

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

NAYS—1

Paul

NOT VOTING—7

Brown (OH)	Deutsch	Quinn
Carson (IN)	Ferguson	
Collins	Majette	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1727

Mr. SANDERS changes his vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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, July 21, 2004.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Mr. Gray O. Bartlett, Executive Director, North Carolina State Board of Elections, State of North Carolina, indicating that, according to the unofficial returns of the Special Election held July 20, 2004, the Honorable G.K. Butterfield was elected Representative in Congress for the First Congressional District, State of North Carolina.

With best wishes, I am

Sincerely,

JEFF TRANDAH, *Clerk.*

Attachment.

STATE BOARD OF ELECTIONS,
Raleigh, NC, July 21, 2004.

Mr. JEFF TRANDAH,
Office of the Clerk, House of Representatives,
Washington, DC.

DEAR MR. TRANDAH: The unofficial results of the special election to fill the unexpired term in the First Congressional District of North Carolina are as follows:

G.K. Butterfield (Dem), 42,450 71%;
Greg Dority (Rep), 16,470, 27%;
Thomas I. Eisenmenger (Lib), 994, 2%.

All the counties in the First District have transmitted their unofficial totals to our SEIMS database as of 12:25 p.m., this morning. The above figures above represent the unofficial totals with all counties reporting into our SEIMS database at this time.

Sincerely,

GARY O. BARTLETT,
Executive Director.

PROVIDING FOR SWEARING IN OF
MR. G.K. BUTTERFIELD, OF
NORTH CAROLINA, AS A MEM-
BER OF THE HOUSE.

Ms. PELOSI. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina (Mr. BUTTERFIELD) be permitted to take the oath of office.

His certificate of election has not arrived, but there is no contest; and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentlewoman from California?

There was no objection.

SWEARING IN OF THE HONORABLE
G.K. BUTTERFIELD, OF NORTH
CAROLINA, AS A MEMBER OF
THE HOUSE

The SPEAKER. Will the Member-elect from North Carolina (Mr. BUTTERFIELD) kindly step into the well of the House, along with the members of the North Carolina delegation, and take the oath of office.

Mr. BUTTERFIELD 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 House of Representatives.

ELECTION OF G.K. BUTTERFIELD

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

Mr. COBLE. Mr. Speaker, I thank my colleagues who joined me yesterday, Mr. Speaker, in North Carolina's First Congressional District. A special election, as well as a primary election, were conducted. The special election was conducted for the purpose of electing a candidate to fill the unexpired term of our friend, the gentleman from North Carolina (Mr. Ballance), who previously resigned.

□ 1730

G.K. BUTTERFIELD, a long-time politico, well known in North Carolina, was elected to that post yesterday. Mr. BUTTERFIELD served with distinction as a member, Mr. Speaker, of the Superior Court in North Carolina; and finally, with 2 years as a sitting member, as a jurist on the North Carolina Supreme Court.

Mr. Speaker, I know I join you and my colleagues in extending a warm welcome to G.K. BUTTERFIELD to the people's House.

Mr. Speaker, I yield to the gentleman from North Carolina (Mr. PRICE) from North Carolina's Fourth Congressional District.

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, it is with tremendous pride that we welcome our newest Member, G.K. BUTTERFIELD.

George Kenneth BUTTERFIELD's roots run deep in eastern North Carolina. He is the product of the Wilson County Public Schools. He interrupted his college career at North Carolina Central University to serve in the United States Army. He returned a few years later, went on to law school.

His career in private law practice spanned 15 years before he was elected to the Superior Court in 1988. Governor Easley appointed Justice BUTTERFIELD, widely respected by lawyers, judges, jurors and citizens, to the Supreme Court of North Carolina in 2001.

In the course of his distinguished judicial career, Mr. BUTTERFIELD has served as vice president of the North Carolina Bar and president of the Association of Black Lawyers.

He is deeply involved in his home community of Wilson, North Carolina, from his Baptist church to local job training programs and child care.

The next phase of Justice BUTTERFIELD's career will combine his commitment to public service with his

expertise in the law. He knows the issues that matter to eastern North Carolinians. I know that his contributions as a Member of Congress will be significant, and we look forward to working with him.

Congratulations to G.K. BUTTERFIELD.

Mr. COBLE. Reclaiming my time, Mr. Speaker, I am pleased to present to my colleagues in the House the newly elected Member from North Carolina's First Congressional District, the Honorable G.K. BUTTERFIELD.

EXPRESSING GRATITUDE AND THANKS FOR THE OPPORTUNITY TO SERVE AS REPRESENTATIVE FOR THE FIRST CONGRESSIONAL DISTRICT OF NORTH CAROLINA

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

Mr. BUTTERFIELD. Mr. Speaker, I thank the gentleman from North Carolina (Mr. COBLE), the gentleman from North Carolina (Mr. PRICE) and to the other Members of this august body. It is my honor to join the 108th Congress to represent the citizens of the First District of North Carolina.

It has been a long night. Yesterday was election day in the First District, and I have the privilege of winning both the special election and the Democratic primary. I have traveling with me today many members of my family, friends and supporters. They are seated in the gallery. I would like to take this rare privilege to be able to point to them and to say to them, Thank you, thank you, thank you.

Mr. Speaker, North Carolina's First District is located in the northeastern part of our State. It is a largely rural community that once thrived upon tobacco as its main product. Tobacco farmers in North Carolina are facing a crisis that this Congress is now addressing.

The people of the First District are no different from your constituents. They want our government to work to enable all people to experience the American dream. Therefore, I look forward, Mr. Speaker, and my colleagues, to working with each of you as we serve our respective districts and as we serve America.

Thank you, thank you, thank you.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(c) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from North Carolina (Mr. BUTTERFIELD), the whole number of the House is adjusted to 435.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OSE). Under the previous order of the House, 5-minute voting will resume.

TAX SIMPLIFICATION FOR AMERICA'S JOB CREATORS ACT OF 2004

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4840.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. PORTMAN) that the House suspend the rules and pass the bill, H.R. 4840, 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 424, nays 0, not voting 10, as follows:

[Roll No. 405]

YEAS—424

Abercrombie	Conyers	Graves
Ackerman	Cooper	Green (TX)
Aderholt	Costello	Green (WI)
Akin	Cox	Greenwood
Alexander	Cramer	Grijalva
Allen	Crane	Gutierrez
Andrews	Crenshaw	Gutknecht
Baca	Crowley	Hall
Bachus	Cubin	Harman
Baird	Culberson	Harris
Baker	Cummings	Hart
Baldwin	Cunningham	Hastings (FL)
Ballenger	Davis (AL)	Hastings (WA)
Barrett (SC)	Davis (CA)	Hayes
Bartlett (MD)	Davis (FL)	Hayworth
Barton (TX)	Davis (IL)	Hefley
Bass	Davis (TN)	Hensarling
Beauprez	Davis, Jo Ann	Herger
Becerra	Davis, Tom	Hersteth
Bell	Deal (GA)	Hill
Bereuter	DeFazio	Hinchey
Berkley	DeGette	Hinojosa
Berman	Delahunt	Hobson
Berry	DeLauro	Hoeffel
Biggert	DeLay	Hoekstra
Bilirakis	DeMint	Holden
Bishop (GA)	Diaz-Balart, L.	Holt
Bishop (NY)	Diaz-Balart, M.	Honda
Bishop (UT)	Dicks	Hooley (OR)
Blackburn	Dingell	Hostettler
Blumenauer	Doggett	Houghton
Blunt	Dooley (CA)	Hoyer
Boehlert	Doolittle	Hulshof
Boehner	Doyle	Hunter
Bonilla	Dreier	Hyde
Bonner	Duncan	Inslee
Bono	Dunn	Isakson
Boozman	Edwards	Israel
Boswell	Ehlers	Issa
Boucher	Emanuel	Istook
Boyd	Emerson	Jackson (IL)
Bradley (NH)	Engel	Jackson-Lee
Brady (PA)	English	(TX)
Brady (TX)	Eshoo	Jefferson
Brown (SC)	Etheridge	Jenkins
Brown, Corrine	Evans	John
Brown-Waite,	Everett	Johnson (CT)
Ginny	Farr	Johnson (IL)
Burgess	Fattah	Johnson, E. B.
Burns	Feeney	Johnson, Sam
Burr	Filner	Jones (NC)
Burton (IN)	Flake	Jones (OH)
Butterfield	Foley	Kanjorski
Buyer	Forbes	Kaptur
Calvert	Ford	Keller
Camp	Fossella	Kelly
Cannon	Frank (MA)	Kennedy (MN)
Cantor	Franks (AZ)	Kennedy (RI)
Capito	Frelinghuysen	Kildee
Capps	Frost	Kilpatrick
Capuano	Gallegly	Kind
Cardin	Garrett (NJ)	King (IA)
Cardoza	Gephardt	King (NY)
Carson (OK)	Gerlach	Kingston
Carter	Gibbons	Kirk
Case	Gilchrest	Kleczka
Castle	Gillmor	Kline
Chabot	Gingrey	Knollenberg
Chandler	Gonzalez	Kolbe
Chocola	Goode	Kucinich
Clay	Goodlatte	LaHood
Clyburn	Gordon	Lampson
Coble	Goss	Langevin
Cole	Granger	Lantos

Larsen (WA)	Osborne	Shimkus
Larson (CT)	Ose	Shuster
Latham	Otter	Simmons
LaTourette	Owens	Simpson
Leach	Oxley	Skelton
Lee	Pallone	Slaughter
Levin	Pascarell	Smith (MI)
Lewis (CA)	Pastor	Smith (NJ)
Lewis (KY)	Paul	Smith (TX)
Linder	Payne	Smith (WA)
Lipinski	Pearce	Snyder
LoBiondo	Pelosi	Solis
Lofgren	Pence	Souder
Lowey	Peterson (MN)	Spratt
Lucas (KY)	Peterson (PA)	Stark
Lucas (OK)	Petri	Stearns
Lynch	Pickering	Stenholm
Maloney	Pitts	Strickland
Manzullo	Platts	Stupak
Markey	Pombo	Sullivan
Marshall	Pomeroy	Sweeney
Matheson	Porter	Tancred
Matsui	Portman	Tanner
McCarthy (MO)	Price (NC)	Tauscher
McCarthy (NY)	Pryce (OH)	Tauzin
McCollum	Putnam	Taylor (MS)
McCotter	Radanovich	Taylor (NC)
McCrery	Rahall	Terry
McDermott	Ramstad	Thomas
McGovern	Rangel	Thompson (CA)
McHugh	Regula	Thompson (MS)
McInnis	Rehberg	Thornberry
McIntyre	Renzi	Tiahrt
McKeon	Reyes	Tiberi
McNulty	Rodriguez	Tierney
Meehan	Rogers (AL)	Toomey
Meek (FL)	Rogers (KY)	Towns
Meeks (NY)	Rogers (MI)	Turner (OH)
Menendez	Rohrabacher	Turner (TX)
Mica	Ros-Lehtinen	Udall (CO)
Michaud	Ross	Udall (NM)
Millender-	Rothman	Upton
McDonald	Roybal-Allard	Van Hollen
Miller (FL)	Royce	Velázquez
Miller (MI)	Ruppersberger	Visclosky
Miller (NC)	Rush	Vitter
Miller, Gary	Ryan (OH)	Walden (OR)
Miller, George	Ryan (WI)	Walsh
Mollohan	Ryun (KS)	Wamp
Moore	Sabo	Waters
Moran (KS)	Sánchez, Linda	Watson
Moran (VA)	T.	Watt
Murphy	Sanchez, Loretta	Waxman
Murtha	Sanders	Weiner
Musgrave	Sandlin	Weldon (FL)
Myrick	Saxton	Weldon (PA)
Nadler	Schakowsky	Weller
Napolitano	Schiff	Wexler
Neal (MA)	Schrock	Whitfield
Nethercutt	Scott (GA)	Wicker
Neugebauer	Scott (VA)	Wilson (NM)
Northup	Sensenbrenner	Wilson (SC)
Norwood	Serrano	Wolf
Nunes	Sessions	Woolsey
Nussle	Shadeegg	Wu
Oberstar	Shaw	Wynn
Obey	Shays	Young (AK)
Oliver	Sherman	Young (FL)
Ortiz	Sherwood	

NOT VOTING—10

Brown (OH)	Ferguson	Quinn
Carson (IN)	Lewis (GA)	Reynolds
Collins	Majette	
Deutch	Ney	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1747

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.