

accorded the same rights and protections as other employees. Second, if the law is right, it should apply to Congress as well as the private sector. Third, if Congress lives by the same laws it applies elsewhere, it will write better laws. And, fourth, the constitutional separation of powers doctrine must be respected.

Mr. Speaker, I do hope, however, that we are able at a future time to revisit a GAO recommendation. GAO recommends strongly that the executive director, general counsel and the two deputy executive directors be reappointed to serve subsequent terms in either the same or different positions if warranted. I think that this makes sense, and it is my hope and intent that the committee in working with the chairman can bring this to the floor at a future date.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 5122

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

SECTION 1. PERMITTING SECOND TERM FOR BOARD OF DIRECTORS OF OFFICE OF COMPLIANCE.

(a) IN GENERAL.—The second sentence of section 301(e)(1) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(e)(1)) is amended to read as follows: “A member of the Board may be reappointed, but no individual may serve as a member for more than 2 terms.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to individuals serving on the Board of Directors of the Office of Compliance on or after the date of the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DOOLITTLE. 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 subject of H.R. 5122.

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

There was no objection.

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. today.

Accordingly (at 5 o'clock and 47 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1832

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Mr. HAYES) at 6 o'clock and 32 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on the following motions:

Motion to instruct on H.R. 4200, by the yeas and nays;

Motion to close the conference on H.R. 4200, if offered, by the yeas and nays; and

Motion to suspend the rules on S. 2363 de novo.

The first electronic vote will be conducted as a 15-minute vote. The remaining votes in the series will be 5-minute votes.

MOTION TO INSTRUCT CONFEREES ON H.R. 4200, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

The SPEAKER pro tempore. The pending business is the question on the motion to instruct conferees on H.R. 4200 offered by the gentlewoman from California (Ms. PELOSI) on which the yeas and nays are ordered.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentlewoman from California (Ms. PELOSI).

The vote was taken by electronic device, and there were—yeas 213, nays 186, not voting 33, as follows:

[Roll No. 473]

YEAS—213

| | | |
|----------------|-----------------|----------------|
| Abercrombie | Davis (IL) | Inslee |
| Ackerman | DeFazio | Israel |
| Allen | DeGette | Jackson (IL) |
| Andrews | Delahunt | Jackson-Lee |
| Baca | DeLauro | (TX) |
| Baird | Deutsch | Jefferson |
| Baldwin | Diaz-Balart, L. | Johnson (CT) |
| Bass | Diaz-Balart, M. | Johnson, E. B. |
| Becerra | Dicks | Kanjorski |
| Bell | Dingell | Kaptur |
| Berkley | Doggett | Kelly |
| Berman | Doyle | Kennedy (RI) |
| Biggert | Edwards | Kildee |
| Bishop (GA) | Emanuel | Kilpatrick |
| Bishop (NY) | Engel | Kind |
| Blumenauer | English | Kirk |
| Bono | Eshoo | Kleczka |
| Boswell | Etheridge | Kolbe |
| Boucher | Evans | Kucinich |
| Brady (PA) | Farr | LaHood |
| Brown (OH) | Ferguson | Lampson |
| Brown, Corrine | Filner | Langevin |
| Burns | Foley | Lantos |
| Butterfield | Ford | Larsen (WA) |
| Capps | Frank (MA) | Larson (CT) |
| Capuano | Frelinghuysen | Leach |
| Cardin | Gerlach | Lee |
| Cardoza | Gilchrest | Levin |
| Carson (IN) | Gonzalez | Lewis (GA) |
| Case | Gordon | Lipinski |
| Castle | Gordon (TX) | LoBiondo |
| Chandler | Greenwood | Lofgren |
| Clay | Grijalva | Lowey |
| Clyburn | Harman | Lynch |
| Conyers | Hereth | Maloney |
| Cooper | Hill | Markey |
| Costello | Hinchev | Marshall |
| Cramer | Hinojosa | Matheson |
| Crowley | Holden | Matsui |
| Cummings | Holt | McCarthy (MO) |
| Davis (AL) | Hooley (OR) | McCarthy (NY) |
| Davis (CA) | Hoyer | McCollum |
| Davis (FL) | | McDermott |

| | | |
|----------------|------------------|---------------|
| McGovern | Price (NC) | Snyder |
| McNulty | Rahall | Solis |
| Meehan | Rangel | Spratt |
| Meek (FL) | Reyes | Stark |
| Menendez | Rodriguez | Strickland |
| Michaud | Ros-Lehtinen | Stupak |
| Millender-Ross | Rothman | Tauscher |
| McDonald | Roybal-Allard | Thompson (CA) |
| Miller (NC) | Ruppersberger | Thompson (MS) |
| Miller, George | Rush | Tierney |
| Mollohan | Ryan (OH) | Towns |
| Moore | Sabo | Turner (TX) |
| Moran (VA) | Sanchez, Loretta | Udall (CO) |
| Nadler | Sandlin | Udall (NM) |
| Napolitano | Saxton | Van Hollen |
| Neal (MA) | Schakowsky | Velázquez |
| Oberstar | Schiff | Visclosky |
| Obey | Scott (GA) | Walden (OR) |
| Olver | Scott (VA) | Waters |
| Ortiz | Serrano | Watson |
| Owens | Shaw | Watt |
| Pallone | Sherman | Waxman |
| Pascrell | Shimkus | Weiner |
| Pastor | Simmons | Weller |
| Pelosi | Skelton | Wexler |
| Peterson (MN) | Slaughter | Woolsey |
| Platts | Smith (NJ) | Wu |
| Pomeroy | Smith (WA) | Wynn |
| Porter | | |

NAYS—186

| | | |
|---------------|---------------|---------------|
| Aderholt | Gingrey | Ose |
| Akin | Goode | Otter |
| Alexander | Goodlatte | Oxley |
| Bachus | Granger | Paul |
| Baker | Graves | Pearce |
| Bartlett (MD) | Green (WI) | Pence |
| Barton (TX) | Gutknecht | Peterson (PA) |
| Beauprez | Hall | Petri |
| Berry | Harris | Pickering |
| Bilirakis | Hart | Pitts |
| Bishop (UT) | Hastings (WA) | Pombo |
| Blackburn | Hayes | Portman |
| Blunt | Hayworth | Pryce (OH) |
| Boehner | Hefley | Quinn |
| Bonilla | Hensarling | Radanovich |
| Bonner | Herger | Ramstad |
| Boozman | Hobson | Regula |
| Boyd | Hoekstra | Rehberg |
| Bradley (NH) | Hostettler | Renzi |
| Brady (TX) | Houghton | Reynolds |
| Brown (SC) | Hulshof | Rogers (AL) |
| Brown-Waite, | Hyde | Rogers (MI) |
| Ginny | Issa | Rohrabacher |
| Burgess | Istook | Royce |
| Burton (IN) | Jenkins | Ryan (WI) |
| Buyer | Johnson (IL) | Ryun (KS) |
| Calvert | Johnson, Sam | Schrook |
| Camp | Jones (NC) | Sensenbrenner |
| Cantor | Keller | Sessions |
| Capito | Kennedy (MN) | Shadegg |
| Carson (OK) | King (IA) | Sherwood |
| Carter | King (NY) | Shuster |
| Chabot | Kline | Simpson |
| Chocola | Knollenberg | Smith (MI) |
| Coble | Latham | Smith (TX) |
| Cole | LaTourette | Souder |
| Collins | Lewis (CA) | Stearns |
| Cox | Lewis (KY) | Stenholm |
| Crane | Linder | Sullivan |
| Crenshaw | Lucas (KY) | Sweeney |
| Culberson | Lucas (OK) | Tancredo |
| Cunningham | Manzullo | Tanner |
| Davis (TN) | McCotter | Taylor (MS) |
| Davis, Jo Ann | McCrery | Taylor (NC) |
| Davis, Tom | McHugh | Terry |
| Deal (GA) | McInnis | Thomas |
| DeLay | McIntyre | Thornberry |
| Doolittle | McKeon | Tiberi |
| Dreier | Mica | Toomey |
| Duncan | Miller (FL) | Turner (OH) |
| Dunn | Miller (MI) | Upton |
| Ehlers | Miller, Gary | Vitter |
| Emerson | Moran (KS) | Walsh |
| Everett | Murphy | Wamp |
| Feeney | Musgrave | Whitfield |
| Flake | Myrick | Wicker |
| Forbes | Neugebauer | Wilson (NM) |
| Fossella | Ney | Wilson (SC) |
| Franks (AZ) | Northup | Wolf |
| Gallely | Norwood | Young (AK) |
| Garrett (NJ) | Nunes | Young (FL) |
| Gibbons | Nussle | |
| Gillmor | Osborne | |

NOT VOTING—33

| | | |
|--------------|--------|-------------|
| Ballenger | Burr | DeMint |
| Barrett (SC) | Cannon | Dooley (CA) |
| Boehlert | Cubin | Fattah |

Gephardt
Gutierrez
Hastings (FL)
Hoefel
Honda
Hunter
Isakson
John
Jones (OH)

Kingston
Majette
Meeks (NY)
Murtha
Nethercutt
Payne
Putnam
Rogers (KY)

Sánchez, Linda
T.
Sanders
Shays
Tauzin
Tiahrt
Weldon (FL)
Weldon (PA)

Blumenauer
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny

Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutknecht

Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Menendez
Mica

Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt

Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
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
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1902

Messrs. MCINTYRE, GALLEGLY, GIBBONS, OSBORNE, BOYD and WALSH changed their vote from “yea” to “nay.”

Messrs. WELLER, WALDEN of Oregon, GILCHREST and MARIO DIAZ-BALART of Florida changed their vote from “nay” to “yea.”

So the motion to instruct conferees was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO CLOSE CONFERENCE COMMITTEE MEETINGS ON H.R. 4200, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005, WHEN CLASSIFIED NATIONAL SECURITY INFORMATION IS UNDER CONSIDERATION

Mr. SAXTON. Mr. Speaker, pursuant to clause 12 of rule XX, I move that the meetings of the conference between the House and the Senate on H.R. 4200, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense for military construction and for defense activities of the Department of Energy to prescribe personnel strengths for such fiscal year for the armed forces, and for other purposes, be closed to the public at such times as classified national security information may be broached, provided that any sitting Member of the Congress shall be entitled to attend any meeting of the conference.

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. SAXTON).

Pursuant to clause 12 of rule XXII, the motion is not debatable and the vote must be taken by the yeas and nays.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 396, nays 0, not voting 36, as follows:

[Roll No. 474]

YEAS—396

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus

Baird
Baker
Baldwin
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell

Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn

Blumenauer
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny

Burgess
Burns
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Chabot
Chandler
Chocola
Clay
Clyburn
Coble
Cole
Collins
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
Deutsch
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Feehey
Ferguson

Filner
Flake
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen

Gephardt
Gutierrez
Hastings (FL)
Hoefel
Honda
Hunter
Isakson
John
Jones (OH)
Kingston
Majette
Meeks (NY)
Murtha
Nethercutt
Payne

Ballenger
Barrett (SC)
Boehlert
Burr
Cannon
Castle
Cubin
DeMint
Diaz-Balart, L.
Dooley (CA)
Fattah
Gephardt
Gutierrez

Hastings (FL)
Hoeffel
Honda
Hunter
Isakson
John
Jones (OH)
Kingston
Majette
Meeks (NY)
Murtha
Nethercutt
Payne

NOT VOTING—36

Ballenger
Barrett (SC)
Boehlert
Burr
Cannon
Castle
Cubin
DeMint
Diaz-Balart, L.
Dooley (CA)
Fattah
Gephardt
Gutierrez

Hastings (FL)
Hoeffel
Honda
Hunter
Isakson
John
Jones (OH)
Kingston
Majette
Meeks (NY)
Murtha
Nethercutt
Payne

Pelosi
Putnam
Rogers (KY)
Sánchez, Linda
T.
Sanders
Shays
Stark
Tauzin
Weldon (FL)
Weldon (PA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1911

So the motion was agreed to.

The result of the vote was announced as above recorded.

REVISING AND EXTENDING BOYS AND GIRLS CLUBS OF AMERICA

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 2363.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the Senate bill, S. 2363.

The question was taken.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayeas 374, noes 19, not voting 39, as follows:

[Roll No. 475]

AYES—374

Abercrombie
Ackerman
Aderholt
Alexander
Allen

Andrews
Baca
Bachus
Baird
Baker

Baldwin
Bartlett (MD)
Barton (TX)
Bass
Beauprez