thornberry  
 Tiahrt  
 Tiberi  
 Toomey  
 Turner (OH)  
 Turner (TX)  
 Udall (CO)  
 Udall (NM)  
 Upton  
 Van Hollen

Visclosky  
 Vitter  
 Walden (OR)  
 Walsh  
 Wamp  
 Watson  
 Watt  
 Weiner  
 Weldon (FL)  
 Weldon (PA)  
 Weller

Wexler  
 Whitfield  
 Wicker  
 Wilson (NM)  
 Wilson (SC)  
 Wolf  
 Wu  
 Wynn  
 Young (AK)  
 Young (FL)

## NOT VOTING—20

Akin  
 Blumenauer  
 Bradley (NH)  
 Burr  
 Case  
 Clay  
 Conyers  
 Feeney  
 Fletcher  
 Gephardt  
 Gordon  
 Gutierrez  
 Hergert  
 Hunter  
 McCotter  
 Miller (NC)  
 Miller, George  
 Pearce  
 Sanchez, Linda  
 T.  
 Stupak

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1616

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

## CONFERENCE REPORT ON H.R. 2115, VISION 100-CENTURY OF AVIATION REAUTHORIZATION ACT

Mr. MICA. Mr. Speaker, pursuant to House Resolution 422, I call up the conference report on the bill (H.R. 2115) to amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 422, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of October 29, 2003, at page H10008.)

The SPEAKER pro tempore. The gentleman from Florida (Mr. MICA) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. MICA).

## PARLIAMENTARY INQUIRY

Mr. DEFAZIO. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DEFAZIO. Mr. Speaker, I would like to inquire whether the rules and precedents of the House require that after the House has voted, that we meet in conference, that an actual meeting of a conference take place?

The SPEAKER pro tempore. Under the precedents of the House, a conference report must be the product of an actual meeting of the managers appointed by the two Houses.

Mr. DEFAZIO. Mr. Speaker, I am sorry, the answer is yes then; when we vote to go to conference, there has to be an actual meeting?

The SPEAKER pro tempore. The gentleman is correct.

## POINT OF ORDER

Mr. DEFAZIO. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. DEFAZIO. Mr. Speaker, I would make a point of order, since there was no actual meeting of the conference.

The SPEAKER pro tempore. Does the gentleman wish to be heard on his point of order?

Mr. DEFAZIO. I do.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. DEFAZIO. Mr. Speaker, this is a crucial issue of the privileges of Members in our representation of our districts, of our constituencies, and of the precedents of the House of Representatives on how we conduct business.

The House earlier this week voted unanimously to return to conference because the bill had been in dispute because of a contentious section regarding the privatization or contracting out of 69 air traffic control towers. The only way it seemed possible to resolve that issue was to return to conference. The House voted unanimously to return to conference, but no conference meeting was ever held. Earlier in the debate one would have gotten the impression that such a meeting was held. It was not held.

The Chair has ruled that an actual physical meeting of the conferees representing the various points of view on the bill in representing their constituents must be convened and they must have the opportunity to work through those issues.

In this case, there was no meeting of any conference. No Democratic Member, and, to the best of my knowledge, no Republican Member, was invited to a conference, there was no public notice of a conference, and no conference took place. Yet the bill was modified and returned to the floor of the House here.

So, Mr. Speaker, given the 200 years of precedent that an actual conference meeting must take place before you can have a conference report, I would respectfully make a point of order under clause 12 of rule XXII that there be at least one conference meeting. As I understand it, that same rule provides for a point of order in the House against the report and for an automatic request for a new conference if the House managers fail to meet in open session.

So I would ask that the Chair so rule, that this bill is out of order, and that we be mandated to return to actually have a physical meeting of a conference.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

Mr. MICA. Mr. Speaker, I do.

Mr. Speaker, the House, as I recall, just passed on a vote of 220 to 199 a rule by which this legislation would be considered before the House of Representatives. In that rule, there was clearly a provision that waived all points of order, which also would negate the previous standing rule of the House for specific meeting.