

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)
McColum
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.

The vote was taken by electronic device, and there were—yeas 207, nays 219, not voting 8, as follows:

[Roll No. 529]

YEAS—207

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

NAYS—219

Aderholt	Boozman	Collins
Akin	Bradley (NH)	Cox
Bachus	Brown (SC)	Crane
Baker	Brown-Waite,	Crenshaw
Ballenger	Ginny	Cubin
Barrett (SC)	Burgess	Culberson
Bartlett (MD)	Burns	Cunningham
Barton (TX)	Burr	Davis, Jo Ann
Bass	Burton (IN)	Davis, Tom
Beauprez	Buyer	Deal (GA)
Biggart	Calvert	DeLay
Bilirakis	Camp	DeMint
Bishop (UT)	Cannon	Diaz-Balart, L.
Blackburn	Cantor	Diaz-Balart, M.
Blunt	Capito	Doolittle
Boehlert	Carter	Duncan
Boehner	Chabot	Dunn
Bonilla	Chocola	Emerson
Bonner	Coble	English
Bono	Cole	Everett

Feeny	Knollenberg
Ferguson	Kolbe
Flake	LaHood
Fletcher	Latham
Foley	LaTourette
Forbes	Lewis (CA)
Fossella	Lewis (KY)
Franks (AZ)	Linder
Frelinghuysen	LoBiondo
Galleghy	Lucas (OK)
Garrett (NJ)	Manzullo
Gerlach	McCotter
Gibbons	McCrery
Gilchrist	McHugh
Gillmor	McInnis
Gingrey	McKeon
Goode	Mica
Goodlatte	Miller (FL)
Goss	Miller (MI)
Granger	Miller, Gary
Graves	Moran (KS)
Green (WI)	Murphy
Greenwood	Musgrave
Gutknecht	Myrick
Harris	Nethercutt
Hart	Neugebauer
Hastings (WA)	Ney
Hayes	Northup
Hayworth	Norwood
Hefley	Nunes
Hensarling	Nussle
Herger	Osborne
Hobson	Ose
Hoekstra	Otter
Hostettler	Oxley
Houghton	Paul
Hulshof	Pearce
Hunter	Pence
Isakson	Peterson (PA)
Istook	Petri
Janklow	Pickering
Jenkins	Pitts
Johnson (CT)	Platts
Johnson (IL)	Pombo
Johnson, Sam	Porter
Jones (NC)	Portman
Keller	Pryce (OH)
Kelly	Putnam
Kennedy (MN)	Quinn
King (IA)	Radanovich
King (NY)	Ramstad
Kingston	Regula
Kirk	Rehberg
Kline	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)
Vitter	Walden (OR)
Walsh	Wamp
Weldon (FL)	Weldon (PA)
Weller	Whitfield
Wilson (NM)	Wicker
Wilson (SC)	Wilson (NM)
Wolf	Wilson (SC)
Young (AK)	Wolf
Young (FL)	Young (AK)

NOT VOTING—8

Brady (TX)	Evans	Issa
Dreier	Gephardt	Stark
Eshoo	Hyde	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1617

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.

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

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. TAYLOR of North Carolina, REGULA, KOLBE, NETHERCUTT, WAMP, PETERSON of Pennsylvania, SHERWOOD, CRENSHAW, YOUNG of Florida, DICKS, MURTHA, MORAN of Virginia, HINCHEY, OLVER and OBEY.

There was no objection.

PRIVILEGED REPORT REQUESTING PRESIDENT TO TRANSMIT REPORT ENTITLED "OPERATION IRAQI FREEDOM STRATEGIC LESSONS LEARNED" AND DOCUMENTS IN HIS POSSESSION ON THE RECONSTRUCTION AND SECURITY OF POSTWAR IRAQ

Mr. BEREUTER, from the Committee on International Relations, submitted a privileged report (Rept. No. 107-289, Part 1) on the resolution (H. Res. 364) requesting the President to transmit to the House of Representatives not later than 14 days after the date of adoption of this resolution the report prepared for the Joint Chiefs of Staff entitled "Operation Iraqi Freedom Strategic Lessons Learned" and documents in his possession on the reconstruction and security of postwar Iraq, which was ordered to be printed.

The SPEAKER pro tempore. The report will be received as Part 1.

PERSONAL EXPLANATION

Mr. PASTOR. Mr. Speaker, during the week of September 22, I missed several votes due to the passing of my father.

Had I been present, I would have voted in the following manner: On votes number 509, 510, 511, 513, 514, 515, 516, 517, 519, 520, 521, 522 and 523, I would have voted aye. On vote number 518 I would have voted no.

Mr. Speaker, I appreciate the understanding of the House and thank each Member and each of my colleagues for their kind words.

The SPEAKER pro tempore. The gentleman has our condolences.

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

Mr. FLAKE. Mr. Speaker, subject to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1, the Medicare Prescription Drug and Modernization Act of 2003.

The form of the motion is as follows:

Mr. FLAKE of Arizona moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1 be instructed within the scope of conference to include income thresholds on coverage.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT ON H.R. 6, ENERGY POLICY ACT OF 2003

Mr. INSLEE. Mr. Speaker, subject to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 6, the energy bill.

The form of the motion is as follows:

Mr. INSLEE moves that the managers on the part of the House at the conference on the disagreeing votes of two Houses on the