

NAYS—200

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

NOT VOTING—11

Ballenger	Gephardt	Janklow
Cramer	Gibbons	Millender-McDonald
Edwards	Goss	Owens
Fossella	Harman	

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

□ 1739

Mr. BRADY of Pennsylvania, Mrs. DAVIS of California, and Mr. WEINER changed their vote from "yea" to "nay."

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 resolution was agreed to.

A motion to reconsider was laid on the table.

(Mr. OBEY asked and was given permission to speak out of order for 1 minute and to revise and extend his remarks.)

IMPACT OF UPCOMING VOTE ON RULE ON LEGISLATIVE BRANCH APPROPRIATIONS ACT FOR FISCAL YEAR 2004

Mr. OBEY. Mr. Speaker, I take this time to speak out of order so that the gentleman from Florida and I might be allowed to explain a procedural matter before the House.

Mr. Speaker, it is important that Members who were not on the floor for an earlier discussion not be mouse-trapped on the coming vote. I think it is important for them to understand the following, and I want to ask the gentleman from Florida (Mr. YOUNG) and the gentleman from Ohio (Mr. NEY) whether this is correct.

It is my understanding that a vote for the rule on the legislative branch appropriations bill will enable Members to express their desire that the previous provision which was discussed on the floor in the earlier vote, which would have had the effect of expanding dental care for Members of Congress and our staffs, will be eliminated from that bill. So if Members want to be on record opposed to that proposition, they will need to vote "yes" on the rule.

I would ask the gentleman from Florida if that understanding is correct.

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Speaker, the gentleman is exactly correct. We made a correction that was necessary; and as the gentleman from Georgia (Mr. LINDER) when he presented the rule acknowledged, we agree with that. A vote for the rule not only passes the rule, but it also eliminates the matter that we were concerned about.

Mr. LINDER. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Georgia.

Mr. LINDER. Mr. Speaker, the gentleman was on the floor when this happened and knows that we tried to explain at the time that the amendment to the rule was effectively a striking amendment that said that, if the rule passes as amended, in no way will any expansion of vision or dental benefits occur.

The gentleman made it very clear he would not mind debating that on the floor of the House and having an open discussion of it and maybe passing an expansion of vision and dental benefits, but to pass this rule as amended would allow us not to sneak it in. So to pass this rule as amended is a striking amendment to prohibit any expansion of benefits without a vote by the House.

Mr. OBEY. Mr. Speaker, reclaiming my time, I thank the gentleman for that explanation.

Mr. NEY. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Ohio.

Mr. NEY. Mr. Speaker, the gentleman is correct. As has been described by the two previous speakers, I want to frame very quickly one side of this that I think we need to discuss.

Someone asked who put this in, that they ought to be fired. I did it. Now, anyone that can fire me, there are some 600,000 people in the 18th congressional district, so I want to make that clear. This has transcended about a year and a half period of time.

□ 1745

I want to frame the argument here, and that is that it extends to the full staff, Democrat and Republican or Independent or Natural Law Party or whatever they are, of the entire House.

Now, when I say that, I would argue to anybody in this country that the staff of this House on either side of the aisle are not second-class citizens of this country, and they have the right to dental and eye vision as any other person, and I hope we can take care of the entire country that way. But to single out the staff of the U.S. House, as we have for a period of years, I do not think is fair. I hope down the line we can discuss this.

Now, as far as someone not knowing what went where, this was not done at midnight, I discussed this, I brought it forth. So there are some misunderstandings, and I accept that, but I hope that we can also, in the calmness of debate on this down the road, realize that our people have every right to some type of benefit, and they have children, and they have families. And again, I hope we can help the entire country also, but let us not penalize the U.S. House.

Mr. OBEY. Mr. Speaker, reclaiming my time, I thank the gentleman for those comments. I would simply point out that as was pointed out on both sides of the aisle, the issue was not whether our staff should have those benefits or that we should have those benefits; I want every American to have those benefits. The issue is whether or not that provision should be slipped into this bill without the knowledge of the Committee on Appropriations on either side of the aisle, without any single Member of this House, except the Member who just spoke, knowing about it, evidently. We simply did not want Members to wake up after they have voted for this bill to find out that they were going to be subjected to a 30-second TV spot because something had been slipped into the bill. Not a single reference was made in the budget justifications to this item.

So the point that the gentleman from Georgia (Mr. LINDER) and I were making is not that this benefit should not be provided. It should not be provided without Members of Congress knowing what it is they are voting on, and it should not be provided without open, public debate.

Mr. MORAN of Virginia. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Virginia, the ranking member of the subcommittee of jurisdiction.

Mr. MORAN of Virginia. Mr. Speaker, I thank the ranking member of the Committee on Appropriations. As the gentleman said, I am the ranking member on the Subcommittee on Legislative branch appropriations, and the gentleman from Georgia (Mr. KINGSTON) is the Chair of the Subcommittee on Legislative branch appropriations.

One of the most objectionable things about this, and I know the gentleman from Ohio (Mr. NEY) recognizes this at this point, is that we had a full set of hearings; Mr. Egan testified, as did all of the officers of the House. At no point was it ever mentioned that this provision was going to be added. So neither the gentleman from Georgia (Mr. KINGSTON) nor I were aware that this was part of the bill.

I grant my colleagues, it is not a whole lot of money, but it could have a whole lot of political impact if we get hit with a 30-second ad, and any of us on either side of the aisle are liable for this, that here we just passed a prescription drug benefit, and there are a lot of people complaining about limited coverage under Medicare, and then, within the same week, we take care of ourselves by expanding benefits for dental and vision. That is the problem.

Again, we have no question but that the gentleman's intentions were not only honorable, but we appreciate the fact that the gentleman was looking out for all of the Members of the House, the staff, and their families, et cetera.

But in the course of the discussion, the debate that occurred earlier today, we wanted to emphasize, we are not opposed to expanding and adding this coverage; it is just that we do not want to do it just for ourselves, particularly at this point in time. It just does not seem to be the principled way to go about it. And we would love to have that; at least on this side of the aisle we would love to have that coverage, but for everybody, not just for us.

Mr. OBEY. Mr. Speaker, I appreciate the indulgence of the House at this late hour. I yield once more to the gentleman from Ohio.

Mr. NEY. Mr. Speaker, I appreciate the gentleman yielding.

I just want to make this clear: It was in a document. I appreciate what the gentleman is saying about we will work on this, but this was in a document that I requested, in the CAO's document. So maybe it was not mentioned. It was not intentional, but it was in a document that was presented. The CAO's budget was in writing, and I need to make that clear.

I thank the gentleman for yielding.

Mr. OBEY. Mr. Speaker, reclaiming my time, the point is simply that it is up to Members how they want to vote, but if Members want to be on record opposed to that expansion under these

provisions, they would vote "aye" for the rule.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SWEENEY). Without objection, the remaining votes in this series still will be conducted as 5-minute votes.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2657, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2004

The SPEAKER pro tempore. The pending business is the de novo vote on agreeing to the resolution, House Resolution 311, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution, as amended.

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

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 411, noes 13, not voting 10, as follows:

[Roll No. 342]

AYES—411

Abercrombie	Brown (SC)	Davis, Tom	Gingrey	Majette	Royce
Ackerman	Brown, Corrine	Deal (GA)	Gonzalez	Maloney	Ruppersberger
Aderholt	Brown-Waite,	DeFazio	Goode	Manzullo	Rush
Akin	Ginny	DeGette	Goodlatte	Markey	Ryan (OH)
Alexander	Burgess	Delahunt	Gordon	Marshall	Ryan (WI)
Allen	Burns	DeLauro	Granger	Matheson	Ryun (KS)
Andrews	Burr	DeLay	Graves	Matsui	Sabo
Baca	Burton (IN)	DeMint	Green (TX)	McCarthy (MO)	Sanchez, Linda
Bachus	Buyer	Deutsch	Green (WI)	McCarthy (NY)	T.
Baird	Calvert	Diaz-Balart, L.	Greenwood	McCollum	Sanchez, Loretta
Baker	Camp	Diaz-Balart, M.	Grijalva	McCotter	Sanders
Baldwin	Cannon	Dicks	Gutierrez	McCrary	Sandlin
Ballance	Cantor	Dingell	Gutknecht	McDermott	Saxton
Ballenger	Capito	Doggett	Hall	McGovern	Schakowsky
Barrett (SC)	Capps	Dooley (CA)	Harris	McHugh	Schiff
Bartlett (MD)	Capuano	Doolittle	Hart	McInnis	Schrock
Barton (TX)	Cardin	Doyle	Hastings (FL)	McIntyre	Scott (GA)
Bass	Cardoza	Dreier	Hastings (WA)	McKeon	Scott (VA)
Beauprez	Carson (IN)	Duncan	Hayes	McNulty	Sensenbrenner
Becerra	Carson (OK)	Dunn	Hayworth	Meehan	Serrano
Bell	Carter	Ehlers	Hefley	Meek (FL)	Sessions
Bereuter	Case	Emanuel	Hensarling	Meeks (NY)	Shadegg
Berkley	Castle	Emerson	Herger	Menendez	Shaw
Berman	Chabot	English	Hill	Mica	Shays
Berry	Chocola	Etheridge	Hinchev	Michaud	Sherman
Biggart	Clyburn	Evans	Hinojosa	Miller (FL)	Sherwood
Bilirakis	Coble	Everett	Hobson	Miller (MI)	Shimkus
Bishop (GA)	Cole	Farr	Hoefel	Miller (NC)	Shuster
Bishop (NY)	Collins	Fattah	Hoekstra	Miller, Gary	Simmons
Bishop (UT)	Collins	Feeney	Holden	Moore	Simpson
Blackburn	Conyers	Ferguson	Honda	Moran (KS)	Skelton
Blumenauer	Cooper	Filner	Hooley (OR)	Moran (VA)	Slaughter
Blumenauer	Costello	Flake	Hostettler	Murphy	Smith (MI)
Blunt	Cox	Fletcher	Houghton	Musgrave	Smith (NJ)
Boehlert	Crane	Foley	Hoyer	Myrick	Smith (TX)
Boehner	Crenshaw	Forbes	Hulshof	Nadler	Smith (WA)
Bonilla	Crowley	Ford	Hunter	Napolitano	Snyder
Bonner	Cubin	Frank (AZ)	Hyde	Neal (MA)	Solis
Bono	Culberson	Frank (MA)	Inslee	Nethercutt	Souder
Boozman	Cummings	Franks (AZ)	Isakson	Neugebauer	Spratt
Boswell	Cunningham	Frelinghuysen	Israel	Ney	Stark
Boucher	Davis (AL)	Frost	Issa	Northup	Stearns
Boyd	Davis (CA)	Gallegly	Istook	Norwood	Stenholm
Bradley (NH)	Davis (FL)	Garrett (NJ)	Jackson (IL)	Nunes	Strickland
Brady (PA)	Davis (IL)	Gilchrest	Jackson-Lee	Nussle	Stupak
Brady (TX)	Davis (TN)	Gillmor	Jackson-Lee	Oberstar	Sullivan
Brown (OH)	Davis, Jo Ann	Gillmor	(TX)	Obey	Sweeney
			Jefferson	Olver	Tancredo
			Jenkins	Ortiz	Tanner
			John	Osborne	Tauscher
			Johnson (CT)	Ose	Tauzin
			Johnson (IL)	Otter	Taylor (MS)
			Johnson, E. B.	Oxley	Taylor (NC)
			Johnson, Sam	Pallone	Terry
			Jones (NC)	Pascrell	Thomas
			Kanjorski	Pastor	Thompson (CA)
			Kaptur	Paul	Thompson (MS)
			Keller	Payne	Thornberry
			Kelly	Pearce	Tiahrt
			Kennedy (MN)	Pelosi	Tiberi
			Kildee	Pence	Tierney
			Kilpatrick	Peterson (MN)	Toomey
			Kind	Peterson (PA)	Turner (OH)
			King (IA)	Petri	Turner (TX)
			King (NY)	Pickering	Udall (CO)
			Kingston	Pitts	Udall (NM)
			Kirk	Platts	Upton
			Klecza	Pombo	Van Hollen
			Kline	Pomeroy	Velazquez
			Knollenberg	Porter	Visclosky
			Kolbe	Portman	Vitter
			Kucinich	Price (NC)	Walden (OR)
			LaHood	Pryce (OH)	Walsh
			Lampson	Putnam	Wamp
			Langevin	Quinn	Waters
			Lantos	Radanovich	Watson
			Larsen (WA)	Ramstad	Watt
			Larson (CT)	Rangel	Waxman
			Latham	Regula	Weiner
			Leach	Rehberg	Weldon (FL)
			Lee	Renzi	Weldon (PA)
			Levin	Reyes	Weller
			Lewis (CA)	Reynolds	Wexler
			Lewis (GA)	Rodriguez	Whitfield
			Lewis (KY)	Rogers (AL)	Wicker
			Linder	Rogers (KY)	Wilson (NM)
			Lipinski	Rogers (MI)	Wilson (SC)
			LoBiondo	Rohrabacher	Wolf
			Lofgren	Ros-Lehtinen	Woolsey
			Lowey	Ross	Wu
			Lucas (KY)	Rothman	Young (AK)
			Lucas (OK)	Roybal-Allard	Young (FL)
			Lynch		
				NOES—13	
			Clay	Kennedy (RI)	Rahall
			Engel	LaTourette	Towns
			Eshoo	Miller, George	Wynn
			Holt	Mollohan	
			Jones (OH)	Murtha	