

handled: because these individuals who are locked out of so many things in life turn on their television and they hear that tax relief is being passed for millionaires, they hear that tax relief is being passed for the owners of large corporations, and they hear that wider and broader and additional tax relief is contemplated. Yet they hear that they are not worthy of additional relief at all. They are told, as some of my colleagues on the other side have said, that they are welfare cases who really do not contribute to the system and really do not pay taxes anyway, so why get any kind of benefit.

We ought to recognize as elected officials, Mr. Speaker, that we cannot leave people out of the system and expect them to continue to have faith in the system. That may be a small cost to my colleagues on the other side of the aisle, because a lot of these folks are not a big part of their voter base, but they are part of the America that we have. This party that I speak for today will always be proud to speak for these families, because the kids in this country who live in families earning at the edge of the poverty line and slightly above it, they cannot come to this city and have fly-in week. They cannot hold \$50,000 fund-raisers. They cannot hold thousand-dollar-a-head events. Somebody has to speak for them. Somebody has to take the time to come to this floor to speak for their needs and advocate for their cause. The ones of us who do that represent the Democratic Party in America, and those of us on this side of the aisle will always be proud to be part of the party that speaks for those who have been left behind, who lack any other voice.

So with that said, I urge my colleagues to vote for this motion to instruct and to finally fix this fundamental unfairness in what was purported to be a tax fairness bill earlier this year.

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

The SPEAKER pro tempore (Mr. BASS). Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Alabama (Mr. DAVIS).

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

Mr. DAVIS of Alabama. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 4 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1535

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. TERRY) at 3 o'clock and 35 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to instruct conferees previously postponed.

Votes will be taken in the following order:

Motion to instruct on H.R. 2691, de novo;

Motion to instruct on H.R. 1, by the yeas and nays;

and motion to instruct on H.R. 1308, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic votes will be conducted as 5-minute votes.

MOTION TO INSTRUCT CONFEREES ON H.R. 2691, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

The SPEAKER pro tempore. The pending business is the de novo vote on the motion to instruct conferees on H.R. 2691.

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 Washington (Mr. DICKS).

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

Mr. DICKS. 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.

The vote was taken by electronic device, and there were—yeas 259, nays 165, answered "present" 1, not voting 9, as follows:

[Roll No. 527]

YEAS—259

Abercrombie  
Ackerman  
Alexander  
Allen  
Andrews  
Baca  
Baird  
Baldwin  
Ballance  
Bass  
Beauprez  
Becerra  
Bell  
Berkley  
Berman  
Berry  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blumenauer

Boehlert  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Brown (OH)  
Brown, Corrine  
Burr  
Burton (IN)  
Buyer  
Cannon  
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)  
Davis, Jo Ann  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Deutsch  
Dicks  
Dingell  
Doggett

Dooley (CA)  
Doyle  
Dunn  
Edwards  
Emanuel  
Emerson  
Engel  
Etheridge  
Farr  
Fattah  
Ferguson  
Filner  
Fletcher  
Forbes  
Ford  
Frank (MA)  
Frelinghuysen  
Frost  
Gallegly  
Gibbons  
Gonzalez  
Goodlatte  
Gordon  
Green (TX)  
Green (WI)  
Grijalva  
Gutierrez  
Hall  
Harman  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Hefley  
Herger  
Hill  
Hinchey  
Hinojosa  
Hoeffel  
Holden  
Holt  
Honda  
Hooley (OR)  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson-Lee (TX)  
Janklow  
Jefferson  
Jenkins  
John  
Johnson, E. B.  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kind  
Klecza  
Kolbe  
Kucinich  
LaHood  
Lampson  
Langevin  
Lantos

Larsen (WA)  
Larson (CT)  
Leach  
Lee  
Levin  
Lewis (GA)  
Lewis (KY)  
Lipinski  
LoBiondo  
Lofgren  
Lowe  
Lucas (KY)  
Lynch  
Majette  
Maloney  
Manzullo  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCotter  
McDermott  
McGovern  
McInnis  
McIntyre  
McKeon  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Michaud  
Millender-McDonald  
Miller (NC)  
Miller, George  
Mollohan  
Moore  
Moran (VA)  
Murtha  
Musgrave  
Nadler  
Napolitano  
Neal (MA)  
Nethercutt  
Ney  
Oberstar  
Obey  
Olver  
Ortiz  
Osborne  
Ose  
Otter  
Owens  
Pallone  
Pascrell  
Pastor  
Payne  
Pearce  
Pelosi  
Peterson (MN)  
Peterson (PA)  
Pombo  
Pomeroy  
Porter

Price (NC)  
Quinn  
Rahall  
Rangel  
Rehberg  
Renzi  
Reyes  
Rodriguez  
Rogers (KY)  
Ross  
Rothman  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sabo  
Sanchez, Linda T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schakowsky  
Schiff  
Scott (GA)  
Scott (VA)  
Serrano  
Sherman  
Simpson  
Skelton  
Smith (NJ)  
Smith (WA)  
Snyder  
Solis  
Spratt  
Stenholm  
Strickland  
Stupak  
Sweeney  
Tancredo  
Tanner  
Tauscher  
Taylor (MS)  
Thompson (CA)  
Thompson (MS)  
Tierney  
Towns  
Turner (TX)  
Udall (CO)  
Udall (NM)  
Van Hollen  
Velazquez  
Visclosky  
Walden (OR)  
Wamp  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Weldon (PA)  
Wexler  
Wilson (NM)  
Woolsey  
Wu  
Wynn

NAYS—165

Aderholt  
Akin  
Bachus  
Baker  
Ballenger  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Bereuter  
Biggert  
Bilirakis  
Blackburn  
Blunt  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Bradley (NH)  
Brown (SC)  
Brown-Waite,  
Ginny  
Burgess  
Burns  
Calvert  
Camp  
Cantor  
Capito  
Carter

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  
Duncan  
Hunter  
Ehlers  
English  
Everett  
Feeney  
Flake  
Foley  
Fossella  
Franks (AZ)  
Garrett (NJ)

Gerlach  
Gilchrest  
Gillmor  
Gingrey  
Goode  
Goss  
Granger  
Graves  
Greenwood  
Gutknecht  
Harris  
Hart  
Hayes  
Hensarling  
Hobson  
Hoekstra  
Hostettler  
Houghton  
Hulshof  
Hunt  
Isakson  
Istook  
Johnson (CT)  
Johnson (IL)  
Johnson, Sam  
Keller  
Kelly  
Kennedy (MN)  
King (IA)

King (NY)  
Kingston  
Kirk  
Kline  
Knollenberg  
Latham  
LaTourette  
Lewis (CA)  
Linder  
Lucas (OK)  
McCrery  
McHugh  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moran (KS)  
Murphy  
Myrick  
Neugebauer  
Northup  
Norwood  
Nunes  
Nussle  
Oxley  
Paul  
Pence

Petri  
Pickering  
Pitts  
Platts  
Portman  
Pryce (OH)  
Putnam  
Radanovich  
Ramstad  
Regula  
Reynolds  
Rogers (AL)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Royce  
Ryan (WI)  
Ryun (KS)  
Schrock  
Sensenbrenner  
Sessions  
Shadegg  
Shaw  
Shays  
Sherwood  
Shimkus  
Shuster

Simmons  
Smith (MI)  
Smith (TX)  
Souder  
Stearns  
Sullivan  
Tauzin  
Terry  
Thomas  
Thornberry  
Tiahrt  
Tiberi  
Toomey  
Turner (OH)  
Upton  
Vitter  
Walsh  
Weldon (FL)  
Weller  
Whitfield  
Wicker  
Wilson (SC)  
Wolf  
Young (AK)  
Young (FL)

## ANSWERED "PRESENT"—1

Taylor (NC)

## NOT VOTING—9

Brady (TX)  
Dreier  
Eshoo

Evans  
Gephardt  
Hyde

Issa  
Slaughter  
Stark

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1601

Messrs. BOOZMAN, PORTMAN, TAUZIN, and PETRI changed their vote from "yea" to "nay."

Messrs. REHBERG, OSE, HERGER, HEFLEY, FLETCHER, GALLEGLY, LEWIS of Kentucky, NEY, BASS, FRELINGHUYSEN, FERGUSON, LOBIONDO, MANZULLO, LAHOOD, BOEHLERT, MCKEON, FORBES, QUINN, SAXTON, and SWEENEY, and Mrs. EMERSON and Mrs. JO ANN DAVIS of Virginia changed their vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1602

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. TERRY). Pursuant to clause 8 of rule XX, the remainder of the series of votes will be conducted as 5-minute votes.

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

The SPEAKER pro tempore. The pending 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 Hawaii (Mr. CASE) on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 208, nays 215, not voting 11, as follows:

[Roll No. 528]

## YEAS—208

Abercrombie  
Ackerman  
Alexander  
Allen  
Andrews  
Baca  
Baird  
Baldwin  
Ballance  
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  
Deutsch  
Dicks  
Dingell  
Doggett  
Dooley (CA)  
Doyle  
Edwards  
Emanuel  
Engel  
Etheridge  
Farr  
Fattah  
Filner  
Fletcher  
Ford  
Frank (MA)  
Frost  
Gonzalez  
Gordon  
Green (TX)  
Grijalva  
Gutierrez

Hall  
Harman  
Hastings (FL)  
Hill  
Hinchey  
Hinojosa  
Hoeffel  
Holden  
Holt  
Honda  
Hooley (OR)  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
John  
Johnson, E. B.  
Jones (OH)  
Kanjorski  
Kaptur  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kind  
Klecza  
Kucinich  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larsen (CT)  
Latham  
Leach  
Lee  
Levin  
Lewis (GA)  
Lipinski  
Lofgren  
Lowe  
Lucas (KY)  
Lynch  
Majette  
Maloney  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McNulty  
Meehan  
Meeke (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  
Pastor  
Payne  
Pelosi  
Peterson (MN)  
Pomeroy  
Price (NC)  
Rahall  
Rangel  
Renzi  
Reyes  
Rodriguez  
Ross  
Rothman  
Roybal-Allard  
Ruppersberger  
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  
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  
Wilson (NM)  
Woolsey  
Wu  
Wynn

## NAYS—215

Aderholt  
Akin  
Bachus  
Baker  
Ballenger  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Bass  
Beauprez  
Bereuter  
Biggart  
Bilirakis  
Bishop (UT)  
Blackburn  
Blunt

Boehert  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Bradley (NH)  
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.  
Doolittle  
Duncan  
Dunn  
Ehlers  
Emerson  
English  
Everett  
Feeney  
Ferguson  
Flake  
Foley  
Forbes  
Fossella  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Gibbons  
Gilchrist  
Gillmor  
Gingrey  
Goode  
Goodlatte  
Goss  
Granger  
Graves  
Green (WI)  
Greenwood  
Gutknecht  
Harris  
Hart  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Herger  
Hobson  
Hoekstra  
Hostettler  
Houghton  
Hulshof  
Isakson  
Istook  
Janklow  
Jenkins  
Johnson (CT)  
Johnson (IL)  
Johnson, Sam  
Jones (NC)

Keller  
Kelly  
Kennedy (MN)  
King (IA)  
King (NY)  
Kingston  
Kline  
Knollenberg  
Kolbe  
LaHood  
LaTourette  
Lewis (CA)  
Lewis (KY)  
Linder  
LoBiondo  
Lucas (OK)  
Manzullo  
McCotter  
McCrery  
McHugh  
McInnis  
Miller (KS)  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moran (KS)  
Murphy  
Musgrave  
Myrick  
Nethercutt  
Neugebauer  
Ney  
Northup  
Norwood  
Nunes  
Osborne  
Oxley  
Ottner  
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  
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)  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Weldon (FL)  
Weldon (PA)  
Weller  
Whitfield  
Wicker  
Wilson (SC)  
Wolf  
Young (AK)  
Young (FL)

## NOT VOTING—11

Brady (TX)  
Dreier  
Eshoo  
Evans

Gephardt  
Hensarling  
Hunter  
Hyde

Issa  
Kirk  
Stark

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1610

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

## MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

The SPEAKER pro tempore. The pending business is the vote on the motion to instruct on H.R. 1308 offered by the gentleman from Alabama (Mr. DAVIS) on which the yeas and nays were ordered.

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 Alabama (Mr. DAVIS).

This will be a 5-minute vote.