

[Roll No. 231]

## YEAS—375

Abercrombie Dooley (CA) King (IA)  
 Aderholt Doolittle Kingston  
 Akin Doyle Kirk  
 Alexander Dreier Kleczka  
 Allen Duncan Kline  
 Andrews Edwards Knollenberg  
 Bachus Ehlers Kolbe  
 Baird Emanuel Kucinich  
 Baker Emerson LaHood  
 Baldwin Engel Langevin  
 Ballenger English Lantos  
 Barrett (SC) Eshoo Larsen (WA)  
 Bartlett (MD) Etheridge Latham  
 Barton (TX) Everett LaTourette  
 Bass Farr Lewis (CA)  
 Beauprez Fattah Lewis (GA)  
 Becerra Feeney Lewis (KY)  
 Bell Ferguson Linder  
 Bereuter Filner Lipinski  
 Berkley Flake LoBiondo  
 Berman Foley Manzanillo  
 Berry Forbes Markley  
 Biggert Ford Lucas (KY)  
 Bishop (GA) Frank (MA) Lucas (OK)  
 Bishop (NY) Franks (AZ) Maloney  
 Bishop (UT) Frelinghuysen Manzullo  
 Blackburn Frost Marshall  
 Blumenauer Gallegly  
 Blunt Garrett (NJ) Matheson  
 Boehlert Gephardt Matsui  
 Boehner Gerlach McCarthy (NY)  
 Bonilla Gibbons McCollum  
 Bonner Gilchrest McCotter  
 Bono Gillmor McCrery  
 Boozman Gingrey McDermott  
 Boswell Goode McGovern  
 Boucher Goodlatte McHugh  
 Boyd Gordon McIntyre  
 Bradley (NH) Granger McKeon  
 Brady (TX) Graves McNulty  
 Brown (OH) Green (TX) Meehan  
 Brown (SC) Green (WI) Meek (FL)  
 Brown, Corrine Greenwood Meeks (NY)  
 Brown-Waite, Gutknecht  
 Ginny Hall  
 Burgess Harman  
 Burns Harris  
 Burr Hart  
 Burton (IN) Hastert  
 Buyer Hastings (WA)  
 Calvert Hayes  
 Camp Hayworth  
 Cannon Hefley  
 Cantor Hensarling  
 Capito Herger  
 Capuano Herse  
 Cardin Hill  
 Cardoza Hinchey  
 Carson (IN) Hinojosa  
 Carter Hobson  
 Castle Hoeffel  
 Chabot Hoekstra  
 Chandler Holden  
 Chocoma Holt  
 Clyburn Honda  
 Coble Hooley (OR)  
 Cole Hostettler  
 Collins Hoyer  
 Cooper Hulshof  
 Costello Hunter  
 Cox Hyde  
 Cramer Inslee  
 Crane Isakson  
 Crenshaw Israel  
 Crowley Issa  
 Cubin Istook  
 Culberson Jackson (IL)  
 Cummings Jackson-Lee  
 Cunningham (TX)  
 Davis (AL) Jefferson  
 Davis (CA) Jenkins  
 Davis (FL) John  
 Davis (IL) Johnson (CT)  
 Davis (TN) Johnson (IL)  
 Davis, Jo Ann Johnson, E. B.  
 Davis, Tom Johnson, Sam  
 Deal (GA) Jones (NC)  
 DeFazio Jones (OH)  
 DeGette Kanjorski  
 Delahunt Keller  
 DeLauro Kelly  
 DeLay Kennedy (MN)  
 Diaz-Balart, L. Kennedy (RI)  
 Diaz-Balart, M. Kildee  
 Dicks Kilpatrick  
 Doggett Kind Putnam

Quinn  
 Radanovich  
 Ramstad  
 Rehberg  
 Renzi  
 Reynolds  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Ross  
 Rothman  
 Roybal-Allard  
 Royce  
 Rumpersberger  
 Ryan (OH)  
 Ryan (WI)  
 Ryan (KS)  
 Sabo  
 Sanchez, Linda  
 T.  
 Sanchez, Loretta  
 Sandlin  
 Flake  
 Lipinski  
 LoBiondo  
 Schakowsky  
 Schiff  
 Schrock  
 Scott (GA)  
 Scott (VA)  
 Sensenbrenner  
 Serrano  
 Sessions  
 Shaw  
 Shays  
 Sherman  
 Sherwood  
 Shimkus  
 Shuster  
 Simmons  
 Simpson  
 Slaughter  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Snyder  
 Stearns  
 Stenholm  
 Strickland  
 Stupak  
 Sullivan  
 Sweeney  
 Tancredo  
 Tanner  
 Tauscher  
 Taylor (MS)  
 Taylor (NC)  
 Terry  
 Thomas  
 Thompson (CA)  
 Thompson (MS)  
 Thornberry  
 Tiberi

Tierney  
 Toomey  
 Turner (OH)  
 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  
 Wu  
 Wynn  
 Young (AK)  
 Young (FL)

## NOT VOTING—60

Ackerman  
 Baca  
 Ballance  
 Bilirakis  
 Brady (PA)  
 Capps  
 Carson (OK)  
 Case  
 Clay  
 Conyers  
 DeMint  
 Deutsch  
 Dingell  
 Dunn  
 Evans  
 Fossella  
 Gonzalez  
 Goss  
 Grijalva  
 Gutierrez  
 Hastings (FL)  
 Houghton  
 Kaptur  
 King (NY)  
 Lampson  
 Larson (CT)  
 Leach  
 Lee  
 Lofgren  
 Lynch  
 Majette  
 McCarthy (MO)  
 McInnis  
 Miller, Gary  
 Ney  
 Ose  
 Oxley  
 Payne  
 Rahall  
 Rangel  
 Regula  
 Reyes  
 Rodriguez  
 Ros-Lehtinen  
 Rush  
 Sanders  
 Shadegg  
 Skelton  
 Smith (MI)  
 Solis  
 Souder  
 Spratt  
 Stark  
 Tauzin  
 Tiahrt  
 Towns  
 Turner (TX)  
 Waters  
 Wexler  
 Woolsey

□ 1456

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 231 on mourning the passing of President Reagan I was unavoidably detained. Had I been present, I would have voted “yea.”

Mr. BACA. Mr. Speaker, on rollcall No. 231, because I was in California to attend my daughter's graduation, I was unable to be in the chamber when the time elapsed on the vote. Had I been able to vote, I would have voted “yea” for the vote.

Ms. MCCARTHY of Missouri. Mr. Speaker, on rollcall No. 231 (H. Res. 664—Honoring the late Honorable Ronald Wilson Reagan), I was unavoidably detained. Had I been present, I would have voted “yea.”

Mr. TIAHRT. Mr. Speaker, on June 9, I was unavoidably detained in France for the D-Day ceremonies and missed rollcall vote No. 231. Rollcall No. 231 was on agreeing to the resolution for H. Res. 664, mourning the passing of President Ronald Reagan and celebrating his service to the people of the United States and his leadership in promoting the cause of freedom for all the people of the world. Had I been present, I would have voted “yea” on H. Res. 664.

## PERSONAL EXPLANATION

Mr. SHADEGG. Mr. Speaker, on rollcall vote Nos. 229, 230, and 231, had I been present, I would have voted “yea”. I went on the CODEL to Normandy to honor the 60th Anniversary of D-Day and the sacrifices of those who liberated Europe from Nazi control. Unfortunately, our Air Force plane had mechanical difficulties over the past 2 days that prohibited our travel back to the United States to participate in these votes. I regret the fact that I was not here to honor President Reagan and his legacy, but am honored to be present at tonight's state funeral.

## RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore (Mr. BURGESS) laid before the House the following resignation from the House of Representatives:

HOUSE OF REPRESENTATIVES,  
 Washington, DC, June 8, 2004.

Hon. J. DENNIS HASTERT,  
 Speaker of the House,  
 Capitol, Washington, DC.

DEAR SPEAKER HASTERT: Please accept this letter as official notification of my intention to resign my position as United States Representative of the First Congressional District of North Carolina due to my current health condition. The effective date of my resignation will be Friday, June 11, 2004.

Although I appreciate the honor, privilege and opportunity to have served the citizens of the First Congressional District of North Carolina during the 108th Congress, at this juncture, I feel that I am no longer able to carry out my requisite duties effectively.

Enclosed herewith please find a copy of the letter that I have tendered to North Carolina's Governor, Mike Easley providing him with notice of my decision to resign.

Respectfully,

FRANK W. BALLANCE, Jr.,  
 Member of Congress.

Enclosure.

HOUSE OF REPRESENTATIVES,  
 Washington, DC, June 8, 2004.

Hon. MIKE EASLEY  
 Governor—North Carolina, Mail Service Center,  
 Raleigh, NC.

DEAR GOVERNOR EASLEY: Please accept this letter as official notification of my intention to resign my position as United States Representative of the First Congressional District of North Carolina due to my current health condition. The effective date of my resignation will be Friday, June 11, 2004.

Although I appreciate the honor, privilege and opportunity to have served the citizens of the First Congressional District of North Carolina during the 108th Congress, at this juncture, I feel that I am no longer able to carry out my requisite duties effectively.

Respectfully,

FRANK W. BALLANCE, Jr.,  
 Member of Congress.

## PROVIDING FOR CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND HOUSE

The SPEAKER pro tempore laid before the House the following privileged Senate concurrent resolution (S. Con. Res. 116) providing for a conditional adjournment or recess of the Senate and the House of Representatives.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 116

*Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on Wednesday, June 9, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, June 14, 2004, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on the legislative day of Wednesday, June 9, 2004, it stand adjourned until 12:30 p.m. on Monday, June 14, 2004, for morning-hour debate, or until the time of any reassembly pursuant to section 2 or this concurrent resolution, whichever occurs first.*

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore. Without objection, the Senate concurrent resolution is concurred in.

There was no objection.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. DELAY. 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. Res. 664.

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

There was no objection.

#### LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I rise to inquire of the majority leader the schedule for the week to come.

I will say at the beginning when the majority leader got up to ask unanimous consent, I thought maybe something had happened and he was going to ask unanimous consent to have me give him the schedule. But hope springs eternal.

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

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

Mr. DELAY. Mr. Speaker, I appreciate the gentleman for yielding to me and dreaming.

Mr. Speaker, the House will convene on Monday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to the Members' office by the end of this week. Any votes called on these measures will be postponed until 6:30 p.m.

On Tuesday and the balance of the week, we plan to consider several bills under a rule: H.R. 4513, the Renewable Energy Project Siting Improvement Act; H.R. 4503, the Energy Policy Act; H.R. 4517, the U.S. Refinery Revitalization Act; and H.R. 4529, the Arctic Coastal Plain Domestic Energy Security and Abandoned Mine Lands Reclamation Reform Act.

In addition, we expect to consider H.R. 4520, the American Jobs Creation Act, the fiscal year 2005 Department of Interior appropriations bill, and the fiscal year 2005 Department of Homeland Security appropriations bill as well.

And, finally, I would like to make all Members aware that we will have votes next Friday perhaps well into the afternoon.

I thank the gentleman for yielding to me and would be happy to answer any questions he may have.

Mr. HOYER. Mr. Speaker, I thank the gentleman and tell him that we simply refer to it as the ANWR bill. It is so much easier.

Mr. Speaker, the majority leader has listed several pieces of energy legislation for consideration next week. Can he tell us the procedures that he anticipates these bills will be considered; specifically will amendments and/or substitutes be allowed, and will the rule bundle the bills to send them over to the other body, or will we pass them seriatim one at a time to the other body?

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

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

□ 1500

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding. I can say that substitutes would certainly be allowed, I would assume. I do not want to preempt what the Committee on Rules might do. As far as amendments to these bills, I would have to refer to the Committee on Rules, as we do not know what they might rule.

Mr. HOYER. Mr. Speaker, reclaiming my time, I thank the gentleman. I would hope that perhaps we could, particularly in light of the fact that these bills, although they are component parts, as I understand, of the larger energy bill that passed the House, but because they are not going to be considered in committee, that there would be some more flexibility as to the possibility of amendments in that regard.

The gentleman did not answer, because perhaps he does not know at this point in time. Is it our expectation that the energy bills the gentleman referenced would be sent to the Senate separately as individual bills, or would the rule bundle them at the end? I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding. No decision has been made, but I think the gentleman can assume that these bills will be sent separately to the Senate.

Mr. HOYER. Mr. Speaker, with respect to the appropriation bills, two are listed for next week, Interior and Homeland Security. Does the gentleman think it is possible that we will get to the Defense bill next week, or not?

Mr. DELAY. Mr. Speaker, if the gentleman will yield, I cannot foresee that we could get to the Department of Defense appropriations bill next week with all of the bills that we are trying to get to the floor, but I do anticipate the Department of Defense appropriations bill being one of the first bills we would do the following week.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that information.

With respect to the two appropriation bills that the gentleman has listed, the Homeland Security and the Interior, does the gentleman expect them to come on an open rule to the floor?

Mr. DELAY. Mr. Speaker, if the gentleman will yield, I would assume, without preempting what the Committee on Rules might do, that both appropriation bills would come under the normal, traditional rules that we have had in the past on appropriations bills, which is pretty open rules.

Mr. HOYER. Mr. Speaker, I thank the gentleman. The FSC bill is also listed for the floor next week. Again, I think that bill will clearly not go to committee; but let me ask the gentleman first, is it the gentleman's expectation that the FSC bill will be marked up in committee?

Mr. DELAY. If the gentleman will yield, yes, the Committee on Ways and Means will mark up the Americans Jobs Creation Act on Monday, which would give us time, if the markup went well, we could see that bill on the floor either Thursday or Friday.

Mr. HOYER. And again, reclaiming my time, would it be the gentleman's expectation either that the substitute would be made in order, amendments may not be as a Committee on Ways and Means tax bill, but what we are reading, of course, is that there will be many extraneous or some extraneous provisions in the bill unrelated to direct tax consequences of FSC; can the gentleman tell us whether he is expecting at this point in time to provide for either amendments and/or a substitute?

I yield to my friend.

Mr. DELAY. Mr. Speaker, as the gentleman knows, the bill was introduced last Friday. Members should be aware of that for those who are interested to see what is in the bill.

It is very difficult to answer the gentleman's question, not having the bill marked up and looking at what the ultimate outcome of the bill might be. And again, I do not want to preempt what the Committee on Rules does. As the gentleman knows, a bill coming from the Committee on Ways and Means, particularly a bill like this which has so many issues in it, amendments are traditionally not allowed, but substitutes are considered. And we