

fires in areas that are not contained, and with the dumping of trash. If we are successful in implementing this legislation today, we will see control pass to the county who will properly police it, who will develop it into a regular campsite, and who will provide excellent access for OHV users without having to drive on the public roads. They will be directly adjacent to the Dunes National Recreation Area.

This legislation, as passed by the Senate, is identical to legislation introduced into the House, H.R. 514, by myself and the gentleman from Oregon (Mr. WALDEN). So since this is identical, and I believe it enjoys extraordinary widespread and bipartisan support, as the gentleman from Arizona already pointed out. I would recommend this legislation to my colleagues and urge that everyone vote in its favor so that we can enhance these recreational opportunities and protect the public health and safety and do just a little bit to help the economy of the south coast of Oregon.

Mr. Speaker, I thank the gentleman for his generous grant of time.

Mr. RENZI. Mr. Speaker, I continue to reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume to again commend the gentleman from Arizona for his management of this proposed bill, and also thank my good friend, the gentleman from Oregon, for his insights and understanding of the bill and what it will do to benefit the people of Oregon.

Mr. Speaker, I have no additional requests for time, and I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I have no additional requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the Senate bill, S. 714, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. RENZI. 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 STATE ASSISTANT TO THE HONORABLE C.L. "BUTCH" OTTER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Vicki Fulton, State Assistant to the Honorable C.L. "BUTCH" OTTER, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 22, 2004.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the District Court of the First Judicial District of the State of Idaho.

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

Sincerely,

VICKI FULTON,
State Assistant,
Congressman C.L. "Butch" Otter.

COMMUNICATION FROM FIELD REPRESENTATIVE OF THE HONORABLE C.L. "BUTCH" OTTER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Mark Compton, Field Representative of the Honorable C.L. "BUTCH" OTTER, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 22, 2004.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the District Court of the First Judicial District of the State of Idaho.

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

Sincerely,

MARK COMPTON,
Field Representative,
Congressman C.L. "Butch" Otter.

COMMUNICATION FROM CHIEF OF STAFF OF THE HONORABLE SHELLEY MOORE CAPITO, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Mark Johnson, Chief of Staff of the Honorable SHELLEY MOORE CAPITO, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 17, 2004.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena, issued by the U.S. District Court for the Southern District of West Virginia, for the production of documents.

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

Sincerely,

MARK JOHNSON,
Chief of Staff.

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.

Accordingly (at 3 p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1833

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BASS) at 6 o'clock and 33 minutes p.m.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF H.R. 2751, GAO HUMAN CAPITAL REFORM ACT OF 2003

Mr. DREIER. Mr. Speaker, I ask unanimous consent that it shall be in order at any time without intervention of any point of order to consider in the House H.R. 2751; the bill shall be considered as read for amendment; the amendment in the nature of a substitute recommended by the Committee on Government Reform now printed in the bill shall be considered as adopted; all points of order against the bill, as amended, are waived; and the previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform; and (2) one motion to recommit with or without instructions.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on the Speaker's approval of the Journal and motions to suspend the rules previously postponed.

Votes will be taken in the following order:

Approval of the Journal, de novo; H.R. 2707, by the yeas and nays; and S. 714, 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, without objection.

There was no objection.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

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

Mr. ISAKSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 381, nays 32, not voting 19, as follows:

[Roll No. 25]

YEAS—381

Abercrombie	Davis (CA)	Hoyer
Ackerman	Davis (FL)	Hunter
Akin	Davis (IL)	Hyde
Alexander	Davis (TN)	Inslee
Allen	Davis, Jo Ann	Isakson
Andrews	Davis, Tom	Israel
Baca	Deal (GA)	Issa
Bachus	DeGette	Istook
Baird	Delahunt	Jackson (IL)
Baker	DeLauro	Jackson-Lee
Ballance	DeLay	(TX)
Ballenger	DeMint	Jefferson
Barrett (SC)	Deutsch	Jenkins
Bartlett (MD)	Diaz-Balart, L.	John
Barton (TX)	Diaz-Balart, M.	Johnson (CT)
Bass	Dicks	Johnson (IL)
Beauprez	Dingell	Johnson, E. B.
Becerra	Doolley (CA)	Johnson, Sam
Bell	Doolittle	Jones (NC)
Bereuter	Doyle	Kanjorski
Berkley	Dreier	Kaptur
Berman	Duncan	Keller
Berry	Dunn	Kelly
Biggart	Edwards	Kennedy (RI)
Bilirakis	Ehlers	Kildee
Bishop (GA)	Emanuel	Kind
Bishop (NY)	Emerson	King (IA)
Bishop (UT)	Eshoo	King (NY)
Blackburn	Etheridge	Kingston
Blumenauer	Evans	Kirk
Blunt	Everett	Kleczka
Boehlert	Farr	Kline
Boehner	Fattah	Knollenberg
Bonilla	Feeney	Kolbe
Bonner	Ferguson	LaHood
Bono	Flake	Lampson
Boozman	Foley	Langevin
Boswell	Ford	Larson (CT)
Boucher	Frank (MA)	Latham
Boyd	Franks (AZ)	LaTourette
Bradley (NH)	Frelinghuysen	Leach
Brown (OH)	Frost	Lee
Brown (SC)	Galleghy	Levin
Brown, Corrine	Garrett (NJ)	Lewis (CA)
Brown-Waite,	Gerlach	Lewis (GA)
Ginny	Gibbons	Lewis (KY)
Burgess	Gilchrest	Linder
Burns	Gillmor	Lipinski
Burr	Gingrey	Lofgren
Burton (IN)	Goode	Lucas (KY)
Buyer	Goodlatte	Lucas (OK)
Calvert	Gordon	Lynch
Camp	Goss	Majette
Cannon	Granger	Maloney
Cantor	Graves	Manzullo
Capito	Green (TX)	Markay
Capps	Green (WI)	Marshall
Cardin	Greenwood	Matheson
Cardoza	Grijalva	Matsui
Carson (IN)	Gutierrez	McCarthy (MO)
Carson (OK)	Hall	McCarthy (NY)
Carter	Harman	McCollum
Case	Harris	McCotter
Castle	Hart	McCrery
Chabot	Hastings (FL)	McGovern
Chocola	Hastings (WA)	McHugh
Clay	Hayes	McInnis
Clyburn	Hayworth	McIntyre
Coble	Hensarling	McKeon
Cole	Herger	McNulty
Conyers	Hill	Meehan
Cooper	Hinchey	Meek (FL)
Cox	Hinojosa	Meeks (NY)
Cramer	Hobson	Menendez
Crenshaw	Hoeffel	Mica
Crowley	Hoekstra	Michaud
Cubin	Holden	Millender-
Culberson	Holt	McDonald
Cummings	Hoolley (OR)	Miller (FL)
Cunningham	Hostettler	Miller (MI)
Davis (AL)	Houghton	Miller (NC)

Miller, Gary	Regula	Smith (WA)
Miller, George	Rehberg	Snyder
Mollohan	Renzi	Solis
Moore	Reyes	Souder
Moran (KS)	Reynolds	Spratt
Moran (VA)	Rodriguez	Stearns
Murphy	Rogers (AL)	Stenholm
Musgrave	Rogers (KY)	Sullivan
Myrick	Rogers (MI)	Sweeney
Nadler	Rohrabacher	Tancredo
Napolitano	Ros-Lehtinen	Tanner
Neal (MA)	Ross	Tauscher
Nethercutt	Rothman	Tauzin
Neugebauer	Roybal-Allard	Taylor (NC)
Ney	Royce	Terry
Northup	Ruppersberger	Thomas
Norwood	Ryan (OH)	Thornberry
Nunes	Ryan (WI)	Tiahrt
Nussle	Ryun (KS)	Tiberi
Obey	Sabo	Tierney
Osborne	Sánchez, Linda	Toomey
Otter	T.	Towns
Owens	Sanchez, Loretta	Turner (OH)
Oxley	Sanders	Turner (TX)
Pallone	Sandlin	Udall (CO)
Pascarella	Saxton	Upton
Pastor	Schakowsky	Van Hollen
Paul	Schiff	Velázquez
Payne	Schrock	Vitter
Pearce	Scott (GA)	Walden (OR)
Pelosi	Scott (VA)	Walsh
Pence	Sensenbrenner	Wamp
Peterson (PA)	Serrano	Watson
Petri	Sessions	Watt
Pickering	Shadegg	Waxman
Platts	Shaw	Weiner
Pombo	Shays	Weldon (FL)
Pomeroy	Sherman	Weldon (PA)
Porter	Sherwood	Whitfield
Portman	Shimkus	Wicker
Price (NC)	Shuster	Wilson (NM)
Pryce (OH)	Simmons	Wilson (SC)
Putnam	Simpson	Wolf
Quinn	Skelton	Woolsey
Radanovich	Slaughter	Wynn
Rahall	Smith (MI)	Young (AK)
Rangel	Smith (NJ)	
	Smith (TX)	

NAYS—32

Aderholt	Hefley	Strickland
Baldwin	Jones (OH)	Stupak
Brady (PA)	Kennedy (MN)	Taylor (MS)
Capuano	Larsen (WA)	Thompson (CA)
Costello	LoBiondo	Thompson (MS)
Crane	McDermott	Udall (NM)
DeFazio	Oberstar	Visclosky
English	Olver	Waters
Filner	Peterson (MN)	Weller
Fossella	Ramstad	Wu
Gutknecht	Rush	

NOT VOTING—19

Brady (TX)	Honda	Ortiz
Collins	Hulshof	Ose
Doggett	Kilpatrick	Stark
Engel	Kucinich	Wexler
Forbes	Lantos	Young (FL)
Gephardt	Lowe	
Gonzalez	Murtha	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1902

So the Journal was approved.

The result of the vote was announced as above recorded.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 24, 2004.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a copy of the original Certificate of Election received from the Honorable Trey Grayson, Secretary of State, Commonwealth of Kentucky, indicating that, on examination of the Official Abstracts of Votes on file in that office for the special election held February 17, 2004, the Honorable A.B. "Ben" Chandler was duly elected Representative in Congress for the Sixth Congressional District, Commonwealth of Kentucky.

With best wishes, I am,
Sincerely,

JEFF TRANDAH, *Clerk.*

SWEARING IN OF THE HONORABLE BEN CHANDLER, OF KENTUCKY, AS A MEMBER OF THE HOUSE

The SPEAKER. Will the Representative-elect and the members of the Kentucky delegation present themselves in the well.

Mr. CHANDLER appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God.

The SPEAKER. Congratulations. You are now a Member of the 108th Congress.

WELCOMING THE HONORABLE BEN CHANDLER TO THE HOUSE OF REPRESENTATIVES

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

Mr. ROGERS of Kentucky. Mr. Speaker, in the same bipartisan spirit of cooperation that has characterized Kentucky delegations to this great body, it is my privilege tonight, as dean of our delegation, to present to you our newest Member and America's newest Congressman, BEN CHANDLER.

BEN won the special election a week ago tonight to fill the unexpired term of our colleague and now Governor, Ernie Fletcher.

The Chandler name in Kentucky is legendary. BEN's grandfather, the late Albert "Happy" Chandler, was a twice-elected Governor; U.S. Senator; and baseball commissioner, who, by the way, presided over the integration of Major League Baseball.

But young BEN has earned his own stripes. He has just completed two terms as Kentucky attorney general, and before that the elected State auditor, and was nominated by his party for Governor last year.