

Ney	Ros-Lehtinen	Tancredo
Northup	Ross	Tanner
Norwood	Rothman	Tauscher
Nunes	Roybal-Allard	Tauzin
Nussle	Royce	Taylor (MS)
Oberstar	Ruppertsberger	Taylor (NC)
Obey	Rush	Terry
Olver	Ryan (OH)	Thomas
Ortiz	Ryan (WI)	Thompson (CA)
Osborne	Ryun (KS)	Thompson (MS)
Ose	Sabo	Thornberry
Otter	Sanchez, Loretta	Tiahrt
Owens	Sanders	Tiberi
Oxley	Sandlin	Tierney
Pallone	Saxton	Toomey
Pascarell	Schakowsky	Towns
Pastor	Schiff	Turner (OH)
Paul	Schrock	Turner (TX)
Payne	Scott (GA)	Udall (CO)
Pelosi	Scott (VA)	Udall (NM)
Pence	Sensenbrenner	Upton
Peterson (MN)	Serrano	Van Hollen
Peterson (PA)	Sessions	Velazquez
Petri	Shadegg	Visclosky
Pickering	Shaw	Vitter
Pitts	Shays	Walden (OR)
Platts	Sherman	Walsh
Pombo	Sherwood	Wamp
Pomeroy	Shimkus	Waters
Porter	Shuster	Watson
Portman	Simmons	Watt
Price (NC)	Simpson	Waxman
Pryce (OH)	Skelton	Weiner
Putnam	Slaughter	Weldon (FL)
Quinn	Smith (MI)	Weldon (PA)
Radanovich	Smith (NJ)	Weller
Rahall	Smith (TX)	Wexler
Ramstad	Smith (WA)	Whitfield
Rangel	Snyder	Wicker
Regula	Solis	Wilson (NM)
Rehberg	Souder	Wilson (SC)
Reyes	Spratt	Wolf
Reynolds	Stark	Woolsey
Rodriguez	Stearns	Wu
Rogers (AL)	Stenholm	Wynn
Rogers (KY)	Strickland	Young (AK)
Rogers (MI)	Sullivan	Young (FL)
Rohrabacher	Sweeney	

NOT VOTING—18

Abercrombie	Case	Pearce
Akin	Fletcher	Renzi
Bachus	Gephardt	Sanchez, Linda
Blumenauer	Gutierrez	T.
Boehlert	McCollum	Stupak
Bradley (NH)	McCotter	
Capps	Miller (NC)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 2046

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 2046

WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 421 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 421

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to con-

sider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of October 30, 2003, providing for consideration or disposition of a conference report to accompany the bill (H.R. 3289) making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, and for other purposes.

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for 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 yielded is for the purposes of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, our resolution would waive clause 6(a) of rule XIII requiring a two-thirds vote to consider a rule on the same day it is reported from the Committee on Rules against certain resolutions reported from the Committee on Rules.

This resolution applies the waiver to any special rule reported on the legislative day of October 30, 2003, providing for the consideration or disposition of a conference report to accompany the bill, H.R. 3289, making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, and for other purposes.

Mr. Speaker, given the urgent need to move the Iraqi supplemental to the President's desk without further delay, the Committee on Rules has acted to expedite consideration of this critically important conference agreement filed in the House just a short while ago. Members will have ample opportunity to debate the merits of that conference agreement once we move to its consideration here in the House.

Accordingly, Mr. Speaker, I urge my colleagues to adopt this resolution so that we may begin this important debate.

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

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

(Mr. FROST asked and was given permission to revise and extend his remarks.)

Mr. FROST. Mr. Speaker, I voted for the U.S. military action to remove Saddam Hussein from power. I support the American troops and civilians who are now in Iraq doing the dangerous job of rebuilding that nation. And I expect to vote for President Bush's \$87 billion supplemental for the supplemental foreign aid package for Iraq even though it still does too little for the U.S. troops and asks too much of U.S. taxpayers.

But this martial law rule is the perfect example of what is wrong with the approach the Bush administration and the Republican leadership of this Congress have taken to rebuilding Iraq. Instead of being honest with the American people about the dangers and difficulties of nation-building in Iraq, they keep trying to sweep it all under the rug.

Earlier this week we had the literally unbelievable scene of President Bush trying to spin the public into believing that sophisticated and deadly terrorist attacks in Iraq actually demonstrate "progress" in Iraq. A similar thing is happening on the House floor today, Mr. Speaker. Instead of being open with the public, the President and the Members of this House, Republican leaders, want to waive the House rules so that no one has time to actually read the text of this \$87 billion foreign aid package.

Make no mistake, this is exactly what this "martial law" rule does. It is simply a procedural way to get around the House rule that would otherwise guarantee everyone one legislative day to examine this massive expenditure of American taxpayers' money.

Of course, Republican leaders long ago made secrecy a key component of this strategy for running the House of Representatives. This martial law is the 8th time this year that Republicans have waived the House rules to rush legislation through the House. In the last Congress they did it 27 times. But their secretive approach to this \$87 billion foreign aid package poses an even greater danger.

That is because President Bush and his administration have already developed a dangerous credibility problem on Iraq, a credibility gap that threatens to undermine our ability to win the peace.

For too long they have treated nation-building in Iraq as some sort of political campaign, relying on spin, sophistry, and stagecraft to hide from the public the true magnitude of the dangerous and difficult job before us.

Mr. Speaker, the American people are smarter than that. They cannot be spun by President Bush and they cannot be kept in the dark by this Republican Congress. They know that more than 120 Americans have died in Iraq since President Bush's carefully choreographed PR event to declare victory on an aircraft carrier. They know that they have already spent billions of dollars on Iraq, and the United States already has a massive debt of its own, one that will raise the debt tax on every American. They remember being told before the war that Iraq is an oil-rich Nation that could pay for its own reconstruction.

That is why the process surrounding this supplemental spending bill has been so controversial and why so many Members who support President Bush's nation-building project may refuse to vote for it until he finally presents to the American people a credible plan to

win the peace in Iraq. It is also a big part of the reason that we have been losing the relatively meager international assistance we have had so far, with the Red Cross and the United Nations scaling back their presence in Iraq. And it is where so many Americans have such sincere doubts about this effort with nearly a majority of Republicans wanting to pull U.S. troops out of Iraq, according to a Gallup Poll this week.

Mr. Speaker, more secrecy from the Republican Congress will only make the Bush administration's credibility gap worse. It will only make it more difficult to maintain public support for the important job of winning the peace in Iraq. Take, for example, the issue of accountability. American taxpayers have already given the Bush administration \$79 billion to spend on Iraq. So when the chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG) came before the Committee on Rules, the gentleman from Florida (Mr. HASTINGS) asked him whether he knew what had become of the previous \$79 billion. He answered, "I would like to tell you that I do, but if I did I would not be telling the truth." If the chairman of the Committee on Appropriations does not know, then presumably no other Member of Congress has any idea where that \$79 billion has gone.

So during the conference an amendment was adopted to create an office of the inspector general to find out where the money is going in Iraq. Now, however, we find out that the conference report has been changed to give President Bush the power to muzzle the inspector general whenever he might have some bad news to report, which very likely means that the public will never see a report from the new inspector general that contradicts the Bush administration's PR campaign. So this \$87 billion package may disappear into the same black hole that swallowed up the first \$79 billion.

Mr. Speaker, we should be giving the public more time to examine this massive \$87 billion package, not rushing it through before anyone can read it. That is why I urge Members to oppose this martial law rule. That way the Congress can try to begin repairing President Bush's credibility problem on Iraq.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. ROYCE.)

Mr. ROYCE. Mr. Speaker, this rule is important so that we can bring up the supplemental conference report tonight to fund our troops. The need is very urgent. This past weekend I had the privilege of traveling to Iraq where I led a Congressional delegation. And I say "privileged" because it was a privilege to spend time with our brave servicemen and women on the ground in Iraq who are doing a tremendous job under difficult conditions. They deserve our greatest support.

And, Mr. Speaker, that is what this bill does. It supports our servicemen and women with the resources that they need. And I would like to commend the gentleman from California (Mr. LEWIS) and the ranking member, the gentleman from Pennsylvania (Mr. MURTHA), and all the Members involved in working out this bill with the other body.

I would like to bring attention to one program in particular contained in this bill: The Commanders Emergency Response Program, which, fortunately, was agreed to by the conferees. Having seen this program at work on the ground in Iraq, I would like to report to my colleagues that it is effective and it is very efficient. This program allows our military commanders in Iraq to respond to urgent humanitarian relief and reconstruction needs. And with this program, we have repaired roads, water treatment facilities, police stations, and schools. We had an opportunity to see this work. And this is done hand in hand with Iraqi labor and it is done very cost effectively.

To date, the program has been carried out with the funds seized from Saddam's regime, including funds taken from overseas accounts and taken out of the walls of Saddam Hussein's palaces in some cases. And these funds are running out. And our troops are fighting to show the Iraqi people that their best future lies with democracy and with the rule of law. These projects give the Iraqi people hope for that future, emboldening them to fight the Baathists and emboldening them to fight the terrorists. And they also make our troops safer.

Our top commanders in the field see these projects as security for our troops. They see these projects as winning friends and weakening our enemies. One commander told me that this program was the most important ammunition he had. It is my hope that this program continues to be carried out in a streamlined and flexible way, taking the greatest advantage of the ingenuity of the Americans and Iraqis working together. It is not too much to say that this modest effort is a key to our success in Iraq.

And that is why, Mr. Speaker, I support this rule because of the urgency. And I support the next rule and the underlying bill to fund our troops which will come up before this body tonight.

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY.)

Mr. OBEY. Mr. Speaker, this is the largest supplemental appropriation bill ever voted on by the Congress of the United States. And I think that it is a shame that it is being debated under these circumstances at this time of night. The only reason for the martial law rule is so that Members will not be given the courtesy of having this bill lay over one day so that they can examine what the details of the bill are.

□ 2100

We are going to be held accountable for this vote for a long time. Our con-

stituents are going to ask us every time we are home how we voted, what it contained. They are going to be asking us about the loans. They will be asking us whether or not there is adequate protection for taxpayers' money. And I venture to say that 90 percent of the Members of this Congress have not had an opportunity to dig deeply enough into this in order to be able to answer these questions.

There were a few of us on the conference committee, and so we have been able to form our judgments. But I have to tell you that conference committee in which we participated the last 2 days is one of the most chaotic, and at some moments the most laughable, conference that I have ever participated in. And I think that in terms of the details of this bill, that will be demonstrated over time, because over time, regardless of whether or not the average Member in this House knows what is in this bill tonight, over time there will be a lot of good reporters who dig deeply enough into it to discover what is in this bill. They will be able to form a judgment about whether or not, for instance, the Inspector General provision is something with teeth or something that is nothing short of a sham.

I happen to think that there are loopholes in the Inspector General provision of this bill big enough to drive a 65-foot truck through.

I also would point out that that provision was adopted as a way to sandbag the GAO accounting procedures that Senator BYRD wanted attached in the conference. So I think there are a lot of detailed questions that Members ought to know the answers to. They will not by the time they vote, and that is the purpose of this rule. Our constituents will learn over time what is in this bill even if a lot of Members have not learned tonight, and that is why if I were a Member who feels any responsibility at all to my constituents, I would not vote for this martial law rule regardless of how you vote on the final bill.

The Members owe it to the country to have taken the time to review this. This proposal will provide per capita aid to the citizens of Iraq that is more than 10 times as large as the per capita aid that was provided during the Marshall Plan to all of Western Europe. Under those circumstances, we ought to take a bit more time than this rule will allow us to take tonight.

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

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, the Iraq supplemental conference report will continue a failed policy. This bill is not about supporting the troops. This bill supports the continued occupation of Iraq by the United States. If we truly want to support the troops, we should bring them home.

We need to acknowledge that the continued U.S. presence in Iraq is counterproductive. Every day that we are inside Iraq the situation gets progressively worse as evidenced by the frequent and more sophisticated attacks on our troops. More U.S. troops have died occupying Iraq than died in the war for Iraq. We need to recognize that at this point continuing the U.S. occupation is counterproductive and contributes to instability. That is why we need to get the U.S. out and the U.N. in. And to do that we will need a new resolution articulating a new policy from this administration.

To approve a budget-busting \$87 billion for the reconstruction of Iraq would be to throw good money after bad, to throw good money at a failed policy. I am not suggesting that we cut and run. But we must begin the process of getting the U.N. in and the U.S. out. The U.S. must pay for the rebuilding of all that we have damaged in the invasion. We must compensate the Iraqi victims and contributed to future U.N. efforts. The U.S. must bring our troops home. End the occupation of Iraq.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, we all want to vote to support the troops. This bill, however, contains provisions for \$18 billion as gifts, and none as loans, to Iraq. We ought to have a separate vote on that provision. But what they have done is link the two provisions in this rule, so that you cannot oppose the way they have structured the aid to Iraq without, in the view of some, "voting against the troops." But that diabolical connection was insufficient, so they added one more; and while homes are burning by the hundreds in California, they decide to load into this bill additional money for FEMA: \$500 million for FEMA at a time when FEMA needs the money. It is outrageous to try to take a bad policy towards aid to Iraq and use it as a pass on our natural concern for the thousands who have lost their homes in California.

This is a martial law rule. So as the gentleman has pointed out, we do not get a chance to read the bill and understand it before we vote on it. Forty-seven Republicans voted for my amendment (on October 16), along with all Democrats, to say that we have to have competitive bidding on all the oil contracts in Iraq. As far as I know, that has been stripped out of this bill so we will not have competitive bidding. The 47 Republicans, who along with Democrats, realized we could not trust this administration with no-bid contracts will not be able to have that provision in the bill—or maybe they will because we are still looking—because it is martial law, which means do not read the bill, just vote on it.

Finally and most importantly, we just had a donors conference. The vast majority of donors gave the vast majority of their aid in the form of loans.

We will not put in a single penny as loans. Why do the American taxpayers not get paid back? Because these other people need to be paid back; \$116 billion of Saddam Hussein's debts are all on Iraq's balance sheet. They should be renounced, but instead they will be paid, and we will not.

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

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I thank my friend for yielding me time.

Mr. Speaker, I rise in reluctant opposition to this martial rule. I do not understand why we cannot follow regular process around here to give this body a chance to actually look at the supplemental, \$87 billion, the largest in our Nation's history, so we know the details that are contained in it.

Just a couple of weeks ago, I had the opportunity to visit Iraq and visit our troops in the field. They are doing an incredible job under very difficult and dangerous circumstances. And, of course, this body is going to do everything we can to make sure they have the tools and the resources they need so they can do their mission safely and return home soon. But this process is out of order, and we are derelict in our duty in regard to the accountability to the American taxpayer.

We do need accountability, and that is why earlier the gentleman from Maryland (Mr. CARDIN) and I offered an amendment with this bill that would have slashed the reconstruction funds in half, requiring the administration to come back to account for how the money is being used and to justify the need for more.

Instead, we are giving them \$20 billion when the World Bank just released a report indicating that Iraq cannot absorb more than \$6 billion in the next year anyway for reconstruction.

But I am also concerned that these conference committees are becoming the black hole of the democratic process. The will of the House and the will of the Senate go in, but it never comes out. Specifically, in both the House and the Senate with wide bipartisan majorities, it was determined that we wanted to provide half the reconstruction funds in grants and the other half in loans, recognizing Iraq is sitting on the second largest oil reserve in the world, but also it would give us some bargaining position with the rest of the nations holding debt over Iraq to hopefully get them to forgive the debt. But any loan in this has been vanished in the conference committee; and, instead, the administration wants to just gift outright the \$20 billion, requiring our children and grandchildren to pick up the tab for many years to come.

We want to do right in Iraq. We do not have the luxury of cutting and running. We must succeed, but this process is not the way to do it.

Mr. FROST. Mr. Speaker, I yield 4½ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished ranking member of the Committee on Rules.

Mr. Speaker, I had hoped that with such a serious step being made by this body that we would have an opportunity to give Members the time to deliberate over, as what you have heard my colleagues say is the largest supplemental in the history of this Congress.

I hope that my colleagues can understand the context in which we speak. That means that World War I, World War II, Korea, Vietnam, Kosovo, Bosnia, Somalia and other places, this is the largest amount, in essence, this is a blank check to the administration. And on top of this, Mr. Speaker, the American people do not feel any safer after the war in Iraq with respect to the war against terrorism.

Right now, as my colleagues know, it seems as if we are facing an enormous apocalypse, if you will, on the west coast and my sympathies go to those families and those who have lost their lives.

I believe this Congress wants to do the right thing and would stand up and debate the question of the resources that we need to be able to deliver to our friends in California. But in the dark of night we now have this martial rule where we understand that FEMA has been increasing its funding somewhere cushioned inside this \$87 billion so that Members will feel hamstrung, if you will, to vote for something that is reckless and irresponsible.

First of all, let me say that, being the largest one, it does not make sense. In the Madrid donor conference, \$13 billion was given; but there were thousands, or at least thousands or let me say a large number, of countries that were there and all we got was \$13 billion to aid us in Iraq; and most of that, Mr. Speaker, was in loans.

It is interesting that the administration could not even decipher for Members of Congress how much were loans and how much were not. Then we find embedded in the provisions of this supplemental a weak Inspector General provision which is necessary in order not to give anyone a blank check.

The three branches of government are just that by the Founding Fathers. Congress provides oversight to the administration and to the executive. It is a tragedy that we went to war without a constitutional vote under section 1, article 8. It is a tragedy as well that we continue to lose lives in Iraq and that the statement by the administration says simply, It is to be expected. I do not think we expect 40 deaths in 48 hours.

I have spoken to those troops who are bravely on the front lines and, Mr. Speaker, they get it. They know our dissent is not against them. They fully understand that we want them home. We do not want to run. We want a real

democracy in Iraq, but we also want them to have the resources that they need to have when they come home from Iraq such as veterans care, hospital care, such as educational opportunities.

I see my colleague on the floor of the House, the gentlewoman from California (Ms. WATSON), who has been a leader on this issue. We want people like Shoshanna Johnson to be able to come and get the right kind of benefits that they deserve having suffered as a POW. But yet with this midnight rule, the martial rule, what we are facing are questions left unanswered. Why can the United Nations not participate in the aftermath and more of our allies be in place? Why have we not answered the question of where are the weapons of mass destruction? And why have we not answered the question of who did provide the leak of the CIA agent and why is there not a special counsel being appointed?

Let me simply say that as we go into the dark night with a martial rule, we have a Bush economic record where long-term unemployment has tripled, and we have a Bush economic record where the median household income has gone down \$1,439; as well, jobs, long-term unemployment has tripled from .66 to 2.10.

Mr. Speaker, I am not prepared to vote in the dark on something that is as serious as this on behalf of the American people. I support the troops. I want them to be paid on time.

□ 2115

I want them to have body armor. I want them to be able to come home safely. I want a democracy in Iraq, but I am not prepared to support a reckless expenditure of money.

My final point, we are already going to spend \$178 billion in the effort in Iraq. If we stay there over a 10-year period and the operations and the aftermath, we are going to be spending between \$237 billion, and it could reach \$418 billion, as analyzed by our colleagues. This is a reckless decision.

I ask my colleagues to defeat the martial law and defeat the rule and defeat the appropriations.

Mr. FROST. Mr. Speaker, I would ask the gentleman if he has any additional speakers.

Mr. HASTINGS of Washington. Mr. Speaker, we have no additional speakers.

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

At this point I am prepared to yield back the balance of my time. Before I do so, I urge my colleagues to vote no on martial law, no matter how they may vote on the supplemental, and I personally intend to vote in favor of the supplemental, but I am objecting to this procedure under which it is brought to the floor tonight.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield back my time, and I

move the previous question on the resolution.

The previous question was ordered. 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.

Mr. FROST. 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.

This vote will be followed by two 5-minute votes on motions to instruct conferees on H.R. 1 and on H.R. 6 postponed from yesterday.

The vote was taken by electronic device, and there were—yeas 217, nays 197, not voting 20, as follows:

[Roll No. 597]

YEAS—217

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

Terry	Upton
Thomas	Vitter
Thornberry	Walden (OR)
Tiahrt	Walsh
Tiberi	Wamp
Toomey	Weldon (FL)
Turner (OH)	Weller

Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NAYS—197

Abercrombie	Harman	Neal (MA)
Ackerman	Hastings (FL)	Oberstar
Alexander	Hill	Obey
Allen	Hinchey	Olver
Andrews	Hinojosa	Ortiz
Baca	Hoeffel	Owens
Baird	Holden	Pallone
Baldwin	Holt	Pascrell
Becerra	Honda	Pastor
Bell	Hooley (OR)	Paul
Berkley	Hoyer	Payne
Berman	Inslee	Pelosi
Berry	Israel	Peterson (MN)
Bishop (GA)	Jackson (IL)	Pomeroy
Bishop (NY)	Jackson-Lee	Price (NC)
Boswell	(TX)	Rahall
Boucher	Jefferson	Rangel
Boyd	John	Reyes
Brady (PA)	Johnson, E. B.	Rodriguez
Brown (OH)	Jones (OH)	Ross
Brown, Corrine	Kanjorski	Rothman
Capps	Kaptur	Roybal-Allard
Capuano	Kennedy (RI)	Ruppersberger
Cardin	Kildee	Rush
Cardoza	Kilpatrick	Ryan (OH)
Carson (IN)	Kind	Sabo
Carson (OK)	Kleczka	Sanchez, Loretta
Clay	Kucinich	Sanders
Clyburn	Lampson	Sandlin
Conyers	Langevin	Schakowsky
Cooper	Lantos	Schiff
Costello	Larsen (WA)	Scott (GA)
Cramer	Larson (CT)	Scott (VA)
Crowley	Lee	Serrano
Cummings	Levin	Sherman
Davis (AL)	Lewis (GA)	Skelton
Davis (CA)	Lipinski	Slaughter
Davis (FL)	Lofgren	Smith (WA)
Davis (IL)	Lowe	Snyder
Davis (TN)	Lucas (KY)	Solis
DeFazio	Lynch	Spratt
DeGette	Majette	Stark
Delahunt	Maloney	Stenholm
DeLauro	Markey	Strickland
Deutsch	Marshall	Tanner
Dicks	Matheson	Tauscher
Dingell	Matsui	Taylor (MS)
Doggett	McCarthy (MO)	Thompson (CA)
Dooley (CA)	McCarthy (NY)	Thompson (MS)
Doyle	McDermott	Tierney
Edwards	McGovern	Towns
Emanuel	McIntyre	Turner (TX)
Engel	McNulty	Udall (CO)
Eshoo	Meehan	Udall (NM)
Etheridge	Meek (FL)	Van Hollen
Evans	Meeks (NY)	Velazquez
Farr	Menendez	Waters
Fattah	Michaud	Watson
Filner	Millender-	Watt
Ford	McDonald	Waxman
Frank (MA)	Miller, George	Weiner
Frost	Mollohan	Wexler
Gonzalez	Moore	Woolsey
Gordon	Moran (VA)	Wu
Green (TX)	Murtha	Wynn
Grijalva	Nadler	
Hall	Napolitano	

NOT VOTING—20

Akin	Fletcher	Pearce
Ballance	Gephardt	Sanchez, Linda
Blumenauer	Goss	T.
Boehler	Gutierrez	Stupak
Bradley (NH)	McCollum	Vislosky
Case	McCotter	Weldon (PA)
Doolittle	Miller (NC)	Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OSE) (during the vote). There are 2 minutes remaining in this vote.

□ 2137

Mr. KILDEE and Mr. DAVIS of Florida changed their vote from "yea" to "nay."

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

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 INSTRUCT CONFEREES ON H.R. 6, ENERGY POLICY ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on the bill, H.R. 6.

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 gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 182, nays 232, not voting 20, as follows:

[Roll No. 598]
YEAS—182

Abercrombie	Hill	Napolitano
Ackerman	Hinchev	Neal (MA)
Allen	Hinojosa	Oberstar
Andrews	Hoeffel	Obey
Baca	Holden	Olver
Baird	Holt	Owens
Baldwin	Honda	Pallone
Becerra	Hooley (OR)	Pascrell
Bell	Hoyer	Pastor
Berkley	Inslee	Payne
Berman	Israel	Pelosi
Bishop (NY)	Jackson (IL)	Porter
Boswell	Jackson-Lee	Price (NC)
Boyd	(TX)	Rahall
Brady (PA)	Jefferson	Ramstad
Brown (OH)	Johnson (CT)	Rangel
Brown, Corrine	Johnson (IL)	Reyes
Capps	Johnson, E. B.	Rodriguez
Capuano	Jones (OH)	Ross
Cardin	Kanjorski	Rothman
Cardoza	Kaptur	Roybal-Allard
Carson (IN)	Kelly	Rush
Carson (OK)	Kennedy (RI)	Ryan (OH)
Castle	Kildee	Sabo
Clay	Kilpatrick	Sanchez, Loretta
Clyburn	Kind	Sanders
Conyers	Kirk	Saxton
Cooper	Kucinich	Schakowsky
Crowley	Langevin	Schiff
Cummings	Lantos	Scott (VA)
Davis (CA)	Larsen (WA)	Serrano
Davis (FL)	Larson (CT)	Shays
Davis (IL)	Leach	Sherman
Davis (TN)	Lee	Simmons
Davis, Tom	Levin	Skelton
DeFazio	Lewis (GA)	Slaughter
DeGette	LoBiondo	Smith (NJ)
Delahunt	Lofgren	Smith (WA)
DeLauro	Lowe	Snyder
Deutsch	Lynch	Solis
Dicks	Maloney	Spratt
Dingell	Markey	Stark
Doggett	Matheson	Strickland
Dooley (CA)	Matsui	Tauscher
Emanuel	McCarthy (MO)	Thompson (CA)
Engel	McCarthy (NY)	Thompson (MS)
Eshoo	McDermott	Tierney
Etheridge	McGovern	Udall (CO)
Evans	McIntyre	Udall (NM)
Farr	McNulty	Van Hollen
Fattah	Meehan	Velazquez
Filner	Meek (FL)	Waters
Foley	Meeks (NY)	Watson
Ford	Menendez	Watt
Frank (MA)	Michaud	Waxman
Frost	Millender-	Weiner
Gerlach	Kind	Weldon (PA)
Gilchrest	McDonald	Wexler
Gordon	Miller, George	Woolsey
Grijalva	Mollohan	Wu
Harman	Moore	
Hastings (FL)	Moran (VA)	
	Nadler	

NAYS—232

Aderholt	Gingrey	Ose
Alexander	Gonzalez	Otter
Bachus	Goode	Oxley
Baker	Goodlatte	Paul
Ballenger	Granger	Pence
Barrett (SC)	Graves	Peterson (MN)
Bartlett (MD)	Green (TX)	Peterson (PA)
Barton (TX)	Green (WI)	Petri
Bass	Greenwood	Pickering
Beauprez	Gutknecht	Pitts
Bereuter	Hall	Platts
Berry	Harris	Pombo
Biggart	Hart	Pomeroy
Bilirakis	Hastings (WA)	Portman
Bishop (GA)	Hayes	Pryce (OH)
Bishop (UT)	Hayworth	Putnam
Blackburn	Hefley	Quinn
Blunt	Hensarling	Radanovich
Boehner	Herger	Regula
Bonilla	Hobson	Rehberg
Bonner	Hoekstra	Renzi
Bono	Hostettler	Reynolds
Boozman	Houghton	Rogers (AL)
Brady (TX)	Hulshof	Rogers (KY)
Brown (SC)	Hunter	Rogers (MI)
Brown-Waite,	Hyde	Rohrabacher
Ginny	Isakson	Ros-Lehtinen
Burgess	Issa	Royce
Burns	Istook	Ruppersberger
Burr	Janklow	Ryan (WI)
Burton (IN)	Jenkins	Ryun (KS)
Buyer	John	Sandlin
Calvert	Johnson, Sam	Schrock
Camp	Jones (NC)	Scott (GA)
Cannon	Keller	Sensenbrenner
Cantor	Kennedy (MN)	Sessions
Capito	King (IA)	Shadegg
Carter	King (NY)	Shaw
Chabot	Kingston	Sherwood
Chocola	Kleczka	Shimkus
Coble	Kline	Shuster
Cole	Knollenberg	Simpson
Collins	Kolbe	Smith (MI)
Costello	LaHood	Smith (TX)
Cox	Lampson	Souder
Cramer	Latham	Stearns
Crane	LaTourette	Stenholm
Crenshaw	Lewis (CA)	Sullivan
Cubin	Lewis (KY)	Sweeney
Culberson	Linder	Tancredo
Cunningham	Lipinski	Tanner
Davis (AL)	Lucas (KY)	Tauzin
Davis, Jo Ann	Lucas (OK)	Taylor (MS)
Deal (GA)	Majette	Taylor (NC)
DeLay	Manzullo	Terry
DeMint	Marshall	Thomas
Diaz-Balart, L.	McCrery	Thornberry
Diaz-Balart, M.	McHugh	Tiahrt
Doyle	McInnis	Tiberi
Dreier	McKeon	Toomey
Duncan	Mica	Towns
Dunn	Miller (FL)	Turner (OH)
Edwards	Miller (MI)	Turner (TX)
Ehlers	Miller, Gary	Upton
Emerson	Moran (KS)	Vitter
English	Murphy	Walden (OR)
Everett	Murtha	Walsh
Feeney	Musgrave	Wamp
Ferguson	Myrick	Weldon (FL)
Flake	Nethercutt	Weller
Forbes	Neugebauer	Whitfield
Fossella	Ney	Wicker
Franks (AZ)	Northup	Wilson (NM)
Frelinghuysen	Norwood	Wilson (SC)
Galleghy	Nunes	Wolf
Garrett (NJ)	Nussle	Wynn
Gibbons	Ortiz	Young (FL)
Gillmor	Osborne	

NOT VOTING—20

Akin	Doolittle	Miller (NC)
Ballance	Fletcher	Pearce
Blumenauer	Gephardt	Sanchez, Linda
Boehler	Goss	T.
Boucher	Gutierrez	Stupak
Bradley (NH)	McCollum	Visclosky
Case	McCotter	Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 2146

Mr. BERRY and Mr. KLECZKA changed their vote from “yea” to “nay.”

Ms. MAJETTE changed her vote from “nay” to “yea.”

Mr. BAIRD changed his vote from “present” 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.

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

The SPEAKER pro tempore (Mr. OSE). The unfinished business is the question on the motion to instruct conferees on H.R. 1.

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 Florida (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 217, not voting 22, as follows:

[Roll No. 599]
YEAS—195

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