

## ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

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

□ 1531

Messrs. BURNS, PUTNAM, NORWOOD, BARRETT of South Carolina, Ms. GINNY BROWN-WAITE of Florida, and Messrs. ROGERS of Alabama, FROST, OTTER, and TAYLOR of North Carolina changed their vote from "aye" to "no."

Mr. EDWARDS and Ms. SLAUGHTER changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 2 OFFERED BY MR. LARSON OF CONNECTICUT

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 2 offered by the gentleman from Connecticut (Mr. LARSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 188, noes 217, not voting 28, as follows:

[Roll No. 129]

AYES—188

Abercrombie	DeGette	Kaptur
Ackerman	Delahunt	Kennedy (RI)
Alexander	DeLauro	Kildee
Allen	Deutsch	Kilpatrick
Andrews	Dicks	Kind
Baca	Doggett	Kucinich
Baird	Dooley (CA)	Lampson
Baldwin	Doyle	Langevin
Ballance	Edwards	Lantos
Becerra	Emanuel	Larsen (WA)
Bell	Engel	Larson (CT)
Berkley	Eshoo	Lee
Berman	Etheridge	Levin
Berry	Evans	Lewis (GA)
Bishop (GA)	Farr	Lofgren
Bishop (NY)	Fattah	Lowey
Blumenauer	Filner	Lynch
Boswell	Ford	Majette
Boucher	Frank (MA)	Maloney
Boyd	Frost	Markey
Brady (PA)	Gonzalez	Marshall
Brown (OH)	Gordon	Matheson
Brown, Corrine	Green (TX)	Matsui
Capps	Grijalva	McCarthy (MO)
Capuano	Gutierrez	McCarthy (NY)
Cardoza	Hall	McCullom
Carson (IN)	Harman	McDermott
Carson (OK)	Hefley	McGovern
Chandler	Hill	McIntyre
Clay	Hoeffel	Meehan
Conyers	Holden	Meek (FL)
Cooper	Holt	Meeks (NY)
Costello	Honda	Menendez
Cramer	Hooley (OR)	Michaud
Crowley	Hoyer	Miller (NC)
Cummings	Inslee	Miller, George
Davis (AL)	Israel	Moore
Davis (CA)	Jackson (IL)	Moran (VA)
Davis (FL)	Jefferson	Murtha
Davis (IL)	John	Nadler
Davis (TN)	Johnson, E. B.	Napolitano
DeFazio	Kanjorski	Neal (MA)

Oberstar	Ryan (OH)	Tanner
Obey	Sabo	Tauscher
Olver	Sánchez, Linda	Taylor (MS)
Ortiz	T.	Thompson (CA)
Owens	Sanders	Thompson (MS)
Pallone	Sandlin	Tierney
Pascrall	Schakowsky	Towns
Pastor	Schiff	Turner (TX)
Payne	Scott (GA)	Udall (CO)
Pelosi	Scott (VA)	Udall (NM)
Pomeroy	Serrano	Van Hollen
Price (NC)	Sherman	Velázquez
Rahall	Skelton	Visclosky
Rangel	Slaughter	Watres
Reyes	Smith (WA)	Watson
Rodriguez	Solis	Watt
Ross	Spratt	Waxman
Rothman	Stark	Weiner
Royal-Allard	Stenholm	Woolsey
Ruppersberger	Strickland	Wu
Rush	Stupak	Wynn

## NOES—217

Aderholt	Gingrey	Ose
Akin	Goode	Otter
Bachus	Goodlatte	Oxley
Baker	Granger	Paul
Ballenger	Graves	Pearce
Barrett (SC)	Green (WI)	Pence
Bartlett (MD)	Greenwood	Peterson (MN)
Barton (TX)	Gutknecht	Petri
Bass	Harris	Pickering
Beauprez	Hart	Pitts
Bereuter	Hastings (WA)	Platts
Biggert	Hayes	Porter
Bilirakis	Hayworth	Portman
Bishop (UT)	Hensarling	Pryce (OH)
Blackburn	Herger	Putnam
Blunt	Hobson	Quinn
Boehlert	Hoekstra	Radanovich
Boehner	Hostettler	Ramstad
Bonilla	Houghton	Regula
Bonner	Hunter	Rehberg
Bono	Hyde	Renzi
Boozman	Isakson	Reynolds
Bradley (NH)	Issia	Rogers (AL)
Brady (TX)	Istook	Rogers (KY)
Brown (SC)	Jenkins	Rogers (MI)
Brown, Waite,	Johnson (CT)	Rohrabacher
Burgess	Ginny	Ros-Lehtinen
Burns	Burgess	Royce
Burr	Burns	Ryan (WI)
Burton (IN)	Burr	Ryun (KS)
Buyer	Keller	Sanchez, Loretta
Calvert	Kelly	Saxton
Camp	Kennedy (MN)	Schrock
Cannon	Calvert	Sensenbrenner
Cantor	King (IA)	Sessions
Capito	King (NY)	Kirk
Case	Kingston	Shadegg
Castle	Kline	Shaw
Knollenberg	Kleckzka	Shays
Chabot	Knollenberg	Sherwood
Chocola	Colbe	Shimkus
Coble	Lathan	Simmons
Cunningham	Lipinski	Snyder
Davis, Jo Ann	Crane	Souder
Davis, Tom	Crenshaw	Stearns
Deal (GA)	Cubin	Smith (NJ)
Dulberg	Culberson	Simpson
Dunn	Linder	Smith (TX)
Diaz-Balart, L.	Lipinski	Smith (NY)
Diaz-Balart, M.	Dingell	Sullivan
Doolittle	Doolittle	Sweeney
Dreier	Dreier	Tancredo
McInnis	McDermott	Taylor (NC)
McKeon	Dunn	Terry
McNulty	McDowell	Thomas
Mica	McGovern	Thornberry
Miller (FL)	Ehlers	McHugh
Miller (MI)	English	Miller (MI)
Miller (PA)	Everett	Miller (PA)
Miller, Gary	Feeney	Walsh
Moran (KS)	Ferguson	Wamp
Murphy	Flake	Weldon (FL)
Weldon (PA)	Foley	Weldon (PA)
Werner	Fossella	Weller
Whitfield	Franks (AZ)	Wexler
Wicker	Frelinghuyzen	Weyer
Wilson (NM)	Garrett (NJ)	Young (FL)
Wilson (SC)	Gerlach	
Wilson (SC)	Gibbons	
Wolf	Gilchrist	
Young (FL)	Neal (MA)	

## NOT VOTING—28

Cardin	Goss	Neugebauer
Carter	Hastings (FL)	Peterson (PA)
Clyburn	Hinchey	Pombo
Collins	Hinojosa	Shuster
Cox	Hulshof	Smith (MI)
DeMint	Jackson-Lee	Tauzin
Duncan	(TX)	Toomey
Emerson	Jones (OH)	Young (AK)
Forbes	Millender-	
Gallogly	McDonald	
Gephardt	Mollohan	

## ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

□ 1540

Ms. PRYCE of Ohio changed her vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

## Stated against:

Mr. NEUGEBAUER. Mr. Chairman, on roll-call No. 129, I was unavoidably detained. Had I been present, I would have voted "no."

## PERSONAL EXPLANATION

Mr. GOSS. Mr. Chairman, on roll call Nos. 128, 129, I was unavoidably detained. Had I been present, I would have voted "no."

## PREFERENTIAL MOTION OFFERED BY MR. BAIRD

Mr. BAIRD. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. BAIRD moves that the Committee of the Whole do now rise and report the bill H.R. 2844 back to the House with the recommendation that the enacting clause be stricken.

The CHAIRMAN. The gentleman from Washington (Mr. BAIRD) is recognized for 5 minutes in support of his motion.

Mr. BAIRD. Mr. Chairman, this is as serious as it gets. Two and a half years ago, we were given a remarkable gift. We were given the gift of life itself, as a plane was heading this way with the intent to kill all of us. Had they succeeded, the institution that we hold so dear, that provides for representation on a proportional basis by the citizens of our areas would have at least temporarily perished.

We have no adequate provisions before us today to fill that gap should it happen, but we have no question today that we must confront that possibility. In an era of nuclear weapons, of terrorists who mean our destruction, we must accept our own mortality in order that we can preserve the immortality of this institution we all so cherish.

We have had a spirited debate today. I lament that we were not all given sufficient time to participate, that key amendments were not offered, and that we were not all here for this. I know well that we have many things to do, but this is about the very existence of the institution.

Yesterday I had the privilege of speaking with many of my colleagues on both sides of the aisle, and I asked a simple question: Have we, in all sincerity and honesty, given enough

thought to the measure before us, given the gravity of the issue before us? And many of those colleagues looked me in the eye and said, frankly, no. And yet today we are moving forward towards passage of a bill, which well-intentioned, and I do not doubt the intentions of the authors of this bill, and there is merit to expediting elections, and I appreciate the give and take, but, my colleagues, please understand, this bill carries with it a number of problems.

I believe this bill disenfranchises independent voters. I believe it does not provide for situations in which States cannot conduct their elections in 45 days. I believe it leads to a chaotic process as some States replenish their Members and others have yet to, and the leadership of the House changes. But most importantly of all, it leaves us without a Congress.

My friends on the other side have suggested some things which I need to clarify, because I think they are not fair and they are not accurate. They have suggested some of us want to take away the rights of citizens to elect their Representatives. It is not true. Not a single voice in the House of Representatives today shared that message. Instead, we all said we love, and would adhere to and would defend to the death the rights of citizens to elect their Representatives.

But we have also said that no representation at all for a period of 45 days is a more grave and egregious insult to the intent of the Framers than would be temporary appointments in some fashion followed by direct election. Do not let anyone suggest to you that we want to take away the right to election, but neither imagine that the bill today will solve the problem.

At a time of the most grave crisis in the history of our Nation, we would be left without a United States Congress. Go home and look at the Constitution and tear out Article I. That is the consequence if we do not take further action.

Let me ask this, too. Go home and ask your constituents that if you were to perish, along with hundreds of our colleagues today, and a Cabinet member became the President of the United States, someone they had never elected and do not even know, and that individual chooses to send their son or daughter to war, would they like to have a Representative from their region there to express their views, or would they prefer that that seat be vacated? That is the issue before us.

I am going to ask my colleagues to vote "no" on this resolution, not because it is not well intentioned, but because we have not adequately given it the attention we deserve. If you can look yourself in the eye as you put that card in that slot and say, I have given 5 hours of study to this resolution, 5 hours, then vote your conscience.

□ 1545

But if you have not, please vote "no" so you can have more time to study this and discuss it with scholars.

Finally, we have asked and the chairman has agreed, and I am grateful for that, that we explore and debate the issue of a constitutional amendment to solve this. But I would beseech the chairman to please not only bring up my proposal, give other Members a chance to bring up proposals so the issue gets full and fair debate.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, we have been debating this matter in the Committee of the Whole and before that when the rule was adopted for almost 5 hours. It has become crystal clear that the entire thrust of this debate is whether a reconstituted House of Representatives following a disaster will be comprised of elected Members or temporary appointments, appointed by somebody, maybe the Governor, maybe the legislature, maybe we ourselves before our demise.

The issue of maintaining the people's House I think is the paramount consideration we ought to be giving on this issue. But even if Members agree we should amend the Constitution to have temporary appointments, I think everybody ought to agree we ought to have special elections as quickly as possible so that those who come to replace us will arrive with a mandate from the people of our district.

So whether or not Members favor a temporary appointment method, which I do not, or Members favor keeping the House being solely elected, Members ought to vote for this bill because it does allow for the filling of vacancies when 100 or more seats are vacant as quickly as possible. That is the issue we have before us today, and it is an issue which I believe is of paramount importance because, should this Nation be in crisis as a result of a huge number of Members in the House of Representatives being killed in a terrorist attack, the sooner we put the people back in charge with representatives elected by the people I think should be the paramount issue.

Now, the final point I would like to make is, yes, my committee will mark up and send out to the floor the Baird constitutional amendment at our next markup, and I hope that the leadership would schedule that as quickly as possible. I for one will vigorously oppose it because I believe the principle of an elected House of Representatives is one that should prevail over everything.

The final point I would like Members to consider is if we end up having an appointed House of Representatives even temporarily and an appointed Senate and an appointed President, where do the people rule? They do not rule in any of the three branches that make laws and appropriate the public's money; that is all done by appointed positions. And that is why I believe it

is important to maintain the elected nature of this House of Representatives even in the case where a catastrophe occurs. I would urge rejection of the preferential motion and urge passage of the bill.

Mr. BAIRD. Mr. Chairman, I withdraw my preferential motion.

The CHAIRMAN. Without objection, the preferential motion is withdrawn.

There was no objection.

The CHAIRMAN. There being no further amendments in order, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. SIMPSON, 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. 2844) to require States to hold special elections to fill vacancies in the House of Representatives not later than 21 days after the vacancy is announced by the Speaker of the House of Representatives in extraordinary circumstances, and for other purposes, pursuant to House Resolution 602, 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 ordered.

Is a separate vote demanded on the amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

MOTION TO RECOMMIT OFFERED BY MR. WATT

Mr. WATT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. WATT. I am, Mr. Speaker, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. WATT moves to recommit the bill H.R. 2844 to the Committee on House Administration with instructions to report the same back to the House forthwith with the following amendment:

In section 26(b) of the Revised Statutes of the United States, as proposed to be added by the bill, add at the end the following new paragraph:

“(5) RULE OF CONSTRUCTION REGARDING FEDERAL ELECTION LAWS.—Nothing in this subsection may be construed to affect the application to special elections under this subsection of any Federal law governing the administration of elections for Federal office (including any law providing for the enforcement of any such law), including, but not limited to, the following:

“(A) The Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.), as amended.

“(B) The Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee et seq.), as amended.

“(C) The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.), as amended.

“(D) The National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.), as amended.

“(E) The Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), as amended.

“(F) The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), as amended.

“(G) The Help America Vote Act of 2002 (42 U.S.C. 15301 et seq.), as amended.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. WATT) is recognized for 5 minutes in support of his motion to recommit.

Mr. WATT. Mr. Speaker, the artificial time frames and deadlines specified in H.R. 2844 could make it impossible to comply with many State and Federal laws. Consequently, it has the potential to cause serious violations of voting rights and civil rights. To correct that problem, I rise to offer this motion to recommit with instructions.

The motion to recommit seeks to limit the damage posed by H.R. 2844 by ensuring that nothing in the bill will undercut the requirements of the civil rights and voting rights laws that this Congress enacted and this country has painstakingly honored over the last 40 years.

I cannot support a measure that does not protect the voting rights of every American, including racial and language minorities, people with disabilities, the elderly, and our young men and women serving in the military.

H.R. 2844 jeopardizes those protections now afforded to racial and language minorities under section 5 of the Voting Rights Act of 1965 by making it impossible to provide voting materials to States or political subdivisions with more than 5 percent of the citizens of voting age who are single-language minorities and are limited-English proficient within the time frame prescribed by this legislation.

Are these citizens not entitled to participate? The Rehabilitation Act of 1973 and the Americans With Disabilities Act of 1990 sought to empower individuals with disabilities to participate fully in society. H.R. 2844 will diminish both laws by not providing sufficient time to find facilities to host polling sites that are accessible to persons with disabilities. These citizens should be entitled to participate in our democracy even in crisis times.

In the last term of Congress, we passed the Help America Vote Act of 2002. The bill passed with bipartisan support in an effort to address the problems brought to light during the

2000 Presidential elections. Does H.R. 2844 allow enough time for provisional ballots to be printed and for other important provisions of that law to be complied with? The answer is, no.

H.R. 2844 will also undermine the Uniformed and Overseas Citizens Absentee Voting Act by failing to provide sufficient time for absentee ballots to be printed, distributed, and returned from Americans living abroad. This includes military and diplomatic personnel, their families, and other Americans living abroad. The Department of Defense believes that a minimum of 45 days should be allowed from the time ballots are printed, not from the date the election is called. Our military men and women are serving our Nation all around the world. They should be entitled to participate in our democracy, even in times of crisis.

I think we should be sure that every law passed by this body to ensure equal protection of voting rights to every citizen, not just certain Americans, should apply to special elections. H.R. 2844 fails to make good on that promise.

For these reasons, I offer this motion to recommit and ask my colleagues for their support based on the proposition that every citizen should be able to participate in our democracy, especially in times of crisis.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. SENENBRENNER) is recognized for 5 minutes in opposition to the motion to recommit.

Mr. SENENBRENNER. Mr. Speaker, I rise in opposition to the motion to recommit for now, but I am prepared to accept this motion to recommit for a number of reasons.

First of all, I think the motion to recommit is redundant in that all Federal laws apply to these special elections, not just the laws that are enumerated to the motion to recommit with instructions that the gentleman from North Carolina (Mr. WATT) has offered, but I want to be much more serious in terms of dealing with this.

How the House is reconstituted following a disaster should not be an issue of partisan debate. Much of what has gone on here today has been a partisan debate; and in accepting this motion to recommit, I am reaching out to the other side to say let us make the passage of this bill bipartisan because the acceptance of the motion to recommit should make the bill bipartisan.

□ 1600

And that, coupled with my commitment to deal with the gentleman from Washington's (Mr. BAIRD) constitutional amendment, certainly should show that we are dealing with this issue in good faith. And whether one supports the gentleman from Washington's (Mr. BAIRD) amendment or not, it is important, I think, to make sure that the replacement representatives that are elected are elected and seated as soon as humanly possible, and that is what this bill attempts to do.

So I would hope that after the acceptance of this motion to recommit, we could pass this bill by an overwhelming vote; and I would reach out to my friends on the other side of the aisle and make that offer and hope that they reciprocate.

I yield to the distinguished gentleman from California (Mr. DREIER), chairman of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding to me.

Mr. Speaker, I would join with the chairman of the Committee on the Judiciary and say that we do truly want to work in a bipartisan way to make sure that the greatest deliberative body known to man is maintained as that, and I hope very much that our decision to accept the motion to recommit which is being offered in good faith by the gentleman from North Carolina will see us proceed with an overwhelming vote.

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

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was agreed to.

The SPEAKER pro tempore. Is the gentleman from Wisconsin (Mr. SENENBRENNER) reporting back on behalf of the Committee on House Administration?

Mr. SENENBRENNER. I am, Mr. Speaker, in the absence of the chairman.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. SENENBRENNER. Mr. Speaker, pursuant to the instructions of the House on the motion to recommit, I report the bill, H.R. 2844, back to the House with an amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment:

In section 26(b) of the Revised Statutes of the United States, as proposed to be added by the bill, add at the end the following new paragraph:

“(5) RULE OF CONSTRUCTION REGARDING FEDERAL ELECTION LAWS.—Nothing in this subsection may be construed to affect the application to special elections under this subsection of any Federal law governing the administration of elections for Federal office (including any law providing for the enforcement of any such law), including, but not limited to, the following:

“(A) The Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.), as amended.

“(B) The Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee et seq.), as amended.

“(C) The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.), as amended.

“(D) The National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.), as amended.

“(E) The Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), as amended.

“(F) The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), as amended.

“(G) The Help America Vote Act of 2002 (42 U.S.C. 15301 et seq.), as amended.”.

Mr. SENSENBRENNER (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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.

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

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 306, nays 97, not voting 30, as follows:

[Roll No. 130]

YEAS—306

Abercrombie	Chandler	Green (WI)
Ackerman	Chocola	Greenwood
Aderholt	Coble	Gutknecht
Akin	Cole	Hall
Baca	Conyers	Harman
Bachus	Cooper	Harris
Baker	Costello	Hart
Ballance	Cox	Hastings (WA)
Ballenger	Crane	Hayes
Barrett (SC)	Crenshaw	Hayworth
Bartlett (MD)	Crowley	Hensarling
Barton (TX)	Cubin	Herger
Bass	Culberson	Hobson
Beauprez	Cunningham	Hoefel
Becerra	Davis (FL)	Hoekstra
Bereuter	Davis (TN)	Holden
Berman	Davis, Jo Ann	Hooley (OR)
Biggert	Davis, Tom	Hostettler
Bilirakis	Deal (GA)	Hunter
Bishop (GA)	DeFazio	Hyde
Bishop (NY)	DeLay	Isakson
Bishop (UT)	Deutsch	Israel
Blackburn	Diaz-Balart, L.	Issa
Blumenauer	Diaz-Balart, M.	Istook
Blunt	Doolittle	Jefferson
Boehner	Doyle	Jenkins
Bonilla	Dreier	Johnson (IL)
Bonner	Dunn	Johnson, Sam
Bono	Edwards	Jones (NC)
Boozman	Ehlers	Kanjorski
Boswell	Emerson	Keller
Boucher	Engel	Kelly
Boyd	English	Kennedy (MN)
Bradley (NH)	Etheridge	Kildee
Brady (TX)	Everett	Kind
Brown (SC)	Fattah	King (IA)
Brown, Corrine	Feeney	King (NY)
Brown-Waite,	Ferguson	Kingston
Ginny	Flake	Kirk
Burgess	Foley	Kleckza
Burns	Ford	Kline
Burr	Fossella	Knollenberg
Burton (IN)	Frank (MA)	Kolbe
Buyer	Franks (AZ)	LaHood
Calvert	Frelinghuysen	Lampson
Camp	Garrett (NJ)	Lantos
Cannon	Gerlach	Latham
Cantor	Gibbons	Leach
Capito	Gilchrest	Levin
Capps	Gillmor	Lewis (CA)
Capuano	Gingrey	Lewis (GA)
Cardoza	Goode	Lewis (KY)
Carson (IN)	Goodlatte	Linder
Carson (OK)	Goss	Lipinski
Case	Granger	LoBiondo
Castle	Graves	Logfren
Chabot	Green (TX)	Lowey

Lucas (KY)	Petri	Skelton
Maloney	Pickering	Smith (NJ)
Manzullo	Pitts	Smith (TX)
Markey	Platts	Smith (WA)
Marshall	Porter	Snyder
Matheson	Portman	Souder
McCarthy (MO)	Price (NC)	Spratt
McCarthy (NY)	Pryce (OH)	Stearns
McCotter	Putnam	Stenholm
McCrary	Quinn	Stupak
McHugh	Radanovich	Sullivan
McIntyre	Rahall	Sweeney
McKeon	Ramstad	Tancredo
McNulty	Rangel	Tanner
Meek (FL)	Regula	Terry
Meeks (NY)	Rehberg	Thompson (MS)
Mica	Renzi	Thornberry
Miller (FL)	Reyes	Tiaht
Miller (MI)	Reynolds	Tiberi
Miller (NC)	Rodriguez	Towns
Miller, Gary	Rogers (AL)	Turner (OH)
Moore	Rogers (KY)	Turner (TX)
Moran (KS)	Rogers (MI)	Udall (CO)
Moran (VA)	Ros-Lehtinen	Udall (NM)
Murphy	Royal-Allard	Velázquez
Murtha	Royce	Upton
Musgrave	Ruppersberger	Walden (OR)
Myrick	Rush	Walsh
Napolitano	Ryan (WI)	Wamp
Nethercutt	Ryun (KS)	Watt
Neugebauer	Sanchez, Loretta	Weiner
Ney	Sandlin	Weldon (FL)
Northup	Saxton	Weldon (PA)
Norwood	Schrock	Weller
Nussle	Scott (GA)	Wexler
Ortiz	Scott (VA)	Whitfield
Osborne	Sensenbrenner	Wicker
Ose	Sessions	Wilson (NM)
Otter	Shadegg	Wilson (SC)
Owens	Shaw	Wolf
Oxley	Shays	Young (FL)
Pascrell	Sherman	
Pastor	Sherwood	
Pawlenty	Shimkus	
Pelosi	Simmons	
Pence	Simpson	

#### NAYS—97

Alexander	Hill	Obey
Allen	Holt	Olver
Andrews	Honda	Pallone
Baird	Hoyer	Pelosi
Baldwin	Inslee	Peterson (MN)
Bell	Jackson (IL)	Pomeroy
Berkley	John	Rohrabacher
Berry	Johnson (CT)	Ross
Brady (PA)	Johnson, E. B.	Rothman
Brown (OH)	Kaptur	Ryan (OH)
Clay	Kennedy (RI)	Sabo
Cramer	Kilpatrick	Sánchez, Linda T.
Cummings	Kucinich	Langevin
Cunningham	Davis (AL)	Sanders
DeFazio	Davis (CA)	Larsen (WA)
DeLay	Davis (IL)	Schakowsky
Deutsch	DeGette	Schiff
Diaz-Balart, L.	DeLauro	LaTourette
Diaz-Balart, M.	Dicks	Lee
Doolittle	Dickens	Lucas (OK)
Doyle	Dingell	Lynch
Dreier	Doggett	Majette
Dunn	Dooley (CA)	Matsui
Edwards	Emanuel	McCullum
Ehlers	Eshoo	McDermott
Emerson	Evans	McGovern
Engel	Farr	McInnis
English	Filiber	Meehan
Etheridge	Frost	Menendez
Everett	Gonzalez	Van Hollen
Fattah	Gordon	Michaud
Feehey	Grijalva	Miller, George
King (NY)	Gutierrez	Nadler
King (IA)	Hefley	Neal (MA)
Kingston	Hefley	Oberstar

#### NOT VOTING—30

Boehlert	Hastings (FL)	Nunes
Cardin	Hinchey	Payne
Carter	Hinojosa	Peterson (PA)
Clyburn	Houghton	Pombo
Collins	Hulshof	Shuster
Delahunt	Jackson-Lee	Smith (MI)
DeMint	(TX)	Tauzin
Duncan	Jones (OH)	Taylor (NC)
Forbes	Millender-	Toomey
Gallegly	McDonald	Young (AK)
Gephardt	Mollohan	

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD) (during the vote). Members

are advised 2 minutes remain in this vote.

□ 1623

Ms. BERKLEY, Mr. GORDON and Ms. LINDA SÁNCHEZ of California changed their vote from “yea” to “nay.”

Mr. SPRATT and Mr. LEWIS of Georgia changed their vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: “A bill to require States to hold special elections to fill vacancies in the House of Representatives not later than 45 days after the vacancy is announced by the Speaker of the House of Representatives in extraordinary circumstances, and for other purposes.”.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mrs. JONES of Ohio. Mr. Speaker, I missed votes on Thursday, April 22, 2004, due to a representational activity. Had I been present, the record would reflect that I would have voted: roll 128, Larson No. 1 amendment; “aye”; roll 129, Larson No. 2 amendment, “aye”; roll 130, Final Passage H.R. 2844 Continuity in Representation Act, “nay.”

#### PERSONAL EXPLANATION

Mr. CARTER. Mr. Speaker, during rollcall votes 126, 127, 128, 129, and 130 I was unavoidably detained. If I had been present, I would have voted “yea” on rollcall votes 126, 127, and 130. I would have voted “nay” on rollcall votes 128 and 129.

#### GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2844.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I take this time for the purpose of inquiring of the majority leader the schedule for the following week.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I thank the distinguished whip for yielding to me.

Mr. Speaker, next week the House will convene on Tuesday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several