

Mr. CANNON. 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

COMMUNICATION FROM THE ASSOCIATE ADMINISTRATOR, HUMAN RESOURCES, OFFICE OF CHIEF ADMINISTRATIVE OFFICER

The SPEAKER pro tempore laid before the House the following communication from Kathy A. Wyszynski, Associate Administrator, Human Resources, Office of the Chief Administrative Officer:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,

Washington, DC, April 27, 2004.

Hon. DENNIS J. HASTERT,
Speaker, House of Representatives,
Washington, DC

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with an administrative subpoena, issued by the New York City Department of Investigations, for certain payroll documents.

After consulting with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

KATHY WYSZYNSKI,
Associate Administrator,
Office of Human Resources.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 3 o'clock and 3 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 6 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4181, PERMANENTLY EXTENDING INCREASED STANDARD DEDUCTION, AND 15-PERCENT INDIVIDUAL INCOME TAX RATE BRACKET EXPANSION, FOR MARRIED TAXPAYERS FILING JOINT RETURNS

Mrs. MYRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 108-470) on the resolution (H. Res. 607) providing for consideration of the bill (H.R. 4181) to amend the Internal Revenue Code of 1986 to permanently extend the increased standard deduction, and the 15-percent indi-

vidual income tax rate bracket expansion, for married taxpayers filing joint returns, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed. Votes will be taken in the following order:

H.R. 3942, by the yeas and nays;

House Resolution 399, by the yeas and nays; and

House Resolution 578, by the yeas and nays.

The first and third electronic votes will be conducted as 15-minute votes. The second vote in this series will be a 5-minute vote.

RHODE ISLAND VETERANS POST OFFICE BUILDING

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3942.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CANNON) that the House suspend the rules and pass the bill, H.R. 3942, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 395, nays 0, not voting 38, as follows:

[Roll No. 131]

YEAS—395

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Bereuter
Berkley
Berry
Biggart
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)

Brown, Corrine
Brown-Waite,
Ginny
Burgess
Burns
Burton (IN)
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Clyburn
Coble
Cole
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann

Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Foley
Forbes
Ford
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)

Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klecza
Kline
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo

Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender
McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds

Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Simmons
Simpson
Skeltton
Slaughter
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Solis
Spratt
Stearns
Stenholm
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiaht
Tiberi
Tierney
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—38

Berman
Bonner
Brady (PA)
Brown (OH)
Burr
Buyer
Cardin
Collins
Crenshaw
Delahunt
Dooley (CA)
Frank (MA)
Gephardt
Greenwood
Hart
Hastings (FL)
Hoeffel
Jones (OH)
Kucinich
Lipinski
Lucas (OK)

Mollohan
Nadler
Ose
Platts
Rohrabacher
Rothman

Rush
Shuster
Smith (NJ)
Souders
Stark
Strickland

Tauzin
Toomey
Waters
Wexler
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1856

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING THE LIFE AND LEGACY OF MELVIN JONES AND RECOGNIZING THE CONTRIBUTIONS OF LIONS CLUBS INTERNATIONAL

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 399.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CANNON) that the House suspend the rules and agree to the resolution, H. Res. 399, 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 395, nays 0, not voting 38, as follows:

[Roll No. 132]

YEAS—395

Abercrombie	Brown, Corrine	Deal (GA)
Ackerman	Brown-Waite,	DeFazio
Aderholt	Ginny	DeGette
Akin	Burgess	DeLauro
Alexander	Burns	DeLay
Allen	Burton (IN)	DeMint
Andrews	Calvert	Deutsch
Baca	Camp	Diaz-Balart, L.
Bachus	Cantor	Diaz-Balart, M.
Baird	Capito	Dicks
Baker	Capps	Dingell
Baldwin	Capuano	Doggett
Ballance	Cardoza	Doolittle
Ballenger	Carson (IN)	Doyle
Barrett (SC)	Carson (OK)	Dreier
Bartlett (MD)	Carter	Duncan
Barton (TX)	Case	Dunn
Bass	Castle	Edwards
Beauprez	Chabot	Ehlers
Becerra	Chandler	Emanuel
Bell	Chocola	Emerson
Bereuter	Clay	Engel
Berkley	Clyburn	English
Berry	Coble	Eshoo
Biggert	Cole	Etheridge
Billirakis	Conyers	Evans
Bishop (GA)	Cooper	Everett
Bishop (NY)	Costello	Farr
Bishop (UT)	Cox	Fattah
Blackburn	Cramer	Feeney
Blumenauer	Crane	Ferguson
Blunt	Crowley	Filner
Boehlert	Cubin	Flake
Boehner	Culberson	Foley
Bonilla	Cummings	Forbes
Bono	Cunningham	Ford
Boozman	Davis (AL)	Fossella
Boswell	Davis (CA)	Franks (AZ)
Boucher	Davis (FL)	Frelinghuysen
Boyd	Davis (IL)	Frost
Bradley (NH)	Davis (TN)	Gallegly
Brady (TX)	Davis, Jo Ann	Garrett (NJ)
Brown (SC)	Davis, Tom	Gerlach

Gibbons	Lowey	Rogers (AL)	Lucas (OK)	Rothman	Tauzin
Gilchrest	Lucas (KY)	Rogers (KY)	Mollohan	Shuster	Toomey
Gillmor	Lynch	Rogers (MI)	Nadler	Smith (NJ)	Waters
Gingrey	Majette	Ros-Lehtinen	Ose	Souders	Wexler
Gonzalez	Maloney	Ross	Platts	Stark	Young (AK)
Goode	Manzullo	Roybal-Allard	Rohrabacher	Strickland	
Goodlatte	Markey	Royce			
Gordon	Marshall	Ruppersberger			
Goss	Matheson	Rush			
Granger	Matsui	Ryan (OH)			
Graves	McCarthy (MO)	Ryan (WI)			
Green (TX)	McCarthy (NY)	Ryun (KS)			
Green (WI)	McCollum	Sabo			
Grijalva	McCotter	Sanchez, Linda			
Gutierrez	McCrery	T.			
Gutknecht	McDermott	Sanchez, Loretta			
Hall	McGovern	Sanders			
Harman	McHugh	Sandlin			
Harris	McInnis	Saxton			
Hastings (WA)	McIntyre	Schakowsky			
Hayes	McKeon	Schiff			
Hayworth	McNulty	Schrock			
Hefley	Meehan	Scott (GA)			
Hensarling	Meek (FL)	Scott (VA)			
Herger	Meeks (NY)	Sensenbrenner			
Hill	Menendez	Serrano			
Hinche	Mica	Sessions			
Hinojosa	Michaud	Shadegg			
Hobson	Millender-	Shaw			
Hoekstra	McDonald	Shays			
Holden	Miller (FL)	Sherman			
Holt	Miller (MI)	Sherwood			
Honda	Miller (NC)	Shimkus			
Hooley (OR)	Miller, Gary	Simmmons			
Hostettler	Miller, George	Simpson			
Houghton	Moore	Skelton			
Hoyer	Moran (KS)	Slaughter			
Hulshof	Moran (VA)	Smith (MI)			
Hunter	Murphy	Smith (TX)			
Hyde	Murtha	Smith (WA)			
Inslee	Musgrave	Snyder			
Isakson	Myrick	Solis			
Israel	Napolitano	Spratt			
Issa	Neal (MA)	Stearns			
Istook	Nethercutt	Stenholm			
Jackson (IL)	Neugebauer	Stupak			
Jackson-Lee	Ney	Sullivan			
(TX)	Northup	Sweeney			
Jefferson	Norwood	Tancredo			
Jenkins	Nunes	Tanner			
John	Nussle	Tauscher			
Johnson (CT)	Oberstar	Taylor (MS)			
Johnson (IL)	Obey	Taylor (NC)			
Johnson, E. B.	Olver	Terry			
Johnson, Sam	Ortiz	Thomas			
Jones (NC)	Osborne	Thompson (CA)			
Kanjorski	Otter	Thompson (MS)			
Kaptur	Owens	Thornberry			
Keller	Oxley	Tiahrt			
Kelly	Pallone	Tiberi			
Kennedy (MN)	Pascrell	Tierney			
Kennedy (RI)	Pastor	Towns			
Kildee	Paul	Turner (OH)			
Kilpatrick	Payne	Turner (TX)			
Kind	Pearce	Udall (CO)			
King (IA)	Pelosi	Udall (NM)			
King (NY)	Pence	Upton			
Kingston	Peterson (MN)	Van Hollen			
Kirk	Peterson (PA)	Velázquez			
Kleczka	Petri	Visclosky			
Kline	Pickering	Vitter			
Knollenberg	Pitts	Walden (OR)			
Kolbe	Pombo	Walsh			
LaHood	Pomeroy	Wamp			
Lampson	Porter	Watson			
Langevin	Portman	Watt			
Lantos	Price (NC)	Waxman			
Larsen (WA)	Pryce (OH)	Weiner			
Larsen (CT)	Putnam	Weldon (FL)			
Latham	Quinn	Weldon (PA)			
LaTourette	Radanovich	Weller			
Leach	Rahall	Whitfield			
Lee	Ramstad	Wicker			
Levin	Rangel	Wilson (NM)			
Lewis (CA)	Regula	Wilson (SC)			
Lewis (GA)	Rehberg	Wolf			
Lewis (KY)	Renzi	Woolsey			
Linder	Reyes	Wu			
LoBiondo	Reynolds	Wynn			
Lofgren	Rodriguez	Young (FL)			

NOT VOTING—38

Berman	Cardin	Greenwood
Bonner	Collins	Hart
Brady (PA)	Crenshaw	Hastings (FL)
Brown (OH)	Delahunt	Hoefel
Burr	Dooley (CA)	Jones (OH)
Buyer	Frank (MA)	Kucinich
Cannon	Gephardt	Lipinski

Lucas (OK)
Mollohan
Nadler
Ose
Platts
Rohrabacher

Rothman
Shuster
Smith (NJ)
Souders
Stark
Strickland

Tauzin
Toomey
Waters
Wexler
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1903

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. OSE. Mr. Speaker, on rollcall Nos. 131 and 132, I was inadvertently detained. Had I been present, I would have voted "yea" on both measures.

PARLIAMENTARY INQUIRIES

Mr. SESSIONS. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. SESSIONS. Mr. Speaker, what are the Rules of the House as it relates to the Pledge of Allegiance to the Flag?

The SPEAKER pro tempore. Rule XIV prescribes the daily order of business of the House. The third daily order of business is the "Pledge of Allegiance to the Flag."

Mr. SESSIONS. Mr. Speaker, making a further inquiry, are the words "under God" part of the Pledge of Allegiance?

The SPEAKER pro tempore. Section 4 of title 4 of the United States Code depicts the text of the Pledge of Allegiance as follows: "I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

Mr. SESSIONS. I thank the Chair and wish to make a further inquiry.

The SPEAKER pro tempore. The gentleman may inquire.

Mr. SESSIONS. Mr. Speaker, if a Member designated to lead the House in the Pledge of Allegiance fails to include the words "under God," how would it appear in the CONGRESSIONAL RECORD?

The SPEAKER pro tempore. The CONGRESSIONAL RECORD will reflect the pledge in its statutory form.

Mr. SESSIONS. I thank the Chair.

Finally, are there any rules governing the manner of delivery of the Pledge of Allegiance to the Flag?

The SPEAKER pro tempore. Section 4 of title 4, United States Code, provides in pertinent part that the pledge "should be rendered by standing at attention facing the flag with the right hand over the heart."

Mr. SESSIONS. I thank the Chair.