

Moore
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Oliver
Ortiz
Owens
Pallone
Pascarell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard

Ruppersberger
Rush
Ryan (OH)
Sabo
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (MI)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm

Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

Wicker
Wilson (NM)

Ackerman
Carson (IN)
Clay
Collins
Ferguson

Wilson (SC)
Wolf

Gephardt
Greenwood
Kirk
Lowey
Meehan

Young (AK)
Young (FL)

Moran (VA)
Paul
Petri
Quinn

NOT VOTING—14

□ 2123

Mr. ENGLISH and Mrs. JOHNSON of Connecticut changed their vote from “yea” to “nay.”

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. KIRK. Mr. Speaker, today I missed a series of votes due to the visit of the President to my district. Had I been present, I would have voted in the following way:

“Yes” on rollcall No. 407, H. Res. 738, the rule providing for the Morocco Free Trade Agreement.

“Yes” on rollcall No. 408, H.R. 4175, Veteran’s Compensation COLA Act of 2004.

“Yes” on rollcall No. 409, H. Res. 728, sense of Congress on Presidential election postponement.

“No” on rollcall No. 410, H.R. 3313, Marriage Protection Act of 2003.

“Yes” on rollcall No. 411, H.R. 4056, Commercial Aviation MANPADS Defense Act.

“Yes” on rollcall No. 412, H. Res. 652, urging the Government of the Republic of Belarus to ensure a democratic, transparent, and fair election process for its parliamentary elections in the fall of 2004.

“Yes” on rollcall No. 413, H.R. 4842, United States-Morocco Free Trade Implementation Act.

“Yes” on rollcall No. 414, H. Con. Res. 436, celebrating 10 years of majority rule in the Republic of South Africa.

“Yes” on rollcall No. 415, H. Con. Res. 418, recognizing the importance in history of the 150th anniversary of the establishment of diplomatic relations between the United States and Japan.

“No” on rollcall No. 416, motion to recommit H.R. 4837, Military Construction Appropriations Act for fiscal year 2005.

“Yes” on rollcall No. 417, H.R. 4837, Military Construction Appropriations Act for fiscal year 2005.

“Yes” on rollcall No. 418, conference report on H.R. 4613, Department of Defense Appropriations Act for fiscal year 2005.

“Yes” on rollcall No. 419, H. Con. Res. 469, condemning the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina.

“Yes” on rollcall No. 420, H. Con. Res. 467, declaring genocide in Darfur, Sudan.

“No” on rollcall No. 421, motion to instruct conferees on H.R. 1308.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. DELAY. Mr. Speaker, pursuant to section 2 of House Resolution 683, I offer a concurrent resolution (H. Con. Res. 479) and ask for its immediate consideration.

The SPEAKER pro tempore (Mr. SIMPSON). The Clerk will report the concurrent resolution.

The Clerk read as follows:

H. CON. RES. 479

Resolved by the House of Representatives (the Senate concurring),

That when the House adjourns on the legislative day of Thursday, July 22, 2004, or Friday, July 23, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, September 7, 2004, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Thursday, July 22, 2004, Friday, July 23, 2004, or Saturday, July 24, 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 Tuesday, September 7, 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.

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 concurrent resolution is agreed to.

There was no objection.

A motion to reconsider was laid on the table.

EXPRESSING CONDOLENCES OF THE HOUSE OF REPRESENTATIVES TO FAMILY AND FRIENDS OF MATTIE STEPANEK ON HIS PASSING

Mr. MURPHY. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the resolution (H. Res. 695) expressing the condolences of the House of Representatives to the family and friends of Mattie Stepanek on his passing, and honoring the life of Mattie Stepanek for his braveness, generosity of spirit, and efforts to raise awareness of muscular dystrophy, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

Mr. CARDIN. Mr. Speaker, reserving the right to object, and I do not intend to object, first I want to thank the gentleman from Pennsylvania (Mr. MURPHY) for bringing forward this unanimous consent request.

Under my reservation, I would be pleased to yield to the gentleman to explain the resolution.

Mr. MURPHY. Mr. Speaker, will the gentleman yield?

Mr. CARDIN. I yield to the gentleman from Pennsylvania.

NAYS—222

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Flake
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly

Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Kanjorski
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Klaine
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Neugebauer

Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Radanovich
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
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield

Mr. MURPHY. Mr. Speaker, on behalf of the Committee on Government Reform, I want to offer strong support for H. Res. 695. This resolution expresses the condolences of the House of Representatives to the family and friends of Mattie Stepanek on his passing on June 22. Thirteen-year-old Mattie Stepanek was a writer and a national figure who suffered from a rare form of muscular dystrophy, called dysautonomic mitochondrial myopathy.

Mattie, who lived in nearby Rockville, Maryland, was an incredibly articulate and optimistic spokesman for muscular dystrophy. He was perhaps best known for writing five volumes of poetry. Incredibly, three of his books reached the New York Times best seller list. I will briefly read one here. It is called, "On Being a Champion."

Mattie wrote: "A champion is a winner, a hero, someone who never gives up even when the going gets rough. A champion is a member of a winning team, someone who overcomes challenges even when it requires creative solutions. A champion is an optimist, a hopeful spirit, someone who plays the game even when the game is called life, especially when the game is called life. There can be a champion in each of us, if we live as a winner, if we live as a member of the team, if we live with a hopeful spirit, for life."

Mattie Stepanek passed away just a few weeks before his 14th birthday, which was last Saturday, July 17. His life was a singular credit to the strength of the human spirit. He contributed so much during a life that was so short. He has given faith to those in need and hope to those who have lost direction. He has touched so many lives that he has never met, and I know he has touched mine. Mattie will continue to reach down from heaven and touch so many more.

Tonight, I stand in strong support of this resolution that honors Mattie Stepanek, and I highly commend the gentleman from Maryland for moving ahead with H. Res. 695. I thank the gentleman for yielding to me and offer blessings to Mattie.

Mr. CARDIN. Mr. Speaker, further reserving the right to object, I first, again, thank the gentleman from Pennsylvania for moving this resolution.

I filed it on behalf of the entire Maryland congressional delegation. Mattie was a resident of our State. Jimmy Carter said that he was the most extraordinary person that he had ever met. Although only 13 years of age when he died, he had the courage that really led all of us. He captured love in the entire Nation when on Oprah's show, Oprah asked, what can I do for you, and he said just pray for me.

As the gentleman from Pennsylvania pointed out, Mattie published five books of poetry, an extraordinary accomplishment for a person his age. Of course, he is best known as a national poster child for muscular dystrophy and along with Jerry Lewis appeared

on national television on behalf of raising money to cure that disease.

He was a national figure, a person who touched all of our lives, any person who met him.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. CARDIN. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank my friend for yielding.

For those of us who met this extraordinary young man, it was really in many ways a life-enriching experience. It is hard to believe that someone as young as Mattie had such a depth of understanding of life. His mother is a wonderful lady who transferred to Mattie her own courage, and he had that in great abundance.

□ 2130

But it was his wisdom far beyond his years that impressed everyone who met with him.

When you listened to Mattie, he spoke as a child; but when you listened to what he said, he spoke as a very wise man.

Mr. Speaker, Mattie Stepanek was someone who enriched the lives of all with whom he came in contact. I had an opportunity to see him every year for a number of years at the softball tournament that the International Association of Firefighters conducted in Prince George's County on behalf of Jerry Lewis' telethon on muscular dystrophy. Mattie would attend and he would speak, and everyone there came to hear Mattie. The rest of us were simply surplus.

I want to thank the gentleman from Maryland (Mr. CARDIN) for introducing this resolution and thank everyone who has been involved in making sure that this resolution comes to the floor and that we observe the passing of an extraordinary American, an extraordinary young man, an extraordinary child of God.

Mr. CARDIN. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 695

Whereas Mattie Stepanek was born on July 17, 1990, and was raised in Rockville, Maryland;

Whereas Mattie Stepanek had mitochondrial myopathy, a rare form of muscular dystrophy that affects heart rate, breathing, and digestion;

Whereas in 2002, 2003, and 2004, Mattie Stepanek served as the National Goodwill Ambassador for the Muscular Dystrophy Association (MDA), appearing with MDA National Chairman Jerry Lewis on the MDA Labor Day Telethon;

Whereas Mattie Stepanek was able to fulfill three of his dreams by publishing a book of poetry, meeting his hero, former President Jimmy Carter, and meeting Oprah Winfrey;

Whereas Mattie Stepanek has written five books of poetry, including *Heartsongs*, *Jour-*

ney Through Heartsongs, *Hope Through Heartsongs*, *Celebrate Through Heartsongs*, and *Loving Through Heartsongs*;

Whereas the poetry books written by Mattie Stepanek have sold more than 500,000 copies;

Whereas by the age of 13, Mattie Stepanek reached an 11th grade education level through home schooling; and

Whereas on June 22, 2004, Mattie Stepanek lost his fight with muscular dystrophy at Children's National Medical Center in Washington, District of Columbia: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses its condolences to the family and friends of Mattie Stepanek on his passing; and

(2) honors the life of Mattie Stepanek for his braveness, generosity of spirit, and efforts to raise awareness of muscular dystrophy.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
July 20, 2004.

Hon. J. DENNIS HASTERT,
Speaker, House Of Representatives, Room H-232, The Capitol, Washington, DC.

DEAR MR. SPEAKER: It has been my great privilege and honor to have represented the citizens of Nebraska's 1st Congressional District in the U.S. House of Representatives for 13 terms. During that time I have served with an extraordinary number of talented and dedicated representatives from both sides of the aisle, and with similarly dedicated and effective congressional staff, who of course make possible the work of Congress.

As a Member, I have been particularly aided by an especially talented, loyal, unusually long-serving, and hard-working congressional office staff and subcommittee staff of high integrity who epitomize the best qualities of my Nebraska constituents and of those Americans who make our country the finest in the world.

However, there comes a time in many a representative's life when that Member of Congress is ready to focus on other priorities and objectives, and I am at that point in my life. Therefore, Mr. Speaker, the purpose of this letter is to communicate to you and the House, that effective at the end of the day on August 31, 2004, I am resigning my seat as the Representative of the 1st District of Nebraska in the U.S. House of Representatives. I also have written to the Governor of Nebraska to advise him of my decision.

Best wishes,

DOUG BEREUTER,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
July 20, 2004.

Hon. MIKE JOHANNIS,
Governor, State of Nebraska, State Capitol, P.O. Box 9488, Lincoln, Nebraska.

DEAR GOVERNOR JOHANNIS: It has been my great privilege and honor to have represented the citizens of Nebraska's 1st Congressional District in the U.S. House of Representatives for 13 terms. During that time I