Pearce Pelosi Pence Peterson (MN) Peterson (PA) Petri Pickering Pitts Platts Pombo Pomeroy Porter Portman Price (NC) Pryce (OH) Putnam Quinn Radanovich Rahall Shuster Ramstad Regula Simpson Rehberg Skelton Renzi Reyes Smith (N.I) Reynolds Rodriguez Rogers (AL) Solis Rogers (KY) Rogers (MI) Stenholm Ross Rothman Roybal-Allard Rovce Ruppersberger Rush Ryan (OH) Ryan (WI)

Ryun (KS) Terry Sabo Thomas Sanchez, Linda Sanchez, Loretta Sanders Sandlin Saxton Schakowsky Schiff Schrock Scott (GA) Scott (VA) Sessions Shaw Shays Sherman Sherwood

Thompson (CA) Thompson (MS) Thornberry Tiahrt Tiberi Tierney Turner (OH) Turner (TX) Udall (NM) Upton Van Hollen Visclosky Vitter Walden (OR) Walsh Wamp Waters Watson Watt Waxman Weiner Weldon (FL) Weldon (PA) Weller Whitfield Wicker

Wilson (NM)

Wilson (SC)

Young (AK)

Young (FL)

Wolf

Wu

Wynn

Taylor (NC) NAYS-39

Simmons

Slaughter

Smith (TX)

Snyder

Souder

Spratt

Stupak

Sullivan

Sweenev

Tauscher

Tanner

Tauzin

Barrett (SC) Convers Costello Deutsch Diaz-Balart, L. Diaz-Balart, M. Evans Everett Flake Franks (AZ) Hastings (FL) Hefley

Hensarling Herger Jones (NC) Matheson McHugh Meek (FL) Menendez Miller (FL) Nussle Obey Oxley

Ros-Lehtinen Sensenbrenner Shadegg Shimkus Smith (MI) Smith (WA) Stark Stearns Strickland Tancredo Taylor (MS) Toomey Wexler

Rohrabacher NOT VOTING-14

Cummings Emerson Fossella Gephardt Hoekstra

Janklow Keller Kucinich Rangel Serrano

Paul

Towns Udall (CO) Velazquez Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 2010

Mr. MEEK of Florida and Mr. HASTINGS of Florida changed their vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2004

The SPEAKER pro tempore. Pursuant to the order of the House of Friday, July 25, 2003, and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2765

□ 2012

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the State of the Union for the further consideration of the bill (H.R. 2765) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2004, and for other purposes, with Mr. BASS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Friday, September 5, 2003, amendment No. 2 offered by the gentleman from Colorado (Mr. HEFLEY) had been disposed of and the bill was open for amendment from page 12, line 23, through page 52, line 12.

Mr. YOUNG of Florida. Mr. Chairman. I move to strike the last word.

Mr. Chairman, I take this time to advise the House that this vote that we will take soon on the D.C. bill is the end of the 13 regular appropriations bills for fiscal year 2004. This does the

We have had some interesting times, Mr. Chairman; but in this calendar year starting in February, the Committee on Appropriations concluded 11 last year's bills, two major supplementals, and 13 regular bills once we have the vote on the D.C. appropriations bill.

I want to say thank you to all of the Members of the Committee on Appropriations on both sides. I want to say thank you to the Members of the House that gave us some spirited debate in amendments but also some very strong votes.

Mr. Chairman, we are prepared then to move on to our conferences with the other body, which should prove to be very interesting.

Ms. NORTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this House has a proud bipartisan record of reserving scarce Federal funds for public education. We cannot convincingly make the District of Columbia an exception to that

The majority of the city council, the majority of the elected members of the school board, and as the member who has represented the city for 13 years, the majority of the residents of the city are just like your districts and overwhelmingly oppose vouchers. Hundreds of them, led by the clergy of our city ministers and rabbis, came to fan out to tell the Congress that just last week.

□ 2015

If you are willing to vote to give public money to private schools this year, you better be prepared to answer back home. Of course you can say, well, the District of Columbia is different; you know, the schools are so bad. There are school districts exactly like the District of Columbia in every State of the Union. Those of you from Michigan know about Detroit. If you come from Georgia, you know about Atlanta. If you come from Connecticut, you know

about Bridgeport. If you come from Texas, you know about Houston and Dallas. And I do not know all of your rural districts, but I am sure they will match the District in test scores and all the rest of the deprivations that lead to bad schools.

So you go home, if you will, and tell them that in the year when the unkept promise of special education remains outstanding, while the schools in your district are being called shortchanged, that is okay; there was one district in the United States that I was willing to give private money for public schools.

So you go home and tell them, well, I am not for it here, because that is the hypocrisy I hear time and again, but this is one district in the whole United States that I was willing to dig in my Federal pocket and draw out some public money for private schools and it will never happen again. There is a 5year appropriation here. You will be doing it year after year. And you go home and tell them, when there is a backlash now developing against the bipartisan No Child Left Behind, that that \$9 billion unfunded mandate, that is okay, we are taking care of that. Meanwhile, we had some private schools in the District of Columbia that we simply had to fund this year.

This is a voucher-only bill. If you vote for the Davis amendment, you are voting for vouchers for our country. If you vote "yes" on final, you are voting vouchers if the Davis amendment is in the bill. Vote "no" on Davis. Vote "no" on final passage. Do not flip-flop on vouchers. You will pay the price. We will try to see to it that you do.

Mr. BOEHNER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would say to my colleagues that I will not use the 5 minutes, but we need to understand that the Davis proposal that the gentleman from New Jersey (Mr. FRELINGHUYSEN) and I have cosponsored is supported by the Mayor and supported by the President of the school board and other members of the city government. It is also overwhelmingly supported by the people of D.C.

But do not take my word for this, because this is really not about the politicians and it is really not about us; it is about poor kids in poor schools who are being denied an education. We hope, we hope that the Mayor and the school board do a great job trying to improve the city schools. But while they are out there working, trying to improve the city's schools, why should we not take the chance, why should we not take the chance of offering 2,000 children a chance to go to a better school? Because in the end, that is what this is about, these kids. And these kids today are going to have no future if we do not stand up and begin to help them.

So I would ask all of my colleagues today, when you vote, think about these children and think about their future. All of their parents want, and what these kids want is the same

Pearce

Pence

Petri

Pitts

Pombo

Porter

Portman

Putnam

Quinn

Regula

Renzi

Royce

Ryan (WI)

Rvun (KS)

Schrock

Sessions

Shadegg

Sherwood

Smith (MI)

Smith (N.J) Smith (TX)

Shimkus

Shuster

Souder

Stearns

Sullivan

Sweeney

Tauzin

Terry

Tiahrt

Tiberi

Upton

Vitter

Walsh

Wamp

Weller

Wicker

Wolf

Whitfield

Toomey

Thomas

Tancredo

Taylor (MS)

Taylor (NC)

Thornberry

Turner (OH)

Walden (OR)

Weldon (FL)

Weldon (PA)

Wilson (NM)

Wilson (SC)

Young (AK)

Young (FL)

Shaw

Shays

Rehberg

Reynolds

Rogers (AL)

Rogers (KY) Rogers (MI)

Rohrabacher

Ros-Lehtinen

Sensenbrenner

Pryce (OH)

Radanovich

Pickering

Peterson (PA)

Goodlatte

Green (WI)

Greenwood

Gutknecht

Hastings (WA)

Granger

Goss

Hall

Hart

Hayes

Herger

Hobson

Hostettler

Houghton

Hayworth

Hefley Hensarling

Harris

things that we want for our children, and if we stand up here today and vote "no," I want you to look into their parents' eyes and say, I am not going to help you, and your children are not going to have the same opportunity as ours. Please vote for Davis.

Mrs. JONES of Ohio. Mr. Chairman, I move to strike the last word.

I come from the great city of Cleveland where the voucher program was upheld by the Supreme Court, and I look in the eyes of the parents of every one of those children everyday and say to them that public education is what we ought to be supporting. Let us put some of that \$87 billion we are getting ready to send to Iraq into public education. Let us put some of these dollars that we are setting aside into public education. Let us reduce studentteacher ratio. Let us increase the opportunity for our children to do well.

I am not going to take 5 minutes either, but I could not let you leave with saying you could not look into eyes of the parents. I look in their eyes everyday, and they say, Stephanie, send me more teachers, send me more money for our schools, and give our children an opportunity.

The CHAIRMAN. The Clerk will read the last 2 lines of the bill.

The Clerk read as follows:

This Act may be cited as the "District of Columbia Appropriations Act, 2004'

The CHAIRMAN. Are there any further amendments to the bill? If not. under the order of the House, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THORNBERRY) having assumed chair, Mr. BASS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2765) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2004, and for other purposes, pursuant to the previous order of the House of July 25, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is or-

The question is on the amendment.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 209, noes 208, not voting 17, as follows:

> [Roll No. 490] AYES-209

Aderholt Baker Bartlett (MD) Ballenger Barrett (SC) Barton (TX) Akin Bachus Bass

Bereuter Bilirakis Bishop (UT) Blackburn Boehner Bonilla Bono Boozman Bradley (NH) Brady (TX) Brown (SC) Brown-Waite, Ginny Burgess Burns Burton (IN) Buver Calvert Camp Cantor Capito Castle Chabot Chocola Coble Cole Collins Cox Crane Crenshaw Cubin Culberson Cunningham Davis, Jo Ann Davis, Tom Deal (GA) DeLay Diaz-Balart, L Diaz-Balart, M. Dreier Duncan Ehlers Everett Feeney Ferguson Flake Fletcher Folev Forbes Franks (AZ) Frelinghuysen Gallegly Garrett (NJ) Gerlach Gibbons Gilchrest

Gillmor

Gingrey

Abercrombie

Ackerman

Alexander

Andrews

Baldwin

Ballance

Becerra

Berkley

Berman

Biggert Bishop (GA)

Bishop (NY)

Blumenauer

Boehlert

Boswell

Boucher

Brady (PA)

Brown (OH)

Brown, Corrine

Boyd

Burr

Capps

Cardin

Cardoza

Capuano

Berry

Allen

Baca

Baird

Goode

Beauprez

Hulshof Hunter Hyde Isakson Issa Istook Jenkins Johnson (CT) Johnson, Sam Jones (NC) Kelly Kennedy (MN) King (IA) King (NÝ) Kingston Kirk Kline Knollenberg Kolbe LaHood Latham LaTourette Lewis (CA) Lewis (KY) Linder Lipinski Lucas (OK) Manzullo McCotter McCrery McInnis McKeon Mica Miller (FL) Miller (MI) Miller, Gary Moran (KS) Murphy Musgrave Myrick Nethercutt Neugebauer Northup Norwood Nunes Nussle Ose Otter Oxley NOES-208 Carson (IN)

Carson (OK)

Case

Clav

Clyburn

Conyers

Costello

Cramer

Crowley

Davis (AL)

Davis (CA)

Davis (FL)

Davis (IL)

Davis (TN)

DeFazio

DeGette

Delahunt

DeLauro

Deutsch

Doggett

Edwards

Emanuel

English

Doyle

Engel

Eshoo

Dooley (CA)

Dicks Dingell

Cooper

Etheridge Evans Farr Fattah Filner Frank (MA) Frost Gonzalez Gordon Green (TX) Grijalva Gutierrez Harman Hill Hinchey

Hastings (FL) Hinojosa Hoeffel Holden Holt Honda Hooley (OR) Hoyer Inslee Israel Jackson (IL) Jackson-Lee (TX) Jefferson

John

Johnson (IL) Johnson, E. B. Jones (OH) Kanjorski Kaptur Kennedy (RI) Kildee Kilpatrick Kind Kleczka Lampson Langevin Lantos Larsen (WA) Larson (CT) Leach Lee Levin Lewis (GA) LoBiondo Lofgren Lowey Lucas (KY) Lynch Majette Maloney Markey Marshall Matheson Matsui McCarthy (MO) McCarthy (NY) McCollum McDermott McGovern McHugh McIntyre McNulty Meehan Meek (FL) Meeks (NY)

Menendez Michaud Millender-McDonald Miller (NC) Miller, George Mollohan Moore Moran (VA) Murtha Nadler Napolitano Neal (MA) Ney Oberstar Obey Olver Ortiz Osborne Pallone Pascrell Pastor Paul Payne Peľosi Peterson (MN) Platts Pomeroy Price (NC) Rahall Ramstad Reves Rodriguez Ross Rothman Roybal-Allard Ruppersberger Rush Ryan (OH) Sabo

Sanchez, Linda Sanchez, Loretta Sanders Sandlin Saxton Schakowsky Schiff Scott (GA) Scott (VA) Sherman Simmons Skelton Slaughter Smith (WA) Snyder Solis Spratt Stark Stenholm Strickland Stupak Tanner Tauscher Thompson (CA) Thompson (MS) Tierney Turner (TX) Udall (NM) Van Hollen Visclosky Waters Watson Watt Waxman Weiner Wexler Wu Wynn

NOT VOTING-

Cummings Hoekstra Simpson Emerson Janklow Towns Udall (CO) Ford Keller Fossella Kucinich Velazquez Gephardt Rangel Graves Serrano

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE The SPEAKER pro tempore (Mr.

THORNBERRY) (during the vote). Members are advised that 2 minutes remain in this vote.

PARLIAMENTARY INQUIRIES

Mr. HOYER (during the vote). Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore THORNBERRY). The gentleman may state a parliamentary inquiry taining to the vote.

Mr. HOYER. Mr. Speaker, under regular order, we were told at the beginning of this session that the leadership of the House and the message from the Speaker of the House, DENNIS HASTERT, was that we were going to allot 15 minutes for votes with only 2 minutes, and that at 17 minutes, the voting tally would close, and we were all urged to be on time so that the work of the House could be done efficiently and effectively.

Mr. Speaker, my inquiry is, is that regular order still in place? Is that still the policy of the leadership of this House?

The SPEAKER pro tempore. The Chair would respond to the gentleman from Maryland that clause 2 of rule XX states that the minimum time for a recorded vote or quorum call by electronic device shall be 15 minutes.

Mr. HOYER. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his further parliamentary inquiry.

Rothman

Mr. HOYER. Mr. Speaker, was that the rule that the distinguished Robert Walker of Pennsylvania raised such cane about and was so angry about and felt that Jim Wright was so out of order about when he held the vote open? Is that the rule, Mr. Speaker?

The SPEAKER pro tempore. The gentleman did not state a further parliamentary inquiry.

The Chair would further note, from House Practice, chapter 58, section 20, that the Chair has the discretion either to close a vote and to announce the result at any time after 15 minutes have elapsed or may allow additional time for Members to record their votes before announcing the result.

Mr. HOYER. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Maryland may state his further parliamentary inquiry.

Mr. HOYER. Mr. Speaker, listening to the Chair's recitation of the rule, would that mean that the Chair now has the authority to close this vote and express the will of the House of Representatives as reflected on the board?

The SPEAKER pro tempore. The Chair would again state to the gentleman that the Chair has the discretion either to close a vote and announce the result at any time after 15 minutes have elapsed or to allow additional time for Members to record their votes before announcing the result.

Mr. FRANK of Massachusetts. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. For what purpose does the gentleman from Massachusetts rise?

Mr. FRANK of Massachusetts. The question is not whether the Chair has the discretion but whether or not he has the integrity and courage to do so.

Mr. OBEY. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Wisconsin may state his parliamentary inquiry.

Mr. OBEY. Mr. Speaker, could I inquire if anyone from the attending physician is present? I understand someone's arm is being broken.

□ 2101

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. THORNBERRY). The question is on the engrossment and third reading of the

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 210, nays 206, not voting 18, as follows:

[Roll No. 491]

YEAS-210

Aderholt

Bachus

Ballenger

Beauprez

Bereuter

Bilirakis

Bishop (UT)

Blackburn

Blunt

Boehner

Bonilla

Bonner

Boozman

Bradley (NH)

Brown-Waite,

Brady (TX)

Brown (SC)

Ginny

Burton (IN)

Burgess

Burns

Buyer

Camp

Cannon

Cantor

Capito

Carter

Castle

Chahot

Collins

Crenshaw

Culberson

Cunningham

Davis, Tom

Deal (GA)

DeLay

DeMint

Doolittle

Dreier

Dunn

Ehlers

English

Everett

Feeney

Ferguson

Fletcher

Folev

Forbes

Gerlach

Gibbons

Franks (AZ)

Gallegly Garrett (NJ)

Abercrombie

Ackerman

Alexander

Andrews

Baldwin

Ballance

Becerra

Berkley

Berman

Biggert

Bishop (GA)

Bishop (NY)

Blumenauer

Brady (PA)

Boehlert

Boswell Boucher

Boyd

Berry

Bell

Baca

Baird

Frelinghuysen

Davis, Jo Ann

Diaz-Balart, L

Diaz-Balart, M.

Cubin

Cox

Chocola

Bono

Barrett (SC)

Barton (TX)

Bartlett (MD)

Baker

Bass

Gilchrest Otter Gillmor Oxley Gingrey Pearce Goode Pence Goodlatte Peterson (PA) Goss Petri Granger Pickering Green (WI) Pitts Greenwood Pombo Gutknecht Harris Portman Hart Prvce (OH) Hastings (WA) Putnam Hayes Hayworth Quinn Radanovich Hefley Regula Hensarling Rehberg Herger Renzi Hobson Reynolds Hostettler Rogers (AL) Houghton Rogers (KY) Hulshof Rogers (MI) Hunter Rohrabacher Hyde Ros-Lehtinen Isakson Royce Ryan (WI) Issa Istook Rvun (KS) Jenkins Johnson (CT) Saxton Johnson, Sam Schrock Jones (NC) Sensenbrenner Sessions Kelly Kennedy (MN) Shadegg King (IA) King (NY) Shaw Shavs Kingston Sherwood Kirk Shimkus Kline Shuster Knollenberg Smith (MI) Kolbe Smith (NJ) LaHood Smith (TX) Latham Souder LaTourette Stearns Lewis (CA) Sullivan Lewis (KY) Sweeney Linder Tancredo Lipinski Tauzin Lucas (OK) Taylor (NC) Manzullo Terry McCotter Thomas McCrery Thornberry McHugh Tiahrt McInnis Tiberi McKeon Toomev Mica Turner (OH) Miller (FL) Upton Miller (MI) Vitter Miller, Gary Walden (OR) Moran (KS) Walsh Murphy Wamp Musgrave Weldon (FL) Myrick Weldon (PA) Nethercutt Weller Neugebauer Whitfield Ney Northup Wicker Wilson (NM) Norwood Wilson (SC) Nunes Wolf Nussle Osborne Young (AK) Young (FL)

NAYS-206

Brown (OH) DeGette Brown, Corrine Delahunt Burr DeLauro Capps Deutsch Capuano Dicks Cardin Dingell Cardoza Doggett Carson (IN) Dooley (CA) Carson (OK) Doyle Case Duncan Clay Edwards Clyburn Emanuel Conyers Engel Cooper Eshoo Costello Etheridge Cramer Evans Crowley Farr Davis (AL) Fattah Davis (CA) Davis (FL) Filner Frank (MA) Davis (IL) Frost Davis (TN) Gonzalez DeFazio Gordon

Green (TX) Grijalva Gutierrez Hall Harman Hastings (FL) Hill Hinchey Hinojosa Hoeffel Holden Holt Honda Hooley (OR) Hoyer Inslee Israel Jackson (II.) Jackson-Lee (TX) Jefferson John Johnson (IL) Johnson E B Jones (OH) Kanjorski Kaptur Kennedy (RI) Kildee Kilpatrick Kind Kleczka Lampson Langevin Lantos Larsen (WA) Larson (CT) Leach Lee Levin Lewis (GA) LoBiondo Lofgren Lowey Lucas (KY) Lynch Majette

Maloney Markey Marshall Matheson Matsui McCarthy (MO) McCarthy (NY) McCollum McDermott McGovern McIntyre McNulty Meehan Meek (FL) Meeks (NY) Menendez Michaud Millender-McDonald Miller (NC) Miller, George Mollohan Moore Moran (VA) Murtha Nadler Napolitano Neal (MA) Oberstar Obev Olver Ortiz Owens Pallone Pascrell Pastor Paul Payne Pelosi Peterson (MN) Platts Pomerov Price (NC) Rahall Ramstad Rodriguez

Roybal-Allard Ruppersberge Rush Ryan (OH) Sabo Sanchez, Linda T. Sanchez, Loretta Sanders Sandlin Schakowsky Schiff Scott (GA) Scott (VA) Sherman Simmons Skelton Slaughter Smith (WA) Snyder Solis Spratt Stark Stenholm Strickland Stupak Tanner Tauscher Taylor (MS) Thompson (CA) Thompson (MS) Tierney Turner (TX) Udall (NM) Van Hollen Visclosky Waters Watson Watt Waxman Weiner Wexler Wii Wynn

NOT VOTING-18

Coble Serrano Graves Cummings Hoekstra Simpson Emerson Janklow Towns Udall (CO) Ford Keller Fossella Kucinich Velazquez Gephardt Woolsey Rangel

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

□ 2117

Ms. KILPATRICK changed her vote

from "yea" to "nay."
Mr. MILLER of Florida changed his vote from "nay" to "yea.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the time to resume proceedings on the motion to instruct conferees offered by the gen-(Mr. Maryland tleman from RUPPERSBERGER) is redesignated as tomorrow.

REPORT ON RESOLUTION PRO-VIDING FOR CONSIDERATION OF H.R. 2622, FAIR AND ACCURATE CREDIT TRANSACTIONS ACT OF

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report