

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 | McDonald | Weldon (PA) |
| Gilchrest | Miller, George | Wexler |
| Gordon | Mollohan | Woolsey |
| Grijalva | Moore | Wu |
| Harman | Moran (VA) | |
| Hastings (FL) | 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 | Kleccka | 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 | Kleccka | Payne |
| Deutsch | Kucinich | Pelosi |
| Dicks | Lampson | Pomeroy |
| Dingell | Langevin | Price (NC) |
| Doggett | Lantos | Rahall |
| Dooley (CA) | Larsen (WA) | Rangel |
| Doyle | Larson (CT) | Reyes |

Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano

Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney

Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

Pearce
Pryce (OH)
Sanchez, Linda
T.
Stupak
Visclosky
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 2152

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.

Aderholt
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Billirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallely
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor

NAYS—217

Gingrey
Goode
Goodlatte
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter

Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOT VOTING—22

Akin
Ballance
Blumenauer
Boehlert
Bradley (NH)

Brown-Waite,
Ginny
Case
Doollittle
Fletcher
Gephardt

Goss
Gutierrez
Knollenberg
McCollum
McCotter
Miller (NC)

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 3289, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN, 2004

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 424 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 424

Resolved, That upon adoption of this resolution it shall be in order to consider the 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. All points of order against the conference report and against its consideration is waived. The conference report shall be considered as read.

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

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose 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 purpose of debate only.

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

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 424 is a rule providing for the consideration of a conference report to accompany H.R. 3289, a bill making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for fiscal year 2004, and for other purposes. The rule waives all points of order against the conference report and its consideration. The rule also provides that the conference report shall be considered as read.

Mr. Speaker, I am pleased to report that in its particulars, the conference agreement is largely consistent with the House passed version of the supplemental. In the aggregate, the agreement provides a total of \$87.5 billion, which is \$500 million above the President's request. Of that sum, \$18.6 bil-

lion is provided for Iraq relief and reconstruction, which is \$1.7 billion below the President's request.

Mr. Speaker, now that the House and Senate conferees have reached agreement on this emergency supplemental, it is imperative that we move without delay to make these funds available both to our troops in the field and for the vitally important work of rebuilding Iraq.

Accordingly, I urge my colleagues to support both the rule and the conference report.

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 rise today as a supporter of our efforts to replace Saddam Hussein's dangerous dictatorship with a stable and democratic Iraq. But I am deeply concerned that the Bush administration's stubborn refusal to be honest about Iraq has made the reconstruction process more difficult, more expensive and more dangerous.

Mr. Speaker, President Bush said it best earlier this week at a press conference in the Rose Garden. In talking about the United Nations, he said, "Credibility comes when you say something is going to happen and then it does happen. You are not credible if you issue resolutions and then nothing happens."

Well, that is exactly the situation President Bush has created for himself, a growing credibility gap that could threaten our ability to win the peace in Iraq.

Before the war, the Bush administration refused to prepare the American people for the costly and deadly reconstruction effort they are now witnessing. And whenever people like General Eric Shinseki let slip the truth, that it would be very expensive and require lots of troops, the administration publicly rebuked them, and then relieved them of duty.

On May 1 of this year, President Bush dressed up in a flight suit and had a pilot land him on an aircraft carrier so that he could declare victory in Iraq. Since then, nearly 120 American troops have been killed in action, more than before the President's May 1 victory speech, and nearly 1,200 have been wounded.

In recent days, however, the Bush administration has reached a new low in its well-documented PR campaign to spin Americans into believing that the bad news coming out of Iraq these days is actually good news.

On Tuesday, President Bush defended his May 1 "victory" pep rally by blaming the whole affair on the sailors of the USS *Abraham Lincoln*, as if he had somehow been the victim of the Navy's public relations stunt. That is not only an outrageous charge, especially coming from the man who runs the slickest White house PR machine ever, it is utterly unbelievable. After all, back in