

Rush
 Ryan (OH)
 Sabo
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sanders
 Sandlin
 Schakowsky
 Schiff
 Scott (GA)
 Scott (VA)
 Serrano
 Sherman
 Skelton
 Slaughter

Smith (WA)
 Snyder
 Solis
 Spratt
 Stark
 Stenholm
 Strickland
 Stupak
 Tanner
 Tauscher
 Taylor (MS)
 Thompson (CA)
 Thompson (MS)
 Tierney
 Towns
 Turner (TX)

□ 1857

Mr. OXLEY and Mr. PETERSON of Pennsylvania changed their vote from “yea” to “nay.”

Mr. GEORGE MILLER of California changed his vote from “nay” 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.

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
 Obey
 Olver
 Ortiz
 Owens
 Pallone
 Pascrell
 Pelosi
 Peterson (MN)
 Pomeroy

Price (NC)
 Rahall
 Rangel
 Renzi
 Reyes
 Rodriguez
 Ross
 Rothman
 Roybal-Allard
 Rush
 Ryan (OH)
 Sabo
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sanders
 Sandlin
 Schakowsky
 Schiff
 Scott (GA)
 Scott (VA)
 Serrano
 Sherman
 Skelton
 Slaughter
 Smith (WA)
 Snyder
 Solis

Spratt
 Stark
 Stenholm
 Strickland
 Stupak
 Tanner
 Tauscher
 Taylor (MS)
 Thompson (CA)
 Thompson (MS)
 Tierney
 Towns
 Turner (TX)
 Udall (CO)
 Udall (NM)
 Van Hollen
 Velazquez
 Visclosky
 Waters
 Watson
 Watt
 Waxman
 Weiner
 Wexler
 Wu
 Wynn

NAYS—214

Aderholt
 Akin
 Bachus
 Baker
 Ballenger
 Barrett (SC)
 Bartlett (MD)
 Barton (TX)
 Bass
 Beauprez
 Biggert
 Bilirakis
 Bishop (UT)
 Blackburn
 Blunt
 Boehlert
 Boehner
 Bonilla
 Bonner
 Bono
 Boozman
 Bradley (NH)
 Brady (TX)
 Brown (SC)
 Brown-Waite,
 Ginny
 Burgess
 Burns
 Burr
 Burton (IN)
 Buyer
 Calvert
 Camp
 Cannon
 Cantor
 Capito
 Castle
 Chabot
 Chocola
 Coble
 Cole
 Collins
 Cox
 Crane
 Crenshaw
 Cubin
 Culberson
 Cunningham
 Davis, Tom
 Deal (GA)
 DeLay
 DeMint
 Diaz-Balart, L.
 Diaz-Balart, M.
 Doolittle
 Dreier
 Duncan
 Dunn
 Emerson
 English
 Everett
 Feeney
 Ferguson
 Flake
 Fletcher
 Foley
 Forbes
 Fossella
 Franks (AZ)
 Frelinghuysen
 Gallegly
 Garrett (NJ)

Nussle
 Ose
 Otter
 Oxley
 Paul
 Pearce
 Pence
 Peterson (PA)
 Petri
 Pickering
 Pitts
 Platts
 Pombo
 Porter
 Portman
 Pryce (OH)
 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
 Sherwood
 Shimkus
 Shuster
 Simmons
 Simpson
 Smith (MI)
 Smith (NJ)
 Smith (TX)
 Souder
 Stearns
 Sullivan
 Bell
 Berkley
 Berman
 Berry
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Boswell
 Boucher
 Boyd
 Brady (PA)
 Brown (OH)
 Brown, Corrine
 Brown-Waite,
 Ginny
 Capps
 Capuano
 Cardin
 Cardoza
 Carson (IN)
 Carson (OK)
 Case
 Clay
 Clyburn
 Conyers
 Cooper
 Costello
 Cramer
 Crowley
 Cummings
 Davis (AL)
 Davis (CA)

ANNOUNCEMENT BY THE SPEAKER
 PRO TEMPORE

The SPEAKER pro tempore (Mr. PENCE). Pursuant to clause 8 of rule XX, the next three votes in this series will be conducted as 5-minute votes. The last vote in this series, if ordered, will be conducted as a 15-minute vote.

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

The SPEAKER pro tempore. 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 conferees offered by the gentleman from Texas (Mr. STENHOLM) 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 202, nays 213, not voting 19, as follows:

[Roll No. 510]

YEAS—202

Abercrombie
 Ackerman
 Alexander
 Allen
 Andrews
 Baca
 Baird
 Baldwin
 Becerra
 Bell
 Berkley
 Berman
 Berry
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Boswell
 Boucher
 Boyd
 Brady (PA)
 Brown (OH)
 Brown, Corrine
 Brown-Waite,
 Ginny
 Capps
 Capuano
 Cardin
 Cardoza
 Carson (IN)
 Carson (OK)
 Case
 Clay
 Clyburn
 Conyers
 Cooper
 Costello
 Cramer
 Crowley
 Cummings
 Davis (AL)
 Davis (CA)

Davis (FL)
 Davis (IL)
 Davis (TN)
 DeFazio
 DeGette
 Delahunt
 DeLauro
 Dicks
 Dingell
 Doggett
 Dooley (CA)
 Doyle
 Edwards
 Emanuel
 Emerson
 Engel
 Eshoo
 Etheridge
 Evans
 Farr
 Filner
 Fletcher
 Ford
 Frank (MA)
 Frost
 Gonzalez
 Green (TX)
 Grijalva
 Gutierrez
 Hall
 Harman
 Hastings (FL)
 Hill
 Hinchey
 Hinojosa
 Hoeffel
 Holden
 Holt
 Honda
 Hooley (OR)
 Hoyer

Inslee
 Jackson (IL)
 Jackson-Lee
 (TX)
 Jefferson
 John
 Johnson, E. B.
 Jones (OH)
 Kanjorski
 Kaptur
 Kennedy (RI)
 Kildee
 Kilpatrick
 Kind
 Kleczka
 Kucinich
 Lampson
 Langevin
 Lantos
 Larsen (WA)
 Larson (CT)
 Latham
 Leach
 Lee
 Levin
 Lipinski
 Lofgren
 Lowey
 Lucas (KY)
 Lynch
 Majette
 Maloney
 Markey
 Marshall
 Matheson
 Matsui
 McCarthy (MO)
 McCarthy (NY)
 McCollum
 McDermott
 McGovern

NAYS—213

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

Garrett (NJ)
 Gerlach
 Gibbons
 Gilchrest
 Gillmor
 Gingrey
 Goode
 Goodlatte
 Goss
 Granger
 Graves
 Green (WI)
 Greenwood
 Gutknecht
 Harris
 Hart
 Hastings (WA)
 Hayes
 Hayworth
 Hefley
 Herger
 Hobson
 Hoekstra
 Hostettler
 Hulshof
 Hyde
 Isakson
 Issa
 Istook
 Janklow
 Jankin
 Johnson (CT)
 Johnson (IL)
 Johnson, Sam
 Jones (NC)
 Keller
 Kelly
 Kennedy (MN)
 King (IA)
 King (NY)
 Kingston
 Kirk
 Kline
 Knollenberg
 Kolbe
 LaHood
 LaTourette
 Lewis (CA)
 Lewis (KY)
 Linder
 LoBiondo
 Lucas (OK)
 Manzullo
 McCotter
 McCrery
 McHugh
 McInnis
 McKeon
 Mica
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Moran (KS)
 Morahan
 Murphy
 Musgrave
 Myrick
 Nethercutt
 Neugebauer
 Ney
 Northup
 Norwood
 Nunes

Northup
 Norwood
 Nunes
 Nussle
 Ose
 Otter
 Oxley
 Paul
 Pearce
 Pence
 Peterson (PA)
 Petri
 Pickering
 Pitts
 Platts
 Pombo
 Porter
 Portman
 Pryce (OH)
 Putnam
 Quinn
 Radanovich
 Ramstad
 Regula
 Rehberg
 Reynolds
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Ros-Lehtinen
 Royce
 Ryan (WI)
 Ryun (KS)
 Saxton
 Schrock
 Schrock
 Sessions
 Shadegg
 Shaw
 Shays
 Sherwood
 Shimkus
 Shuster
 Simmons
 Simpson
 Smith (MI)
 Smith (NJ)
 Smith (TX)
 Souder
 Stearns
 Sullivan
 Tancredo
 Tauzin
 Taylor (NC)
 Thomas
 Thornberry
 Tiahrt
 Tiberi
 Toomey
 Turner (OH)
 Upton
 Vitter
 Walden (OR)
 Walsh
 Wamp
 Weldon (FL)
 Weldon (PA)
 Weller

NOT VOTING—21

Ballance
 Carter
 Davis, Jo Ann
 Deutsch
 Fattah
 Gephardt
 Gordon

Hensarling
 Houghton
 Hunter
 Israel
 Lewis (GA)
 Osborne
 Pastor

Payne
 Ruppertsberger
 Shays
 Sweeney
 Tancredo
 Terry
 Woolsey

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

NOT VOTING—19

Ballance Hensarling Payne
Carter Houghton Ruppertsberger
Davis, Jo Ann Hunter Sweeney
Deutsch Israel Terry
Fattah Lewis (GA) Woolsey
Gephardt Osborne
Gordon Pastor

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1906

Mr. GUTKNECHT changed his vote from “yea” to “nay.”

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.

PERSONAL EXPLANATION

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, on rollcall No. 509 (H.R. 1308) and rollcall No. 510 (H.R. 1), I was detained in my district touring disaster areas from Hurricane Isabel and trying to obtain help from FEMA. Had I been present I would have voted “no” on both H.R. 1308 (rollcall 509) and H.R. 1 (rollcall 510).

MOTION TO INSTRUCT CONFEREES ON H.R. 1588, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on H.R. 1588.

The Clerk will designate the motion. The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentleman from Texas (Mr. RODRIGUEZ) 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 298, nays 118, not voting 18, as follows:

[Roll No. 511]

YEAS—298

Abercrombie	Boucher	Davis (AL)
Ackerman	Boyd	Davis (CA)
Aderholt	Bradley (NH)	Davis (FL)
Alexander	Brady (PA)	Davis (IL)
Allen	Brown (OH)	Davis (TN)
Andrews	Brown, Corrine	Davis, Jo Ann
Baca	Burton (IN)	Davis, Tom
Bachus	Buyer	DeFazio
Baird	Capito	DeGette
Baker	Capps	DeLahunt
Baldwin	Capuano	DeLauro
Bartlett (MD)	Cardin	Diaz-Balart, L.
Bass	Cardoza	Diaz-Balart, M.
Beauprez	Carson (IN)	Dicks
Becerra	Carson (OK)	Dingell
Bell	Case	Doggett
Berkley	Castle	Dooley (CA)
Berman	Clay	Doyle
Berry	Clyburn	Dreier
Biggert	Cole	Dunn
Bishop (GA)	Conyers	Edwards
Bishop (NY)	Cooper	Ehlers
Blumenauer	Costello	Emanuel
Boehrlert	Cramer	Engel
Bonilla	Crenshaw	English
Bonner	Crowley	Eshoo
Boswell	Cummings	Etheridge

Evans	Levin	Rodriguez	Linder	Pitts	Smith (TX)
Everett	Lewis (KY)	Rogers (AL)	Lucas (OK)	Platts	Souder
Farr	Lipinski	Ros-Lehtinen	Manzullo	Pombo	Stearns
Ferguson	LoBiondo	Ross	McKeon	Ramstad	Tancredi
Filner	Lofgren	Rothman	Mica	Rehberg	Taylor (NC)
Fletcher	Lowe	Roybal-Allard	Miller (FL)	Reynolds	Thomas
Foley	Lucas (KY)	Rush	Miller, Gary	Rogers (KY)	Thornberry
Ford	Lynch	Ryan (OH)	Moran (KS)	Rogers (MI)	Tiahrt
Frank (MA)	Majette	Ryan (WI)	Musgrave	Rohrabacher	Toomey
Frelinghuysen	Maloney	Ryun (KS)	Nethercutt	Royce	Upton
Frost	Markey	Sabo	Neugebauer	Sensenbrenner	Vitter
Gerlach	Marshall	Sanchez, Linda	Northup	Sessions	Wamp
Gilchrest	Matheson	T.	Norwood	Shade	Weldon (FL)
Gillmor	Matsui	Sanchez, Loretta	Nussle	Sherwood	Wicker
Gingrey	McCarthy (MO)	Sanders	Ose	Shimkus	Wilson (SC)
Gonzalez	McCarthy (NY)	Sandlin	Oxley	Shuster	Young (FL)
Granger	McCollum	Saxton	Pence	Smith (MI)	
Green (TX)	McCotter	Schakowsky			
Greenwood	McCrery	Schiff			
Grijalva	McDermott	Schrock			
Gutierrez	McGovern	Scott (GA)			
Hall	McHugh	Scott (VA)			
Harman	McInnis	Serrano			
Hastings (FL)	McIntyre	Shaw			
Hayworth	McNulty	Shays			
Hefley	Meehan	Sherman			
Hill	Meek (FL)	Simmons			
Hinchee	Meeke (NY)	Simpson			
Hinojosa	Menendez	Skelton			
Hobson	Michaud	Slaughter			
Hoeffel	Millender-McDonald	Smith (NJ)			
Holden	Miller (MI)	Smith (WA)			
Holt	Miller (NC)	Snyder			
Honda	Miller, George	Solis			
Hookey (OR)	Mollohan	Spratt			
Hoyer	Moore	Stark			
Hulshof	Moran (VA)	Stenholm			
Inslee	Murphy	Strickland			
Jackson (IL)	Murtha	Stupak			
Jackson-Lee (TX)	Myrick	Sullivan			
Janklow	Nadler	Tanner			
Jefferson	Napolitano	Tauscher			
John	Neal (MA)	Tauzin			
Johnson (CT)	Ney	Taylor (MS)			
Johnson (IL)	Nunes	Thompson (CA)			
Johnson, E. B.	Oberstar	Thompson (MS)			
Jones (NC)	Obey	Tiberi			
Jones (OH)	Olver	Tierney			
Kanjorski	Ortiz	Towns			
Kaptur	Otter	Turner (OH)			
Keller	Owens	Turner (TX)			
Kelly	Pallone	Udall (CO)			
Kennedy (MN)	Pascrell	Udall (NM)			
Kennedy (RI)	Paul	Van Hollen			
Kildee	Pearce	Velazquez			
Kilpatrick	Pelosi	Visclosky			
Kind	Peterson (MN)	Walden (OR)			
King (NY)	Peterson (PA)	Walsh			
Kirk	Petri	Waters			
Kleczyka	Pickering	Watson			
Kline	Pomeroy	Watt			
Kolbe	Porter	Waxman			
Kucinich	Portman	Weiner			
LaHood	Price (NC)	Weldon (PA)			
Lampson	Pryce (OH)	Weller			
Langevin	Putnam	Wexler			
Lantos	Quinn	Whitfield			
Larsen (WA)	Radanovich	Wilson (NM)			
Larson (CT)	Rahall	Wolf			
Latham	Rangel	Wu			
LaTourette	Regula	Wynn			
Leach	Renzi	Young (AK)			
Lee	Reyes				

NAYS—118

Akin	Chabot	Goode
Ballenger	Chocola	Goodlatte
Barrett (SC)	Coble	Goss
Barton (TX)	Collins	Graves
Bereuter	Cox	Green (WI)
Bilirakis	Crane	Gutknecht
Bishop (UT)	Cubin	Harris
Blackburn	Culberson	Hart
Blunt	Cunningham	Hastings (WA)
Boehner	Deal (GA)	Hayes
Bono	DeLay	Herger
Boozman	DeMint	Hoekstra
Brady (TX)	Doolittle	Hostettler
Brown (SC)	Duncan	Hyde
Brown-Waite,	Emerson	Isakson
Ginny	Feeney	Issa
Burgess	Flake	Istook
Burns	Forbes	Jenkins
Burr	Fossella	Johnson, Sam
Calvert	Franks (AZ)	King (IA)
Camp	Gallely	Kingston
Cannon	Garrett (NJ)	Knollenberg
Cantor	Gibbons	Lewis (CA)

Pitts	Smith (TX)
Platts	Souder
Pombo	Stearns
Ramstad	Tancredi
Rehberg	Taylor (NC)
Reynolds	Thomas
Rogers (KY)	Thornberry
Rogers (MI)	Tiahrt
Rohrabacher	Toomey
Royce	Upton
Sensenbrenner	Vitter
Sessions	Wamp
Shade	Weldon (FL)
Sherwood	Wicker
Shimkus	Wilson (SC)
Shuster	Young (FL)
Smith (MI)	

NOT VOTING—18

Ballance	Hensarling	Pastor
Carter	Houghton	Payne
Deutsch	Hunter	Ruppertsberger
Fattah	Israel	Sweeney
Gephardt	Lewis (GA)	Terry
Gordon	Osborne	Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1915

Mr. HULSHOF, Mr. EVERETT, and Mrs. KELLY changed their vote from “nay” to “yea.”

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1915

EASTERN BAND OF CHEROKEE INDIANS LAND EXCHANGE ACT OF 2002

The SPEAKER pro tempore (Mr. PENCE). The pending business is the question of suspending the rules and passing the bill, H.R. 1409.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 1409, 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 288, nays 127, not voting 19, as follows:

[Roll No. 512]

YEAS—288

Abercrombie	Blunt	Camp
Aderholt	Boehrlert	Cannon
Akin	Boehner	Cantor
Alexander	Bonilla	Capito
Baca	Bonner	Capuano
Bachus	Bono	Cardoza
Baker	Boozman	Carson (IN)
Ballenger	Boswell	Carson (OK)
Barrett (SC)	Boucher	Case
Bartlett (MD)	Bradley (NH)	Castle
Barton (TX)	Brady (TX)	Chabot
Bass	Brown (SC)	Chocola
Beauprez	Brown, Corrine	Clay
Becerra	Brown-Waite,	Coble
Bereuter	Ginny	Cole
Biggert	Burgess	Collins
Bilirakis	Burns	Conyers
Bishop (NY)	Burr	Cox
Bishop (UT)	Burton (IN)	Cramer
Blackburn	Buyer	Crane
Blumenauer	Calvert	Crenshaw