

NOT VOTING—16

Blunt	Hulshof	Scott (GA)
Capito	Israel	Shadegg
Deal (GA)	Lewis (GA)	Tauzin
DeMint	Majette	Young (AK)
Filner	Quinn	
Goss	Reyes	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1312

Mr. FARR and Mr. PAYNE changed their vote from “nay” to “yea.”

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 169, I was attending to official business in my congressional district, and I missed the vote. Had I been present, I would have voted “aye.”

Stated against:

Mr. GOSS. Mr. Speaker, on rollcall No. 169, Tanner amendment in nature of substitute, had I been present, I would have voted “no.”

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.

RECORDED VOTE

Mr. RYAN of Wisconsin. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on passage will be followed by a 5-minute vote on the motion to instruct conferees on Senate Concurrent Resolution 95.

The vote was taken by electronic device, and there were—ayes 344, noes 76, not voting 13, as follows:

[Roll No. 170]

AYES—344

Ackerman	Bonilla	Case
Aderholt	Bonner	Castle
Akin	Bono	Chabot
Alexander	Boozman	Chandler
Allen	Boswell	Chocola
Baca	Boucher	Clay
Bachus	Boyd	Clyburn
Baird	Bradley (NH)	Coble
Baker	Brady (TX)	Cole
Baldwin	Brown (OH)	Collins
Ballenger	Brown (SC)	Costello
Barrett (SC)	Brown, Corrine	Cox
Bartlett (MD)	Brown-Waite,	Cramer
Barton (TX)	Ginny	Crane
Bass	Burgess	Crenshaw
Beauprez	Burns	Crowley
Bell	Burr	Cubin
Bereuter	Burton (IN)	Culberson
Berkley	Buyer	Cunningham
Berman	Calvert	Davis (AL)
Biggart	Camp	Davis (CA)
Bilirakis	Cannon	Davis (TN)
Bishop (GA)	Cantor	Davis, Jo Ann
Bishop (NY)	Capito	Davis, Tom
Bishop (UT)	Capuano	DeFazio
Blackburn	Cardin	Delahunt
Blunt	Cardoza	DeLauro
Boehlert	Carson (OK)	DeLay
Boehner	Carter	Deutsch

Diaz-Balart, L.	King (IA)	Pomeroy
Diaz-Balart, M.	King (NY)	Porter
Dooley (CA)	Kingston	Portman
Doolittle	Kirk	Price (NC)
Dreier	Klecza	Pryce (OH)
Duncan	Kline	Putnam
Dunn	Knollenberg	Radanovich
Edwards	Kolbe	Rahall
Ehlers	LaHood	Ramstad
Emerson	Lampson	Regula
Engel	Langevin	Rehberg
English	Lantos	Renzi
Eshoo	Larson (CT)	Reynolds
Etheridge	Latham	Rodriguez
Evans	LaTourette	Rogers (AL)
Everett	Leach	Rogers (KY)
Farr	Levin	Rogers (MI)
Feeney	Lewis (CA)	Rohrabacher
Ferguson	Lewis (KY)	Ros-Lehtinen
Flake	Linder	Ross
Foley	Lipinski	Rothman
Forbes	LoBiondo	Royce
Ford	Lofgren	Rush
Fossella	Lowe	Ryan (OH)
Franks (AZ)	Lucas (KY)	Ryan (WI)
Frelinghuysen	Lucas (OK)	Ryun (KS)
Frost	Lynch	Sabo
Gallegly	Maloney	Sanders
Garrett (NJ)	Manzullo	Sandlin
Gephardt	Markey	Saxton
Gerlach	Marshall	Schiff
Gibbons	Matheson	Schrock
Gilchrest	Matsui	Sensenbrenner
Gillmor	McCarthy (NY)	Sessions
Gingrey	McCollum	Shaw
Gonzalez	McCotter	Shays
Goode	McCrery	Sherwood
Goodlatte	McHugh	Shimkus
Gordon	McInnis	Shuster
Granger	McIntyre	Simmons
Graves	McKeon	Simpson
Green (TX)	McNulty	Skelton
Green (WI)	Meehan	Slaughter
Greenwood	Meek (FL)	Smith (MI)
Gutierrez	Meeks (NY)	Smith (NJ)
Gutknecht	Mica	Smith (TX)
Hall	Michaud	Snyder
Harman	Millender-	Souder
Harris	McDonald	Spratt
Hart	Miller (FL)	Stearns
Hastings (WA)	Miller (MI)	Strickland
Hayes	Miller (NC)	Stupak
Hayworth	Miller, Gary	Sullivan
Hefley	Miller, George	Sweeney
Hensarling	Moore	Tancredo
Herger	Moran (KS)	Tauscher
Hinojosa	Moran (VA)	Taylor (NC)
Hobson	Murphy	Terry
Hoefel	Musgrave	Thomas
Hoekstra	Myrick	Thompson (MS)
Holden	Nadler	Thornberry
Honda	Nethercutt	Tiahrt
Hoolley (OR)	Neugebauer	Tiberi
Hostettler	Ney	Toomey
Hunter	Northup	Turner (OH)
Hyde	Norwood	Udall (CO)
Isakson	Nunes	Udall (NM)
Issa	Nussle	Upton
Istook	Oberstar	Van Hollen
Jackson-Lee	Obey	Vitter
(TX)	Oliver	Walden (OR)
Jenkins	Ortiz	Walsh
John	Osborne	Wamp
Johnson (CT)	Ose	Weiner
Johnson (IL)	Otter	Weldon (FL)
Johnson, E. B.	Owens	Weldon (PA)
Johnson, Sam	Oxley	Weller
Jones (NC)	Paul	Whitfield
Jones (OH)	Pearce	Wicker
Kaptur	Pence	Wilson (NM)
Keller	Peterson (MN)	Wilson (SC)
Kelly	Peterson (PA)	Wolf
Kennedy (MN)	Petri	Wu
Kennedy (RI)	Pickering	Wynn
Kildee	Pitts	Young (AK)
Kilpatrick	Platts	Young (FL)
Kind	Pombo	

NOES—76

Abercrombie	Cooper	Fattah
Andrews	Cummings	Frank (MA)
Ballance	Davis (FL)	Grijalva
Becerra	Davis (IL)	Hastings (FL)
Berry	DeGette	Hill
Blumenauer	Dicks	Hinche
Brady (PA)	Dingell	Holt
Capps	Doggett	Houghton
Carson (IN)	Doyle	Hoyer
Conyers	Emanuel	Inslee

Jackson (IL)	Pastor	Stenholm
Jefferson	Payne	Tanner
Kanjorski	Pelosi	Taylor (MS)
Kucinich	Rangel	Thompson (CA)
Larsen (WA)	Roybal-Allard	Tierney
Lee	Ruppersberger	Towns
McCarthy (MO)	Sánchez, Linda	Turner (TX)
McDermott	T.	Velázquez
McGovern	Sanchez, Loretta	Visclosky
Menendez	Schakowsky	Waters
Mollohan	Scott (VA)	Watson
Murtha	Serrano	Watt
Napolitano	Sherman	Waxman
Neal (MA)	Smith (WA)	Wexler
Pallone	Solis	Woolsey
Pascarell	Stark	

NOT VOTING—13

Deal (GA)	Israel	Scott (GA)
DeMint	Lewis (GA)	Shadegg
Filner	Majette	Tauzin
Goss	Quinn	
Hulshof	Reyes	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1330

Ms. WATERS, Ms. LINDA T. SÁNCHEZ of California, Ms. MCCARTHY of Missouri, and Mr. CUMMINGS changed their vote from “aye” to “no.”

Mr. RUSH and Mr. WELLER changed their vote from “no” to “aye.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GOSS. Mr. Speaker, on rollcall No. 170, final passage of H.R. 4275, had I been present, I would have voted “aye.”

Mr. FILNER. Mr. Speaker, on rollcall No. 170, I was attending to official business in my congressional district, and I missed the vote. Had I been present, I would have voted “aye.”

GENERAL LEAVE

Mr. RYAN of Wisconsin. 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 the bill, H.R. 4275.

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

There was no objection.

MOTION TO INSTRUCT CONFEREES ON S. CON. RES. 95, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2005

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on Senate Concurrent Resolution 95.

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 North Dakota (Mr. POMEROY) 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 207, nays 211, not voting 15, as follows:

[Roll No. 171]

YEAS—207

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Bass
Becerra
Bell
Bereuter
Berkley
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
Chandler
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummins
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ford
Frank (MA)
Frost
Gephardt
Gonzalez

Gordon
Green (TX)
Greenwood
Grijalva
Gutierrez
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Klecicka
Kolbe
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
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
Oliver
Ortiz
Owens
Pallone
Pascarell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (VA)
Serrano
Shays
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—211

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Biggart
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)

Brown-Waite,
Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham

Davis, Jo Ann
Davis, Tom
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach

Gibbons
Gilchrest
Gillmor
Gingrey
Goodlatte
Goss
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (NY)
Kingston
Kirk
Kline
Knollenberg
LaHood
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
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)

Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancred
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—15

Deal (GA)
DeMint
Finler
Goode
Hulshof

Israel
King (IA)
Lewis (GA)
Majette
Murtha

Quinn
Reyes
Scott (GA)
Shadegg
Tauzin

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1341

Mr. GILCHREST changed his vote from “yea” to “nay.”

So the motion to instruct was re-jected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 171, I was attending to official business in my Congressional District, and I missed the vote. Had I been present, I would have voted “aye.”

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENTS TO H.R. 2432, PAPERWORK AND REGULATORY IMPROVEMENTS ACT OF 2003; H.R. 2728, OCCUPATIONAL SAFETY AND HEALTH SMALL BUSINESS DAY IN COURT ACT OF 2004; H.R. 2729, OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION EFFICIENCY ACT OF 2004; H.R. 2730, OCCUPATIONAL SAFETY AND HEALTH INDEPENDENT REVIEW OF OSHA CITATIONS ACT OF 2004; AND H.R. 2731, OCCUPATIONAL SAFETY AND HEALTH SMALL EMPLOYER ACCESS TO JUSTICE ACT OF 2004

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet the week of May 17 to grant a rule which could limit the amendment process for floor consideration of one or more of the following: H.R. 2432, Paperwork and Regulatory Improvements Act of 2003; H.R. 2728, Occupational Safety and Health Small Business Day in Court Act of 2004; H.R. 2729, Occupational Safety and Health Review Commission Efficiency Act of 2004; H.R. 2730, Occupational Safety and Health Independent Review of OSHA Citations Act of 2004; and H.R. 2731, Occupational Safety and Health Small Employer Access to Justice Act of 2004.

Mr. Speaker, any Member wishing to offer an amendment to any of these bills should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in room H-312 of the Capitol by 11 a.m. on Monday, May 17, 2004.

Members should draft their amendments to the text of H.R. 2432 as reported by the Committee on Government Reform on May 12, which is expected to be filed on Friday, May 14. Members are also advised that the text of H.R. 2432 should be available for their review on the Web site of the Committee on Government Reform and the Committee on Rules today, Thursday, May 13, 2004.

Members should draft their amendments to the texts of H.R. 2728, H.R. 2729, H.R. 2730, and H.R. 2731 as reported by the Committee on Education and the Workforce on May 5, 2004, which will be filed momentarily. Members are also advised that the text of these bills should be available for their review on the Web sites of the Committee on Education and the Workforce and the Committee on Rules today, Thursday, May 13, 2004.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format and should check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House.