

Ros-Lehtinen Smith (NJ) Turner (TX)
 Ross Smith (TX) Upton
 Royce Souder Van Hollen
 Ryan (WI) Stenholm Visclosky
 Ryun (KS) Sullivan Walden (OR)
 Saxton Sweeney Walsh
 Schrock Tancredo Wamp
 Scott (GA) Tanner Waters
 Sensenbrenner Tauzin Weldon (FL)
 Serrano Taylor (MS) Weldon (PA)
 Sessions Taylor (NC) Weller
 Shadegg Terry Wicker
 Shaw Thomas Wilson (NM)
 Sherwood Thompson (CA) Wolf
 Shimkus Thornberry Wynn
 Simmons Tiberi Young (AK)
 Simpson Towns Young (FL)
 Smith (MI) Turner (OH)

NOT VOTING—66

Andrews Feeney Menendez
 Bachus Fossella Miller, George
 Baker Frank (MA) Moore
 Bass Garrett (NJ) Owens
 Bell Gephardt Pascrell
 Bishop (UT) Goss Peterson (PA)
 Brown, Corrine Gutierrez Quinn
 Burr Gutknecht Sabo
 Burton (IN) Hinchey Sanders
 Capuano Hinojosa Scott (VA)
 Carson (IN) Hoeffel Shays
 Carson (OK) Hostettler Shuster
 Collins Houghton Skelton
 Conyers Isakson Stark
 Delahunt Johnson, E. B. Tiahrt
 DeLauro Keller Tierney
 DeMint Lee Toomey
 Deutsch Lipinski Vitter
 Dicks Majette Waxman
 Dooley (CA) Maloney Wexler
 Engel Markey Whitfield
 Fattah Meehan Wilson (SC)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1916

Mrs. MYRICK, Ms. ROS-LEHTINEN and Mr. SMITH of Michigan changed their vote from “aye” to “no.”

Mr. BOSWELL, Mr. MOLLOHAN and Ms. LINDA T. SANCHEZ of California changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. HEFLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 87, noes 278, not voting 68, as follows:

[Roll No. 360]

AYES—87

Akin Bradley (NH) Chabot
 Barrett (SC) Brady (TX) Chocola
 Bartlett (MD) Brown-Waite, Coble
 Barton (TX) Ginny Cooper
 Beauprez Burgess Cox
 Bilirakis Buyer Crane
 Blackburn Cannon Cubin

Davis (TN) Herger Petri
 Davis, Jo Ann Hooley (OR) Pitts
 Deal (GA) Hulshof Ramstad
 DeFazio Jenkins Rohrabacher
 Diaz-Balart, M. Jones (NC) Royce
 Doggett Kennedy (MN) Ryan (WI)
 Duncan King (IA) Ryun (KS)
 Edwards Lampson Schrock
 Everett Lewis (KY) Sensenbrenner
 Flake LoBiondo Sessions
 Forbes Marshall Shadegg
 Franks (AZ) McCotter Shimkus
 Gibbons McInnis Smith (MI)
 Goode Mica Smith (WA)
 Goodlatte Miller (FL) Souder
 Graves Moran (KS) Stearns
 Green (TX) Musgrave Stenholm
 Green (WI) Myrick Tancredo
 Hall Neugebauer Tanner
 Hayes Norwood Taylor (MS)
 Hayworth Otter Wamp
 Hefley Paul
 Hensarling Pence

NOES—278

Abercrombie Filner Manzullo
 Ackerman Foley Matheson
 Aderholt Ford Matsui
 Alexander Frelinghuysen McCarthy (MO)
 Allen Frost McCarthy (NY)
 Baca McCollum
 Baird McCrery
 Baldwin McDermott
 Ballenger McGovern
 Becerra McHugh
 Bereuter McIntyre
 Berkley Gordon
 Berman Granger
 Berry Greenwood
 Biggart Grijalva
 Bishop (GA) Harman
 Bishop (NY) Harris
 Blumenauer Hart
 Blunt Hastings (FL)
 Boehlert Hastings (WA)
 Boehner Herseth
 Bonilla Hill
 Bonner Hobson
 Bono Hoekstra
 Boozman Holden
 Boswell Holt
 Boucher Honda
 Boyd Hoyer
 Brady (PA) Hunter
 Brown (OH) Hyde
 Brown (SC) Inslee
 Burns Israel
 Calvert Issa
 Camp Istook
 Cantor Jackson (IL)
 Capito Jackson-Lee
 Capps (TX)
 Cardin Jefferson
 Cardoza John
 Carter Johnson (CT)
 Case Johnson (IL)
 Castle Johnson, Sam
 Chandler Jones (OH)
 Clay Kanjorski
 Clyburn Kaptur
 Cole Kelly
 Costello Kennedy (RI)
 Cramer Kildee
 Crenshaw Kilpatrick
 Crowley Kind
 Culberson Kingston
 Cummings Kirk
 Cunningham Kleczka
 Davis (AL) Kline
 Davis (CA) Knollenberg
 Davis (FL) Kolbe
 Davis (IL) Kucinich
 DeGette LaHood
 DeLay Langevin
 Diaz-Balart, L. Lantos
 Dingell Larsen (WA)
 Doolittle Larson (CT)
 Doyle Latham
 Dreier LaTourette
 Dunn Leach
 Ehlers Levin
 Emanuel Lewis (CA)
 Emerson Lewis (GA)
 English Linder
 Eshoo Lofgren
 Etheridge Lowey
 Evans Lucas (KY)
 Farr Lucas (OK)
 Ferguson Lynch

Sánchez, Linda Spratt Van Hollen
 T. Strickland Velázquez
 Sanchez, Loretta Stupak Visclosky
 Sandlin Sullivan Walden (OR)
 Saxton Sweeney Walsh
 Schakowsky Tauscher Waters
 Schiff Tauzin Watson
 Scott (GA) Taylor (NC) Watt
 Serrano Terry Weiner
 Shaw Thomas Weldon (FL)
 Sherman Thompson (CA) Weldon (PA)
 Sherwood Thompson (MS) Weller
 Simmons Thornberry Wicker
 Simpson Tiberi Wilson (NM)
 Skelton Towns Wolf
 Slaughter Turner (OH) Woolsey
 Smith (NJ) Turner (TX) Wu
 Smith (TX) Udall (CO) Wynn
 Snyder Udall (NM) Young (AK)
 Solis Upton Young (FL)

NOT VOTING—68

Andrews Feeney Menendez
 Bachus Fossella Miller, George
 Baker Frank (MA) Moore
 Bass Garrett (NJ) Owens
 Bell Gephardt Oxley
 Bishop (UT) Goss Pascrell
 Brown, Corrine Gutierrez Peterson (PA)
 Burr Gutknecht Quinn
 Burton (IN) Hinchey Sabo
 Capuano Hinojosa Sanders
 Carson (IN) Hoeffel Scott (VA)
 Carson (OK) Hostettler Shays
 Collins Houghton Shuster
 Conyers Isakson Stark
 Davis, Tom Johnson, E. B. Tiahrt
 Delahunt Keller Tierney
 DeLauro King (NY) Toomey
 DeMint Lee Vitter
 Deutsch Lipinski Waxman
 Dicks Majette Wexler
 Dooley (CA) Maloney Whitfield
 Engel Markey Wilson (SC)
 Fattah Meehan

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1925

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. BASS. Mr. Chairman, owing to weather-caused flight delays, I was regrettably absent on Monday, July 12, 2004, and consequently missed recorded votes numbered 359 and 360. Had I been present, I would have voted “no” and “aye” respectively on these votes.

The CHAIRMAN. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SHIMKUS) having assumed the chair, Mr. LINDER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4755) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2005, and for other purposes, pursuant to House Resolution 707, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

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.

MOTION TO RECOMMIT OFFERED BY MR.
SHERMAN

Mr. SHERMAN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SHERMAN. I am, Mr. Speaker, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SHERMAN moves to recommit the bill, H.R. 4755, to the Committee on Appropriations with instructions to report the bill promptly with an amendment prohibiting the use of funds for postage expenses of any single committee in an aggregate amount exceeding \$25,000.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes in support of his motion.

Mr. SHERMAN. Mr. Speaker, under this motion, the bill would be amended so that we would have a \$25,000 limit on the amount that any single committee would spend on postage during fiscal 2005.

Before I discuss why such a limit is necessary, I will enter two letters into the RECORD.

NATIONAL TAXPAYERS UNION,
July 12, 2004.

Hon. BRAD SHERMAN,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN SHERMAN: On behalf of the 350,000-member National Taxpayers Union (NTU), I am responding to your request for NTU's views on a proposal to limit each Committee's expenditure on postage to the sum of no more than \$25,000 per year.

Even as overall postage and printing expenditures have declined from the \$100 million-plus levels once seen in Congresses 15 years ago, franking remains a source of fiscal and political interest to NTU. The already-generous limits governing the use of postage by House Members' personal offices were lifted in 1999, while new computer technologies have allowed lawmakers to maximize the impact of their mailings in ways that were not feasible as recently as ten years ago. Today, it is still possible for an incumbent House Member to spend as much on franking in a year as a challenger spends on his or her entire campaign. Rules regarding the content and proximity of mailings to elections only modestly offset this tremendous political advantage.

During our 15-year campaign on behalf of franking reform, NTU has focused on Member offices because they are the primary source of unsolicited mass mailings and associated expenditures. We were thus surprised to learn of a single Committee's FY 2005 postage request for \$250,000 in the Legislative Branch Appropriations Bill.

NTU is greatly concerned over the prospect of any Committee in Congress receiving postage funding in these amounts, as it would mark a significant expansion of the franking privilege that had traditionally been utilized in large part by Member offices. Such concern is irrespective of the immediate policy issue at hand or the parties involved. If the House sets a budget precedent now, taxpayers will very shortly face the unwelcome prospect of tens of millions in addition franking expenditures in future Congresses. Equally important, Americans would be forced to contend with a new set of issues affecting the balance of the political process.

Years of efforts from groups like NTU and reformers within Congress have yielded an improved, yet imperfect, franking disclosure process. Despite instances of poor record-keeping, inadequate disclosure, and overly-permissive rules, today constituents at least have limited access to basic franking information—giving them a chance to hold House Members politically accountable for the unsolicited mass mailings they send into their districts at taxpayer expense. Allowing such a practice at the Committee level, where ties between Members and constituents are less direct, would undermine even this limited progress.

It is especially galling that Congress would even consider an additional taxpayer-financed expansion of the franking privilege under the current fiscal and political circumstances. Amidst FY 2005 budget deficit estimates approaching \$400 billion, and a campaign finance law that further hampers political challengers, allowing such a huge postage funding request for any Committee will further reinforce Congress's reputation as an institution incapable of self-restraint.

Given the historic patterns of Committee expenditures, a \$25,000 annual limit on postage for each Committee is more than adequate for any legitimate communication needs. Seemingly minor budget requests such as the one before Congress now can have major consequences for taxpayers in the not-too-distant future. For this reason alone, the House of Representatives can and should restrict Committee postage expenditures—and a \$25,000 annual limit is a reasonable first step.

Please feel free to contact me should you have any additional questions regarding our position.

Sincerely,

PETE SEPP,
Vice President for Communications.

COUNCIL FOR
CITIZENS AGAINST GOVERNMENT WASTE,
July 12, 2004.

Representative Brad Sherman,
House of Representatives, Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVE SHERMAN: The more than one million members and supporters of the Council for Citizens Against Government Waste would like to express their appreciation for your cost-saving effort to limit each Committee to spending \$25,000 a year on postage.

Sincerely,

THOMAS SCHATZ,
President.

I will quote them in part. The first is from the National Taxpayers Union, and it states in part, "The House of Representatives can and should restrict committee postage expenditures, and a \$25,000 limit is a reasonable first step."

The second states, on behalf of the 1 million members of Citizens Against Government Waste, that they would like to express their appreciation to me for my cost-saving efforts to limit each committee to spending \$25,000 and no more per year on postage.

This is the first time that any of my legislative proposals have been endorsed by both the National Taxpayers Union and Citizens Against Government Waste.

Mr. Speaker, I hope that does not count against my time, but it is so nice to be applauded by my colleagues on that side of the aisle.

Mr. Speaker, in the history of this House, as far as I can determine, no committee up until the 108th Congress ever found it necessary to even spend \$10,000 on postage.

In the 107th Congress, the committee that spent the most on postage spent an average of \$7,000 a year during the 2 years of the 107th Congress.

In the 108th Congress, a new philosophy was born. That philosophy caused one authorizing committee to seek \$500,000 just for postage just for the 108th Congress. That was \$250,000 a year. That request represented a 4,445 percent increase over what that committee had requested for the 107th Congress. The Committee on House Administration allowed that committee only \$50,000 a year, only \$100,000 for postage.

□ 1930

But we are not talking about prior fiscal years. If we do not change this bill, committees will be asking for half a million dollars a year again, and in a few years it will be commonplace for individual committee Chairs to have half a million, a million, several million dollars of postage. And an equal amount for printing in political slush fund that they can use to mail into Members' districts, hit pieces or praise pieces. It is just around the corner. And we will hear from the gentleman or gentlewoman who rises against this motion that maybe it is a good thing and maybe this House should determine that it is a good thing that each committee Chair controls millions of dollars and sends out mail, perhaps justified by field hearing programs, without a field hearing, but either way with attacks or praise for individual Members mailing into their districts.

Now, this one committee on just one day in December spent \$49,587 on postage and another \$40,732 printing up the material that was to be mailed.

Now, when I say this bill is about the future and people on this side of the aisle need to hear this, this motion affects the 2005 fiscal year. It restricts Chairs; and when I talk about 2005, I mean Democratic Chairs, or perhaps Republican. Either way it is important that the Chairs of either party not be tempted to spend hundreds of thousands of dollars punishing or rewarding individual members of their committee. This is especially important because the House rules are not clear, and it is possible that you can send out committee mailings right until election day.

Now, how is this different than Member mailings? Mr. Speaker, when a Member mails to his or her own district, the recipients of that mail can punish the Member if they think that sending that mail is a waste of government resources. When a Chair mails into some district that is not his or her own, there are not ways to hold that Chair accountable.

This is the one chance we have in this House to vote to draw the line. We can think of some perfect world where

we have an authorizing bill where we can vote. We will not have this chance. Do not fool yourselves. You can open Pandora's box by defeating this. You can open Pandora's box to a day when committee Chairs have hundreds and thousands and millions of dollars to spend on postage attacking individual Members, or you can vote for this motion and draw the line now.

The SPEAKER pro tempore (Mr. SHIMKUS). Does the gentleman from Georgia (Mr. KINGSTON) oppose the motion?

Mr. KINGSTON. Yes, I do.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. KINGSTON) is recognized for 5 minutes in opposition to the motion.

Mr. KINGSTON. Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. POMBO).

Mr. POMBO. Mr. Speaker, I could take the entire 2½ minutes allotted to me to try to correct all of the facts that the gentleman from California (Mr. SHERMAN) just put out over the last week or so here. Unfortunately, 2½ minutes is not enough time to do that, so I would like to get to the substance of what his amendment is trying to do.

Earlier in the debate, the gentleman from California (Mr. SHERMAN) said that this was a new day in politics for committees to begin to frank. And committees have franked before, but I hope it is a new day. I hope it is a new era that we are entering into because when I took over as chairman of the Committee on Resources, one of the things that I did commit to was getting Members of Congress outside the Beltway, out across the country to listen to people that are affected by the laws that we pass in this House.

As a result of that, we have held 41 field hearings on the Committee on Resources. And members of my committee, Democrats and Republicans alike, have gone all over this country from Maryland to California, from Florida to Washington to listen to the people that were impacted by the issues that are under our committee. And, yes, we have franked.

We have gone into areas and said we are holding the field hearing in this region and we have told people that we are coming and we are going to be there. Now, the gentleman from California (Mr. SHERMAN) said earlier in the debate that if it was an interesting enough hearing that the press should be able to cover that and we should not have to frank. And I found that quite interesting coming from him, seeing that last year he sent out 12 notices telling people he was having town hall meetings in his district. So if they were interesting enough, you would not have had to do that.

Well, quite frankly, sometimes it is in the best interest of good government to tell people that you are having a field hearing and you are going out there.

One of the things that the gentleman from California (Mr. SHERMAN) has in-

timated over and over and over in this debate over the last week was that this was partisan. We sent out pieces in the Democrat districts, in the Republican districts. Everything we sent out had all of the names of the members of the Committee on Resources on it. It was done in a bipartisan fashion.

One of the things that we have tried to do on this committee is to work in a bipartisan fashion. And with the gentleman from West Virginia (Mr. RAHALL) and myself, we have accomplished that over the last 2 years. And to have you come in and try to do this, I think, is absolutely ridiculous. This is something we should be doing. Vote against the motion to recommit.

Mr. KINGSTON. Mr. Speaker, I yield 2½ minutes to the gentleman from Ohio (Mr. NEY).

Mr. NEY. Mr. Speaker, let me make it clear, first of all, because we have heard the half a million dollar figure bandied about a couple times now. The gentleman from California (Mr. POMBO) never asked me for half a million dollars.

Now, I can produce today about nine to 10 different sheets that we have had over the last 4 years in House administration of people asking for all types of money, minority and majority. So the half a million dollar figure is absolutely erroneous. And to actually stand here today and think that House Administration would be able to produce a half a million per committee in the future is also ridiculous. And I also think the gentleman does not want to start to talk about the history of spending in House Administration in this House, especially in the last 9 years when we, in fact, have pared down hundreds and hundreds of staff and cut one-third of the size of this House, in fact.

So I do not think you want to get into today the spending history. But let me make it clear. The gentleman from California (Mr. POMBO) followed the rules to the T. This was bipartisan. This was mailed out for Democrats. This was mailed out for Republicans.

Another statement today that is incorrect, I am sure the gentleman did it in error, is about the fact of limits. Members in this House are unlimited in how much they would spend. Your 70-some mailers in the last 2 years, you are unlimited, and that is your choice; and I do not today disparage you for mailing those. That is a Member's choice.

As far as the committee affects the entire United States, they have every right, every right to communicate in today's society. These were bipartisan. This was bipartisanly approved by House Administration. The gentleman from California (Mr. POMBO) followed this to the T. But I can assure you, House Administration has been responsible with the last ranking member to the current ranking member, and I am sure it is going to be responsible in the future. There is absolutely no way there is going to be millions of dollars

of accounts. That is a type of fear spreading that simply will not occur. But I will close.

I respect the gentleman's tenacity. And also, it was a pleasure to be here in the pinnacle of your year when you got the National Taxpayers Union because I am sure it is the last time I will see it.

Mr. KINGSTON. Mr. Speaker, I urge a "no" vote on this, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. SHERMAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clauses 8 and 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes as ordered on the question of passage and the Speaker's approval of the Journal.

The vote was taken by electronic device, and there were—ayes 163, noes 205, not voting 65, as follows:

[Roll No. 361]

AYES—163

Ackerman	Hefley	Miller (NC)
Alexander	Herseth	Mollohan
Allen	Hill	Moore
Baird	Holden	Moran (VA)
Baldwin	Holt	Murtha
Becerra	Honda	Nadler
Berkley	Hoolley (OR)	Napolitano
Berman	Hoyer	Neal (MA)
Berry	Inslee	Oberstar
Bishop (GA)	Israel	Obey
Bishop (NY)	Jackson (IL)	Oliver
Blumenauer	Jackson-Lee	Pallone
Boswell	(TX)	Paul
Boucher	Jefferson	Payne
Boyd	John	Pelosi
Brady (PA)	Jones (OH)	Peterson (MN)
Brown (OH)	Kanjorski	Pomeroy
Capps	Kaptur	Price (NC)
Cardin	Kennedy (RI)	Rangel
Chandler	Kildee	Reyes
Clay	Kilpatrick	Rodriguez
Clyburn	Kind	Ross
Coble	Kleczka	Rothman
Cooper	Kucinich	Royal-Allard
Costello	Lampson	Ruppersberger
Cramer	Langevin	Rush
Crowley	Lantos	Ryan (OH)
Cummings	Larsen (WA)	Sánchez, Linda
Davis (AL)	Larson (CT)	T.
Davis (CA)	Levin	Sanchez, Loretta
Davis (FL)	Lewis (GA)	Sandlin
Davis (IL)	Lipinski	Schakowsky
Davis (TN)	Loftgren	Schiff
DeFazio	Lowey	Scott (GA)
DeGette	Lucas (KY)	Serrano
Doggett	Lynch	Sherman
Doyle	Marshall	Skelton
Edwards	Matheson	Slaughter
Emanuel	Matsui	Smith (WA)
Eshoo	McCarthy (MO)	Snyder
Etheridge	McCarthy (NY)	Solis
Evans	McCollum	Spratt
Farr	McDermott	Stenholm
Filner	McGovern	Strickland
Ford	McIntyre	Stupak
Frost	McNulty	Tanner
Gonzalez	Meek (FL)	Tauscher
Gordon	Meeks (NY)	Taylor (MS)
Green (TX)	Michaud	Thompson (CA)
Grijalva	Millender-	Thompson (MS)
Hastings (FL)	McDonald	Towns

Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velázquez

Visclosky
Waters
Watson
Watt
Weiner

Woolsey
Wu
Wynn

Vitter
Waxman

Wexler
Whitfield

Wilson (SC)
Young (FL)

Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Olver
Ortiz
Osborne
Ose

Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sánchez, Linda
T.

Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)

NOES—205

Abercrombie
Aderholt
Akin
Baca
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny

Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Green (WI)
Greenwood
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrary
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes

Nussle
Ortiz
Osborne
Ose
Otter
Pastor
Pearce
Pence
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Smuder
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiberi
Turner (OH)
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Wicker
Wilson (NM)
Wolf
Young (AK)

So the motion was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 327, nays 43, not voting 63, as follows:

[Roll No. 362]

YEAS—327

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Baca
Baird
Baldwin
Ballenger
Barrett (SC)
Barton (TX)
Bass
Beauprez
Becerra
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite,
Ginny
Burgess
Burns
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carter
Case
Castle
Chabot
Chocola
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Franks (AZ)
Frelinghuysen
Gallegly

NOT VOTING—65

Andrews
Bachus
Baker
Bell
Bishop (UT)
Brown, Corrine
Burr
Burton (IN)
Capuano
Carson (IN)
Carson (OK)
Collins
Conyers
Davis, Tom
Delahunt
DeLauro
DeMint
Deutsch
Dicks
Dooley (CA)

Engel
Fattah
Fossella
Frank (MA)
Garrett (NJ)
Gephardt
Goss
Gutierrez
Gutknecht
Harman
Hinchey
Hinojosa
Hoeffel
Hostettler
Houghton
Isakson
Johnson, E. B.
King (NY)
Lee
Majette
Maloney
Markay
Meehan
Menendez
Miller, George
Owens
Oxley
Pascarell
Peterson (PA)
Quinn
Sabo
Sanders
Scott (VA)
Shays
Shuster
Stark
Tiahrt
Tierney
Toomey

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Baca
Baird
Baldwin
Ballenger
Barrett (SC)
Barton (TX)
Bass
Beauprez
Becerra
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite,
Ginny
Burgess
Burns
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Clyburn
Cole
Cooper
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings

Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Deal (GA)
DeFazio
DeGette
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Emanuel
Emerson
English
Eshoo
Etheridge
Evans
Everett
Farr
Feeney
Ferguson
Filner
Foley
Ford
Frelinghuysen
Frost
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goodlatte
Gordon
Granger
Greenwood
Grijalva
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth
Hill
Hobson
Hoekstra
Holden
Holt
Honda
Hoyer
Hookey (OR)
Hoyer
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)

Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (RI)
Kilpatrick
King (IA)
Kingston
Kirk
Klecza
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Manzullo
Marshall
Matsui
McCarthy (MO)
McCarthy (NY)
McCotter
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Mica
Michaud
Millender-
McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave

Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Olver
Ortiz
Osborne
Ose
Pallone
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds

NAYS—43

Bartlett (MD)
Berry
Coble
Costello
Davis, Jo Ann
Doggett
Duncan
Flake
Forbes
Franks (AZ)
Goode
Graves
Green (TX)
Green (WI)
Hayworth

Hefley
Hensarling
Hulshof
Jones (NC)
Kennedy (MN)
Kildee
Kind
LoBiondo
Lofgren
Matheson
McCollum
Miller (FL)
Moore
Neugebauer
Obey

NOT VOTING—63

Andrews
Bachus
Baker
Bell
Bishop (UT)
Brown, Corrine
Burr
Burton (IN)
Capuano
Carson (IN)
Carson (OK)
Collins
Conyers
Davis, Tom
Delahunt
DeLauro
DeMint
Deutsch
Dicks
Dooley (CA)
Engel

Fattah
Fossella
Frank (MA)
Garrett (NJ)
Gephardt
Goss
Gutierrez
Gutknecht
Hinchey
Hinojosa
Hoeffel
Hostettler
Houghton
Isakson
Johnson, E. B.
King (NY)
Lee
Lewis (CA)
Majette
Maloney
Markey
Meehan
Menendez
Miller, George
Owens
Oxley
Pascarell
Peterson (PA)
Quinn
Sabo
Sanders
Shays
Shuster
Stark
Tiahrt
Tierney
Toomey
Vitter
Waxman
Wexler
Whitfield
Wilson (SC)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS) (during the vote). There are 2 minutes remaining in this vote.

□ 2005

Mr. JONES of North Carolina changed his vote from “yea” to “nay.” So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, due to inclement weather in Indiana, I was regrettably delayed in my return to Washington, DC and therefore unable to be on the House Floor for rollcall votes 359, 360, 361 and 362. Had I been here I would have voted "no" for rollcall vote 359, "aye" for rollcall vote 360, "no" for rollcall vote 361, and "aye" for rollcall vote 362.

PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, unfortunately, I missed four votes in the House of Representatives on July 12, 2004. Had I been in attendance I would have made the following votes:

Vote on the Holt amendment to H.R. 4755—Legislative Branch Appropriations Act for FY05. Had I been in attendance, I would have voted "aye."

Vote on the Hefley amendment to H.R. 4755—Legislative Branch Appropriations Act for FY05. Had I been in attendance, I would have voted "no."

Vote on the Motion to Recommit—4755—Legislative Branch Appropriations Act for FY05. Had I been in attendance, I would have voted "aye."

Vote on passage of H.R. 4755—Legislative Branch Appropriations Act for FY05. Had I been in attendance, I would have voted "aye."

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.

Pursuant to clause 1, rule I, the Journal stands approved.

PERSONAL EXPLANATION

Mr. GREEN of Texas. Mr. Speaker, on July 9, 2004, I was unable to be present for the following votes. Had I been present, I would have voted as follows:

On rollcall 348, to table the appeal of the ruling of the Chair, I would have voted nay;

On rollcall 349, on the motion to adjourn, I would have voted nay;

On rollcall 350, on ordering the previous question, I would have voted nay;

On rollcall 351, on agreeing to House Resolution 711, I would have voted yea;

On rollcall 352, on tabling the motion to reconsider, I would have voted nay;

On rollcall 353, on the motion to adjourn, I would have voted nay;

On rollcall 354, on the motion to recommit with instructions, I would have voted nay;

On rollcall 355, on agreeing to the Gordon amendment, I would have voted yea;

On rollcall 356, on agreeing to the Jackson-Lee amendment, I would have voted yea;

On rollcall 357, on agreeing to the Larson amendment, I would have voted yea;

On rollcall 358, on the motion to recommit with instructions, I would have voted yea.

GENERAL LEAVE

Mr. BONILLA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill (H.R. 4766) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2005, and for other purposes, and that I may include tabular and other extraneous material.

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

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

The SPEAKER pro tempore. Pursuant to House Resolution 710 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4766.

The Chair designates the gentleman from New Hampshire (Mr. BASS) as Chairman of the Committee of the Whole, and requests the gentleman from Nebraska (Mr. TERRY) assume the chair temporarily.

□ 2006

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4766) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2005, and for other purposes, with Mr. TERRY (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Texas (Mr. BONILLA) and the gentlewoman from Ohio (Ms. KAPTUR) each will control 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. BONILLA).

Mr. BONILLA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am very proud to present the agriculture appropriation bill to the full House tonight. It is a bill that we are proud of. It is a product of a bipartisan effort that we have had on our subcommittee and our full committee. The subcommittee that produces this bill has a history of working in a bipartisan way and always trying to include the input of every member of the subcommittee on an annual basis.

This is a subcommittee that had to entertain over 2,100 individual requests for items to be included in this bill, and we did the best we could. This year, we had an unusual constraint, and that is a tighter budget, a more fiscally responsible budget that has forced us to appropriately present a bill that is \$67 million less than it was last year. And I might point out that the bill we did last year was below the previous year as well.

So fiscal conservatives should be proud of this product as well, and those who support agriculture issues in this country should be proud. Agriculture research, Food and Drug Administration, there are so many parts to this bill that affect so many people in this country. This bill, of course, also funds the Food Stamp program, the Women, Infants and Children program, we fund Food Safety, and the list goes on and on.

We have a very good subcommittee, and I mention them on a regular basis, but I would like to take the opportunity tonight to mention some of the people behind the scenes that do the grunt work day in and day out, oftentimes when Members of Congress are back in their congressional districts meeting with constituents and spending time with family. They are the ones back here going through every line item and looking for every opportunity to make this bill a good bill, which is what we are presenting here this evening.

Martha Foley, of the minority staff, is someone we work with in good faith, and she does a great job for us every day; Maureen Holohan, Leslie Barrack, and Joanne Perdue of the majority staff. We also had two detailees helping us this year, Tom O'Brien and Mike Gregoire. And then, of course, I would like to single out the clerk, Martin Delgado, who is clerking for the first time for this subcommittee and doing an outstanding job.

Mr. Chairman, the Subcommittee began work on this bill with the submission of the President's Budget on February 2nd. We had ten public hearings beginning on February 25th, and we completed our hearings on March 25th. The transcripts of these hearings, the Administration's official statements, the detailed budget requests, several thousand questions for the record, and the statements of Members and the public are contained in eight hearing volumes that are all printed.

The Subcommittee and Full Committee marked up the bill on June 14th and June 23rd, respectively. I can confirm to you that the interest in this bill is completely bipartisan. However, I would point out that my own support for a member's needs independent on that member's support of the Committee in general, and of this bill in particular.

Mr. Chairman, you may hear a lot of talk today about funding items that are not in this bill, or accounts that may be a little short, but I can assure you and the members of this body that given the allocation we had, that this is a fair, and fiscally-responsible bill.

This bill has increases over fiscal year 2004 in some cases, or over the budget request in