

Pascrell
 Pastor
 Payne
 Pearce
 Pelosi
 Pence
 Peterson (MN)
 Peterson (PA)
 Petri
 Pickering
 Pitts
 Platts
 Pomeroy
 Porter
 Portman
 Price (NC)
 Quinn
 Rahall
 Ramstad
 Rangel
 Regula
 Rehberg
 Renzi
 Reyes
 Rodriguez
 Rogers (KY)
 Rohrabacher
 Ros-Lehtinen
 Ross
 Rothman
 Roybal-Allard
 Ruppertsberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Ryan (KS)

Sabo
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sanders
 Sandlin
 Saxton
 Schiff
 Schrock
 Scott (GA)
 Scott (VA)
 Sensenbrenner
 Serrano
 Shaw
 Shays
 Sherman
 Sherwood
 Shimkus
 Shuster
 Simmons
 Simpson
 Skelton
 Slaughter
 Smith (MI)
 Smith (NJ)
 Smith (WA)
 Snyder
 Solis
 Spratt
 Stark
 Stearns
 Stenholm
 Strickland
 Sullivan
 Tancredo
 Tanner

Tauscher
 Tauzin
 Taylor (MS)
 Terry
 Thompson (CA)
 Thompson (MS)
 Tiahrt
 Tierney
 Towns
 Turner (OH)
 Turner (TX)
 Udall (CO)
 Udall (NM)
 Upton
 Van Hollen
 Velazquez
 Walden (OR)
 Walsh
 Wamp
 Waters
 Watson
 Watt
 Waxman
 Weiner
 Weldon (FL)
 Weldon (PA)
 Weller
 Wexler
 Whitfield
 Wilson (NM)
 Wolf
 Woolsey
 Wu
 Wynn

NAYS—59

Akin
 Barrett (SC)
 Biggert
 Bonilla
 Bonner
 Boozman
 Burgess
 Camp
 Cannon
 Cantor
 Carter
 Chocola
 Collins
 Cubin
 Culberson
 DeLay
 Everett
 Flake
 Franks (AZ)
 Garrett (NJ)

Gingrey
 Goss
 Hall
 Hart
 Hayes
 Hensarling
 Hunter
 Issa
 Johnson, Sam
 Keller
 King (IA)
 Knollenberg
 Lewis (CA)
 Linder
 Mica
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Ose
 Oxley

Paul
 Putnam
 Radanovich
 Reynolds
 Rogers (AL)
 Rogers (MI)
 Sessions
 Shadegg
 Smith (TX)
 Souder
 Taylor (NC)
 Thomas
 Tiberi
 Toomey
 Vitter
 Wicker
 Wilson (SC)
 Young (AK)
 Young (FL)

NOT VOTING—29

Ballenger
 Bell
 Burns
 Chabot
 DeMint
 Dooley (CA)
 Fletcher
 Ford
 Frost
 Gephardt

Green (WI)
 Gutierrez
 Hoekstra
 Isakson
 Jackson-Lee
 (TX)
 King (NY)
 LaHood
 Lampson
 Lantos

McCollum
 Nethercutt
 Pombo
 Pryce (OH)
 Royce
 Schakowsky
 Stupak
 Sweeney
 Thornberry
 Vislosky

□ 1941

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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will now resume on motions to instruct in the following order:

- H.R. 1308, by the yeas and nays;
- H.R. 1, by the yeas and nays.

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

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 1308 offered by the gentlewoman from California (Ms. WOOLSEY) 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 gentlewoman from California (Ms. WOOLSEY).

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 197, nays 208, not voting 29, as follows:

[Roll No. 572]

YEAS—197

Abercrombie
 Ackerman
 Alexander
 Allen
 Andrews
 Baca
 Baird
 Baldwin
 Ballance
 Becerra
 Bereuter
 Berkeley
 Berman
 Berry
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Boswell
 Boucher
 Boyd
 Brady (PA)
 Brown (OH)
 Brown, Corrine
 Capps
 Capuano
 Cardin
 Cardoza
 Carson (IN)
 Carson (OK)
 Case
 Castle
 Larson (CT)
 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
 Doyle
 Edwards
 Ehlers
 Emanuel
 Engel
 Eshoo
 Etheridge
 Evans
 Farr
 Fattah
 Filner
 Frank (MA)
 Gonzalez
 Gordon
 Green (TX)

Grijalva
 Hall
 Harman
 Hastings (FL)
 Hill
 Hinchey
 Hinojosa
 Hoeffel
 Holden
 Holt
 Honda
 Hooley (OR)
 Hoyer
 Inslee
 Israel
 Jackson (IL)
 Jefferson
 John
 Johnson, E. B.
 Jones (OH)
 Kanjorski
 Kaptur
 Kennedy (RI)
 Kildee
 Kilpatrick
 Kind
 Kleczka
 Kucinich
 Langevin
 Larsen (WA)
 Larson (CT)
 Leach
 Lee
 Levin
 Lewis (GA)
 Lipinski
 Lofgren
 Lowey
 Lucas (KY)
 Lynch
 Majette
 Maloney
 Markey
 Marshall
 Matheson
 Matsui
 McCarthy (MO)
 McCarthy (NY)
 McDermott
 McGovern
 McIntyre
 McNulty
 Meehan
 Meek (FL)
 Meeks (NY)
 Menendez
 Michaud
 Millender
 McDonald
 Miller (NC)
 Miller, George
 Mollohan
 Moore
 Moran (VA)
 Nadler
 Napolitano
 Neal (MA)

Oberstar
 Obey
 Olver
 Ortiz
 Owens
 Pallone
 Pascrell
 Pastor
 Payne
 Pelosi
 Peterson (MN)
 Pomeroy
 Price (NC)
 Rahall
 Rangel
 Reyes
 Rodriguez
 Ross
 Rothman
 Roybal-Allard
 Ruppertsberger
 Rush
 Ryan (OH)
 Sabo
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sanders
 Sandlin
 Schiff
 Scott (GA)
 Scott (VA)
 Serrano
 Sherman
 Skelton
 Slaughter
 Smith (WA)
 Snyder
 Solis
 Spratt
 Stark
 Stenholm
 Strickland
 Tanner
 Tauscher
 Taylor (MS)
 Thompson (CA)
 Thompson (MS)
 Tierney
 Towns
 Turner (TX)
 Udall (CO)
 Udall (NM)
 Upton
 Van Hollen
 Velazquez
 Waters
 Watson
 Watt
 Waxman
 Weiner
 Wexler
 Woolsey
 Wu
 Wynn

NAYS—208

Aderholt
 Akin
 Bachus
 Baker
 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
 Burr
 Burton (IN)
 Buyer
 Calvert
 Camp
 Cannon
 Cantor
 Capito
 Carter
 Chocola
 Coble
 Cole
 Collins
 Cox
 Crane
 Crenshaw
 Cubin
 Culberson
 Cunningham
 Davis, Jo Ann
 Davis, Tom
 Deal (GA)
 DeLay
 Diaz-Balart, L.
 Diaz-Balart, M.
 Doolittle
 Dreier
 Duncan
 Dunn
 Emerson
 English
 Everett
 Feeney
 Ferguson
 Flake
 Foley
 Forbes
 Fossella
 Franks (AZ)
 Frelinghuysen
 Gallegly
 Garrett (NJ)
 Gerlach
 Gibbons

Gilchrest
 Gillmor
 Gingrey
 Goode
 Goodlatte
 Goss
 Granger
 Graves
 Greenwood
 Gutknecht
 Harris
 Hart
 Hastings (WA)
 Hayes
 Hayworth
 Hefley
 Hensarling
 Herger
 Hobson
 Hostettler
 Houghton
 Hulshof
 Hunter
 Hyde
 Issa
 Istook
 Janklow
 Jenkins
 Johnson (CT)
 Johnson (IL)
 Johnson, Sam
 Jones (NC)
 Keller
 Kelly
 Kennedy (MN)
 King (IA)
 Kingston
 Kirk
 Kline
 Knollenberg
 Latham
 LaTourette
 Lewis (CA)
 Lewis (KY)
 Linder
 LoBiondo
 Lucas (OK)
 Manzullo
 McCotter
 McCrery
 McHugh
 McInnis
 McKeon
 Mica
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Moran (KS)
 Murphy
 Musgrave
 Myrick
 Neugebauer
 Ney
 Northup
 Norwood
 Gallely
 Nussle
 Osborne
 Ose

Otter
 Oxley
 Paul
 Pearce
 Pence
 Peterson (PA)
 Petri
 Pickering
 Pitts
 Platts
 Pombo
 Porter
 Portman
 Putnam
 Quinn
 Radanovich
 Ramstad
 Regula
 Rehberg
 Renzi
 Reynolds
 Rogers (AL)
 Rogers (MI)
 Rogers (KY)
 Rohrabacher
 Ros-Lehtinen
 Ryan (WI)
 Ryan (KS)
 Saxton
 Schrock
 Sensenbrenner
 Sessions
 Shadegg
 Shaw
 Shays
 Sherwood
 Shimkus
 Shuster
 Simmons
 Simpson
 Kolbe
 Smith (MI)
 Smith (NJ)
 Smith (TX)
 Souder
 Stearns
 Sullivan
 Tancredo
 Tauzin
 Taylor (NC)
 Terry
 Thomas
 Tiahrt
 Tiberi
 Toomey
 Turner (OH)
 Vitter
 Walden (OR)
 Walsh
 Wamp
 Weldon (FL)
 Weldon (PA)
 Wicker
 Whitfield
 Wicks
 Wilson (NM)
 Wilson (SC)
 Wolf
 Young (AK)
 Young (FL)

NOT VOTING—29

Ballenger
 Bell
 Burns
 Chabot
 DeMint
 Dooley (CA)
 Fletcher
 Ford
 Frost
 Gephardt

Green (WI)
 Gutierrez
 Hoekstra
 Isakson
 Jackson-Lee
 (TX)
 King (NY)
 LaHood
 Lampson
 Lantos

McCollum
 Murtha
 Nethercutt
 Pryce (OH)
 Royce
 Schakowsky
 Stupak
 Sweeney
 Thornberry
 Vislosky

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1949

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.

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

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on H.R. 1 offered by the gentleman from Ohio (Mr. BROWN) 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 conferees offered by the gentleman from Ohio (Mr. BROWN).

The vote was taken by electronic device, and there were—yeas 194, nays 209, not voting 31, as follows:

[Roll No. 573]
YEAS—194

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

NAYS—209

Aderholt	Gilchrest	Otter
Akin	Gillmor	Oxley
Bachus	Gingrey	Paul
Baker	Goode	Pearce
Barrett (SC)	Goodlatte	Pence
Bartlett (MD)	Goss	Peterson (MN)
Barton (TX)	Granger	Peterson (PA)
Bass	Graves	Petri
Beauprez	Greenwood	Pickering
Bereuter	Gutknecht	Pitts
Biggert	Hall	Platts
Billirakis	Harris	Pombo
Bishop (UT)	Hart	Porter
Blackburn	Hastings (WA)	Portman
Blunt	Hayes	Putnam
Boehner	Hayworth	Quinn
Bonilla	Hefley	Radanovich
Bonner	Hensarling	Ramstad
Bono	Herger	Regula
Boozman	Hobson	Rehberg
Bradley (NH)	Hostettler	Renzi
Brady (TX)	Houghton	Reynolds
Brown (SC)	Hulshof	Rogers (AL)
Brown-Waite,	Hyde	Rogers (KY)
Ginny	Issa	Rogers (MI)
Burgess	Istook	Rohrabacher
Burr	Janklow	Ros-Lehtinen
Burton (IN)	Jenkins	Ryan (WI)
Buyer	Johnson (CT)	Ryun (KS)
Calvert	Johnson (IL)	Saxton
Camp	Johnson, Sam	Schrock
Cannon	Jones (NC)	Sensenbrenner
Cantor	Keller	Sessions
Capito	Kelly	Shadegg
Carter	Kennedy (MN)	Shaw
Castle	King (IA)	Shays
Chocola	Kingston	Sherwood
Coble	Kirk	Shimkus
Cole	Kline	Shuster
Collins	Knollenberg	Simmons
Cox	Kolbe	Simpson
Crane	Latham	Smith (MI)
Crenshaw	LaTourette	Smith (NJ)
Cubin	Leach	Smith (TX)
Culberson	Lewis (CA)	Souder
Cunningham	Lewis (KY)	Stearns
Davis, Jo Ann	Linder	Tancredo
Deal (GA)	LoBiondo	Tauzin
DeLay	Lucas (OK)	Taylor (NC)
Diaz-Balart, L.	Manzullo	Terry
Diaz-Balart, M.	McCotter	Thomas
Doolittle	McCrery	Tiaht
Dreier	McInnis	Tiberi
Duncan	McKeon	Toomey
Dunn	Mica	Turner (OH)
Ehlers	Miller (FL)	Upton
English	Miller (MI)	Vitter
Everett	Miller, Gary	Walden (OR)
Feeney	Moran (KS)	Walsh
Ferguson	Murphy	Wamp
Flake	Musgrave	Weldon (FL)
Foley	Myrick	Weldon (PA)
Forbes	Neugebauer	Weller
Fossella	Ney	Whitfield
Franks (AZ)	Northup	Wicker
Frelinghuysen	Norwood	Wilson (MN)
Gallegly	Nunes	Wilson (SC)
Garrett (NJ)	Nussle	Wolf
Gerlach	Osborne	Young (AK)
Gibbons	Ose	Young (FL)

NOT VOTING—31

Ballenger	Gutierrez	McCollum
Bell	Hoekstra	Murtha
Burns	Hunter	Nethercutt
Chabot	Isakson	Pryce (OH)
DeMint	Jackson-Lee	Royce
Dooley (CA)	(TX)	Schakowsky
Fletcher	John	Stupak
Ford	King (NY)	Sweeney
Frost	LaHood	Thornberry
Gephardt	Lampson	Visclosky
Green (WI)	Lantos	

□ 2005

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.

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

Ms. EDDIE BERNICE JOHNSON of Texas. 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 Policy Act of 2003.

The form of the motion is as follows:

Ms. EDDIE BERNICE JOHNSON of Texas moves that (1) The House conferees shall be instructed to include in the conference report the provisions of section 837 of the Senate Amendment that concern reformulated gasoline in ozone nonattainment areas and ozone transport regions under the Clean Air Act.

(2) The House conferees shall be instructed to confine themselves to matters committed to conference in accordance with clause 9 of rule XXII of the House of Representatives with regard to any matters relating to ozone nonattainment and ozone transport.

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

Mr. DAVIS of Florida. 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. DAVIS of Florida 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 to reject the provisions of subtitle C of title II of the House bill.

PASS H.R. 3365, FALLEN PATRIOTS TAX RELIEF ACT

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, I rise this evening to express my strongest support for H.R. 3365, the Fallen Patriots Tax Relief Act. This bill addresses one of the most outrageous and unjust practices that I have ever witnessed as a Member of Congress.

Mr. Speaker, as a Member of this body, as a veteran of two wars, but more importantly as an American, it angers me to think that after losing a loved one in combat, a grieving family could be ordered to pay taxes on a gift presented to them on behalf of a grateful Nation.

Our men and women in uniform and the families who love them deserve the tremendous respect and gratitude of this Nation. We can show our respect and gratitude by repealing this onerous and unjust tax. Our Nation is truly grateful for the sacrifices of our men and women in uniform, and I urge my colleagues to join me in supporting our veterans and vote yes on H.R. 3365.