

Mollohan	Rahall	Strickland
Murtha	Rothman	Stupak
Nadler	Ryan (OH)	Taylor (MS)
Napolitano	Sabo	Tierney
Oberstar	Sánchez, Linda	Udall (CO)
Obey	T.	Udall (NM)
Oliver	Sanders	Velázquez
Owens	Schakowsky	Visclosky
Pallone	Sherman	Waters
Pascarell	Slaughter	Watt
Pastor	Solis	Woolsey
Payne	Spratt	Wu
Peterson (MN)	Stark	

NOT VOTING—13

Bass	Kirk	Quinn
Carson (IN)	Kucinich	Simmons
Collins	Lowey	Sullivan
Gephardt	Majette	
Greenwood	Paul	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BOOZMAN) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1244

Mrs. NAPOLITANO, Mr. BECERRA, Ms. BALDWIN, and Mr. MCGOVERN changed their vote from “yea” to “nay.”

Mr. GUTIERREZ and Mr. WELDON of Florida changed their 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.

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2004

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 4175, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 4175, as amended, 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 421, nays 0, not voting 13, as follows:

[Roll No. 408]
YEAS—421

Abercrombie	Bishop (GA)	Burns
Ackerman	Bishop (NY)	Burr
Aderholt	Bishop (UT)	Burton (IN)
Akin	Blackburn	Butterfield
Alexander	Blumenauer	Buyer
Allen	Blunt	Calvert
Andrews	Boehlt	Camp
Baca	Boehner	Cannon
Bachus	Bonilla	Cantor
Baird	Bonner	Capito
Baker	Bono	Capps
Baldwin	Boozman	Capuano
Ballenger	Boswell	Cardin
Barrett (SC)	Boucher	Cardoza
Bartlett (MD)	Boyd	Carson (OK)
Barton (TX)	Bradley (NH)	Carter
Beauprez	Brady (PA)	Case
Becerra	Brady (TX)	Castle
Bell	Brown (OH)	Chabot
Bereuter	Brown (SC)	Chandler
Berkley	Brown, Corrine	Chocola
Berry	Brown-Waite,	Clay
Biggert	Ginny	Clyburn
Bilirakis	Burgess	Coble

Cole	Conyers	Hoekstra	Moran (VA)
Conyers	Cooper	Holden	Murphy
Cooper	Costello	Holt	Murtha
Costello	Cox	Honda	Musgrave
Cox	Cramer	Hooley (OR)	Myrick
Cramer	Crane	Hostettler	Nadler
Crane	Crenshaw	Houghton	Napolitano
Crenshaw	Crowley	Hoyer	Neal (MA)
Crowley	Cubin	Hulshof	Nethercutt
Cubin	Culberson	Hunter	Neugebauer
Culberson	Cummings	Hyde	Ney
Cummings	Cunningham	Inslee	Northup
Cunningham	Davis (AL)	Isakson	Norwood
Davis (AL)	Davis (CA)	Israel	Nunes
Davis (CA)	Davis (FL)	Issa	Nussle
Davis (FL)	Davis (IL)	Istook	Oberstar
Davis (IL)	Davis (TN)	Jackson (IL)	Obey
Davis (TN)	Davis, Jo Ann	Jackson-Lee	Oliver
Davis, Jo Ann	Deal (GA)	(TX)	Ortiz
Deal (GA)	DeFazio	Jefferson	Osborne
DeFazio	DeGette	Jenkins	Ose
DeGette	Delahunt	John	Otter
Delahunt	DeLauro	Johnson (CT)	Owens
DeLauro	DeLay	Johnson (IL)	Oxley
DeLay	DeMint	Johnson, E. B.	Pallone
DeMint	Deutsch	Johnson, Sam	Pascarell
Deutsch	Diaz-Balart, L.	Jones (NC)	Pastor
Diaz-Balart, L.	Diaz-Balart, M.	Jones (OH)	Payne
Dicks	Dicks	Kanjorski	Pearce
Dingell	Dingell	Kaptur	Pelosi
Doggett	Doggett	Keller	Pence
Dooley (CA)	Dooley (CA)	Kelly	Peterson (MN)
Doolittle	Doolittle	Kennedy (MN)	Peterson (PA)
Doyle	Doyle	Kennedy (RI)	Petri
Dreier	Dreier	Kildee	Pickering
Duncan	Duncan	Kilpatrick	Pitts
Dunn	Dunn	Kind	Platts
Edwards	Edwards	King (IA)	Pombo
Ehlers	Ehlers	King (NY)	Pomeroy
Emanuel	Emanuel	Kingston	Porter
Emerson	Emerson	Klecza	Portman
Engel	Engel	Kline	Price (NC)
English	English	Knollenberg	Pryce (OH)
Eshoo	Eshoo	Kolbe	Putnam
Etheridge	Etheridge	LaHood	Radanovich
Evans	Evans	Lampson	Rahall
Everett	Everett	Langevin	Ramstad
Farr	Farr	Lantos	Rangel
Fattah	Fattah	Larsen (WA)	Regula
Feeney	Feeney	Larson (CT)	Rehberg
Ferguson	Ferguson	Latham	Renzi
Filner	Filner	LaTourette	Reyes
Flake	Flake	Leach	Reynolds
Foley	Foley	Lee	Rodriguez
Forbes	Forbes	Levin	Rogers (AL)
Ford	Ford	Lewis (CA)	Rogers (KY)
Fossella	Fossella	Lewis (GA)	Rogers (MI)
Frank (MA)	Frank (MA)	Lewis (KY)	Rohrabacher
Franks (AZ)	Franks (AZ)	Linder	Ros-Lehtinen
Frelinghuysen	Frelinghuysen	Lipinski	Ross
Frost	Frost	LoBiondo	Rothman
Gallegly	Gallegly	Lofgren	Roybal-Allard
Garrett (NJ)	Garrett (NJ)	Lucas (KY)	Royce
Gerlach	Gerlach	Lucas (OK)	Ruppersberger
Gibbons	Gibbons	Lynch	Rush
Gilchrist	Gilchrist	Maloney	Ryan (OH)
Gillmor	Gillmor	Manzullo	Ryan (WI)
Gingrey	Gingrey	Markey	Ryun (KS)
Gonzalez	Gonzalez	Marshall	Sabo
Goode	Goode	Matheson	Sánchez, Linda
Goodlatte	Goodlatte	Matsui	T.
Gordon	Gordon	McCarthy (MO)	Sanchez, Loretta
Goss	Goss	McCarthy (NY)	Sanders
Granger	Granger	McCollum	Sandlin
Graves	Graves	McCotter	Saxton
Green (TX)	Green (TX)	McCrery	Schakowsky
Green (WI)	Green (WI)	McDermott	Schiff
Grijalva	Grijalva	McGovern	Schrock
Gutierrez	Gutierrez	McHugh	Scott (GA)
Gutknecht	Gutknecht	McInnis	Scott (VA)
Hall	Hall	McIntyre	Sensenbrenner
Harman	Harman	McKeon	Serrano
Harris	Harris	McNulty	Sessions
Hart	Hart	Meehan	Shadegg
Hastings (FL)	Hastings (FL)	Meek (FL)	Shaw
Hastings (WA)	Hastings (WA)	Meeks (NY)	Shays
Hayes	Hayes	Menendez	Sherman
Hayworth	Hayworth	Mica	Sherwood
Hefley	Hefley	Michaud	Shimkus
Hensarling	Hensarling	Miller (FL)	Shuster
Herger	Herger	McDonald	Simmons
Hersteth	Hersteth	Miller (FL)	Simpson
Hill	Hill	Miller (MI)	Skelton
Hinchey	Hinchey	Miller (NC)	Slaughter
Hinojosa	Hinojosa	Miller, Gary	Smith (MI)
Hobson	Hobson	Miller, George	Smith (NJ)
Hoeffel	Hoeffel	Mollohan	Smith (TX)
		Moore	Smith (WA)
		Moran (KS)	Snyder

Solis	Thompson (MS)	Waters
Souder	Thornberry	Watson
Spratt	Tiahrt	Waxman
Stark	Tiberi	Weiner
Stearns	Tierney	Weldon (FL)
Stenholm	Toomey	Weldon (PA)
Strickland	Towns	Weller
Stupak	Turner (OH)	Wexler
Sullivan	Turner (TX)	Whitfield
Sweeney	Udall (CO)	Udall (CO)
Tancred	Udall (NM)	Wicker
Tanner	Upton	Wilson (NM)
Tauscher	Van Hollen	Wilson (SC)
Tauzin	Velázquez	Wolf
Taylor (MS)	Visclosky	Woolsey
Taylor (NC)	Vitter	Wu
Terry	Walden (OR)	Wynn
Thomas	Walsh	Young (AK)
Thompson (CA)	Wamp	Young (FL)

NOT VOTING—13

Bass	Greenwood	Paul
Berman	Kirk	Quinn
Carson (IN)	Kucinich	Watt
Collins	Lowey	
Gephardt	Majette	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1253

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SENSE OF THE HOUSE REGARDING POSTPONEMENT OF A PRESIDENTIAL ELECTION

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 728.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and agree to the resolution, H. Res. 728 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 419, nays 2, not voting 13, as follows:

[Roll No. 409]
YEAS—419

Abercrombie	Bishop (GA)	Burns
Ackerman	Bishop (NY)	Burr
Aderholt	Bishop (UT)	Burton (IN)
Akin	Blackburn	Butterfield
Alexander	Blumenauer	Buyer
Allen	Blunt	Calvert
Andrews	Boehlt	Camp
Baca	Boehner	Cannon
Baker	Bonilla	Cantor
Baldwin	Bonner	Capito
Ballenger	Bono	Capps
Barrett (SC)	Boozman	Capuano
Bartlett (MD)	Boswell	Cardin
Barton (TX)	Boucher	Cardoza
Bass	Boyd	Carson (OK)
Beauprez	Bradley (NH)	Carter
Becerra	Brady (PA)	Case
Bell	Brady (TX)	Castle
Bereuter	Brown (OH)	Chabot
Berkley	Brown (SC)	Chandler
Berman	Brown, Corrine	Chocola
Berry	Brown-Waite,	Clay
Biggert	Ginny	Clyburn
Bilirakis	Burgess	Coble

Cole
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Henger
Herseeth
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra

Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inlee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kleczka
Kline
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Miller
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy

Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrbacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder

Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)

Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp

Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NAYS—2

Baird
McInnis

NOT VOTING—13

Bachus
Carson (IN)
Collins
Gephardt
Gillmor

Greenwood
Kirk
Kucinich
Lofgren
Lowey

Paul
Quinn
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1300

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BASS. Mr. Speaker, on Thursday, July 22, I regrettably missed recorded votes numbered 407 and 409. Had I been present, I would have voted "yea" on both measures.

MARRIAGE PROTECTION ACT OF 2004

Mr. SENSENBRENNER. Mr. Speaker, pursuant to House Resolution 734, I call up the bill (H.R. 3313) to amend title 28, United States Code, to limit Federal court jurisdiction over questions under the Defense of Marriage Act, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 734, the bill is considered read for amendment.

The text of H.R. 3313 is as follows:

H.R. 3313

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Marriage Protection Act of 2003".

SEC. 2. LIMITATION ON JURISDICTION.

(a) IN GENERAL.—Chapter 99 of title 28, United States Code, is amended by adding at the end the following:

"§ 1632. Limitation on jurisdiction

"No court created by Act of Congress shall have any jurisdiction, and the Supreme Court shall have no appellate jurisdiction, to hear or determine any question pertaining to the interpretation of section 1738c of this title or of this section. Neither the Supreme

Court nor any court created by Act of Congress shall have any appellate jurisdiction to hear or determine any question pertaining to the interpretation of section 7 of title 1."

(b) AMENDMENT TO TABLE OF SECTIONS.—The table of sections at the beginning of chapter 99 of title 28, United States Code, is amended by adding at the end the following new item:

"1632. Limitation on jurisdiction."

The SPEAKER pro tempore. The amendment in the nature of a substitute printed in the bill is adopted.

The text of the amendment in the nature of a substitute is as follows:

H.R. 3313

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Marriage Protection Act of 2004".

SEC. 2. LIMITATION ON JURISDICTION.

(a) IN GENERAL.—Chapter 99 of title 28, United States Code, is amended by adding at the end the following:

"§ 1632. Limitation on jurisdiction

"No court created by Act of Congress shall have any jurisdiction, and the Supreme Court shall have no appellate jurisdiction, to hear or decide any question pertaining to the interpretation of, or the validity under the Constitution of, section 1738C of this section."

(b) AMENDMENTS TO THE TABLE OF SECTIONS.—The table of sections at the beginning of chapter 99 of title 28, United States Code, is amended by adding at the end the following new item:

"1632. Limitation on jurisdiction."

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 45 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

□ 1300

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that the time for debate on H.R. 3313 be extended by 20 minutes, said time to be equally controlled by myself and the ranking member, the gentleman from Michigan (Mr. CONYERS).

The SPEAKER pro tempore (Mr. SHIMKUS). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

GENERAL LEAVE

Mr. SENSENBRENNER. 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 the bill, H.R. 3313.

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

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. DELAY), the distinguished majority leader.

Mr. DELAY. Mr. Speaker, I asked the gentleman from Wisconsin (Mr. SENSENBRENNER) for the privilege of opening this debate so as to lay before the