

[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 Flake
 Berkley Lipinski
 Berman Foley LoBiondo
 Berry Forbes Lowey
 Biggert Ford Lucas (KY)
 Bishop (GA) Frank (MA) Lucas (OK)
 Bishop (NY) Franks (AZ) Maloney
 Bishop (UT) Frelinghuysen Manzullo
 Blackburn Frost Markey
 Blumenauer Gallegly Marshall
 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
 Sánchez, 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