

Frank (MA) Larson (CT)
 Frelinghuysen Leach
 Frost Lee
 Gephardt Levin
 Gerlach Lewis (GA)
 Gibbons Lipinski
 Gilchrest Lofgren
 Gonzalez Lowey
 Green (TX) Lynch
 Greenwood Majette
 Grijalva Maloney
 Gutierrez Markey
 Hill Matsui
 Hinchey McCarthy (MO)
 Hinojosa McCarthy (NY)
 Hobson McCollum
 Hoeffel McDermott
 Holt McGovern
 Honda McInnis
 Hooley (OR) McNulty
 Hostettler Meehan
 Houghton Michaud
 Hoyer Millender-
 Inslee McDonald
 Israel Miller (NC)
 Jackson (IL) Miller, George
 Jackson-Lee Mollohan
 (TX) Moore
 Johnson (CT) Moran (VA)
 Johnson, E. B. Nadler
 Jones (OH) Napolitano
 Kanjorski Neal (MA)
 Kaptur Obey
 Kennedy (RI) Oliver
 Kildee Ose
 Kilpatrick Owens
 Kind Pallone
 Kirk Pascrell
 Knollenberg Pastor
 Kolbe Paul
 Kucinich Payne
 Langevin Pelosi
 Lantos Pomeroy
 Larsen (WA) Price (NC)
 Pryce (OH)

NOT VOTING—20

Boehlert Harman
 Brown, Corrine Hastings (FL)
 Cannon Hunter
 Davis (IL) Meek (FL)
 Diaz-Balart, L. Meeks (NY)
 Diaz-Balart, M. Menendez
 Dunn Murtha

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

□ 1725

Mr. NADLER changed his vote from “yea” to “nay.”

So (two-thirds not having voted in favor thereof) the joint resolution was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING LIFE AND WORK OF
DUKE ELLINGTON

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 501.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. BURNS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 501 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 391, nays 0, not voting 42, as follows:

[Roll No. 485]

YEAS—391

Abercrombie Deutsch
 Aderholt Dicks
 Akin Dingell
 Alexander Doggett
 Allen Dooley (CA)
 Andrews Doolittle
 Baca Doyle
 Baird Dreier
 Baker Duncan
 Baldwin Edwards
 Ballenger Ehlers
 Barrett (SC) Emerson
 Bartlett (MD) Engel
 Barton (TX) English
 Bass Eshoo
 Beauprez Etheridge
 Becerra Evans
 Bell Everett
 Berkley Farr
 Berman Fattah
 Berry Feeney
 Biggert Ferguson
 Bilirakis Filner
 Bishop (GA) Flake
 Bishop (NY) Foley
 Bishop (UT) Forbes
 Blackburn Ford
 Blumenauer Fossella
 Blunt Frank (MA)
 Boehner Franks (AZ)
 Bonilla Frelinghuysen
 Bonner Frost
 Bono Gallegly
 Boozman Garrett (NJ)
 Boucher Gephardt
 Boyd Gerlach
 Bradley (NH) Gibbons
 Brady (PA) Gilchrest
 Brown (OH) Gillmor
 Brown (SC) Gingrey
 Brown-Waite, Gonzalez
 Ginny Goode
 Burgess Goodlatte
 Burns Gordon
 Burr Granger
 Burton (IN) Graves
 Butterfield Green (TX)
 Buyer Green (WI)
 Calvert Grijalva
 Camp Gutierrez
 Cantor Hall
 Capito Harris
 Capps Hart
 Capuano Hastert
 Cardin Hastings (WA)
 Cardoza Hayworth
 Carson (IN) Hefley
 Carson (OK) Hensarling
 Carter Herger
 Case Herseth
 Castle Hill
 Chabot Hinchey
 Chandler Hinojosa
 Chocola Hobson
 Clay Hoeffel
 Clyburn Hoekstra
 Coble Holden
 Cole Holt
 Collins Honda
 Conyers Hooley (OR)
 Cooper Hostettler
 Costello Houghton
 Cox Hoyer
 Cramer Hulshof
 Crane Hyde
 Crenshaw Inslee
 Crowley Isakson
 Cubin Israel
 Culberson Issa
 Cummings Jackson (IL)
 Cunningham Jackson-Lee
 Davis (AL) (TX)
 Davis (CA) Jefferson
 Davis (FL) Jenkins
 Davis (TN) John
 Davis, Jo Ann Johnson (IL)
 DeFazio Johnson, E. B.
 DeGette Johnson, Sam
 Delahunt Jones (NC)
 DeLauro Jones (OH)
 DeLay Kanjorski
 DeMint Kaptur

Peterson (PA) Saxton
 Petri Schakowsky
 Pickering Schiff
 Pitts Schrock
 Platts Scott (GA)
 Pombo Scott (VA)
 Pomeroy Sensenbrenner
 Porter Serrano
 Portman Sessions
 Price (NC) Shadegg
 Pryce (OH) Shaw
 Putnam Shays
 Quinn Sherman
 Kind Sherwood
 Radanovich Shuster
 Rahall Simmons
 Ramstad Regula
 Rehberg Skelton
 Renzi Slaughter
 Reynolds Smith (MI)
 Rodriguez Smith (NJ)
 Rogers (AL) Smith (TX)
 Rogers (KY) Smith (WA)
 Rogers (MI) Snyder
 Rohrabacher Solis
 Ross Souder
 Rothman Spratt
 Roybal-Allard Stearns
 Royce Stenholm
 Ruppersberger Strickland
 Rush Stupak
 Ryan (OH) Sullivan
 Ryan (WI) Sweeney
 Ryun (KS) Tancredo
 Sabo Tanner
 Sanchez, Linda Tauscher
 T. Taylor (MS)
 Sanchez, Loretta Taylor (NC)
 Sanders Terry
 Sandlin Thomas

NOT VOTING—42

Ackerman Greenwood
 Bachus Gutknecht
 Boehlert Harman
 Boswell Hastings (FL)
 Brady (TX) Hayes
 Brown, Corrine Hunter
 Cannon Istook
 Davis (IL) Johnson (CT)
 Davis, Tom Kilpatrick
 Deal (GA) King (NY)
 Diaz-Balart, L. Lipinski
 Diaz-Balart, M. Lucas (KY)
 Dunn McCollum
 Emanuel Meek (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1732

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING UNITED NEGRO COLLEGE FUND ON 60TH ANNIVERSARY

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 792.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. BURNS) that the House suspend the rules and agree to the resolution, H. Res. 792, 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 386, nays 0, not voting 46, as follows:

[Roll No. 486]

YEAS—386

Abercrombie	Dicks	Kennedy (RI)
Aderholt	Dingell	Kildee
Akin	Doggett	Kind
Alexander	Dooley (CA)	King (IA)
Allen	Doolittle	Kingston
Andrews	Doyle	Kirk
Baca	Dreier	Klecicka
Bachus	Duncan	Kline
Baird	Edwards	Knollenberg
Baker	Ehlers	Kolbe
Baldwin	Emerson	Kucinich
Barrett (SC)	Engel	LaHood
Bartlett (MD)	English	Lampson
Barton (TX)	Eshoo	Langevin
Bass	Etheridge	Lantos
Beauprez	Evans	Larsen (WA)
Becerra	Everett	Larson (CT)
Bell	Farr	Latham
Berkley	Fattah	LaTourette
Berman	Feeney	Leach
Berry	Ferguson	Lee
Biggart	Filner	Levin
Bilirakis	Flake	Lewis (CA)
Bishop (GA)	Forbes	Lewis (GA)
Bishop (NY)	Ford	Lewis (KY)
Bishop (UT)	Fossella	Linder
Blackburn	Frank (MA)	LoBiondo
Blumenauer	Franks (AZ)	Lofgren
Blunt	Frelinghuysen	Lowe
Boehner	Frost	Lucas (OK)
Bonilla	Galleghy	Lynch
Bonner	Garrett (NJ)	Majette
Bono	Gephardt	Maloney
Boozman	Gerlach	Manzullo
Boucher	Gibbons	Markey
Boyd	Gilchrest	Marshall
Bradley (NH)	Gillmor	Matheson
Brady (PA)	Gingrey	Matsui
Brown (OH)	Gonzalez	McCarthy (MO)
Brown (SC)	Goode	McCarthy (NY)
Brown-Waite,	Goodlatte	McCotter
Ginny	Gordon	McCrery
Burgess	Granger	McDermott
Burns	Graves	McGovern
Burr	Green (TX)	McHugh
Burton (IN)	Green (WI)	McInnis
Butterfield	Grijalva	McIntyre
Buyer	Gutierrez	McKeon
Calvert	Hall	McNulty
Camp	Harris	Meehan
Cantor	Hart	Mica
Capito	Hastings (WA)	Michaud
Capuano	Hayworth	Millender-
Cardin	Hensarling	McDonald
Cardoza	Herger	Miller (FL)
Carson (IN)	Herseth	Miller (MI)
Carson (OK)	Hill	Miller (NC)
Carter	Hinchey	Miller, George
Case	Hinojosa	Mollohan
Castle	Hobson	Moore
Chabot	Hoeffel	Moran (KS)
Chandler	Hoekstra	Moran (VA)
Chocola	Holden	Murphy
Clay	Holt	Musgrave
Clyburn	Honda	Myrick
Coble	Hooley (OR)	Nadler
Cole	Hostettler	Napolitano
Collins	Houghton	Neal (MA)
Conyers	Hoyer	Neugebauer
Cooper	Hulshof	Ney
Costello	Hyde	Northup
Cox	Inslee	Norwood
Cramer	Isakson	Nunes
Crane	Israel	Nussle
Crenshaw	Issa	Obey
Crowley	Istook	Ortiz
Cubin	Jackson (IL)	Osborne
Culberson	Jackson-Lee	Ose
Cummings	(TX)	Otter
Cunningham	Jefferson	Owens
Davis (AL)	Jenkins	Oxley
Davis (CA)	John	Pallone
Davis (FL)	Johnson (IL)	Pascarell
Davis (TN)	Johnson, E. B.	Pastor
Davis, Jo Ann	Johnson, Sam	Paul
DeFazio	Jones (NC)	Payne
DeGette	Jones (OH)	Pearce
Delahunt	Kanjorski	Pelosi
DeLauro	Kaptur	Pence
DeLay	Keller	Peterson (MN)
DeMint	Kelly	Petri
Deutsch	Kennedy (MN)	Pickering

Pitts	Schiff	Thompson (MS)
Platts	Schrock	Thornberry
Pombo	Scott (GA)	Tiahrt
Pomeroy	Scott (VA)	Tiberi
Porter	Sensenbrenner	Tierney
Portman	Serrano	Toomey
Price (NC)	Sessions	Towns
Pryce (OH)	Shadegg	Turner (OH)
Putnam	Shaw	Turner (TX)
Quinn	Shays	Udall (CO)
Radanovich	Sherman	Udall (NM)
Rahall	Sherwood	Upton
Ramstad	Shuster	Van Hollen
Regula	Simmons	Velázquez
Rehberg	Simpson	Visclosky
Renzi	Skeltton	Vitter
Reynolds	Slaughter	Walden (OR)
Rodriguez	Smith (MI)	Walsh
Rogers (AL)	Smith (NJ)	Wamp
Rogers (KY)	Smith (TX)	Waters
Rohrabacher	Smith (WA)	Watson
Ross	Snyder	Watt
Rothman	Solis	Waxman
Roybal-Allard	Souder	Weiner
Royce	Spratt	Weldon (FL)
Ruppersberger	Stearns	Weldon (PA)
Rush	Stenholm	Weller
Ryan (OH)	Strickland	Wexler
Ryan (WI)	Stupak	Whitfield
Ryun (KS)	Sweeney	Wicker
Sabo	Tancredo	Wilson (NM)
Sánchez, Linda	Tanner	Wilson (SC)
T.	Tauscher	Wolf
Sanchez, Loretta	Taylor (MS)	Woolsey
Sanders	Taylor (NC)	Wu
Sandlin	Terry	Wynn
Saxton	Thomas	Young (AK)
Schakowsky	Thompson (CA)	Young (FL)

NOT VOTING—46

Ackerman	Greenwood	Miller, Gary
Ballenger	Gutknecht	Murtha
Boehlert	Harman	Nethercutt
Boswell	Hastings (FL)	Oberstar
Brady (TX)	Hayes	Olver
Brown, Corrine	Hefley	Peterson (PA)
Cannon	Hunter	Rangel
Capps	Johnson (CT)	Reyes
Davis (IL)	Kilpatrick	Rogers (MI)
Davis, Tom	King (NY)	Ros-Lehtinen
Deal (GA)	Lipinski	Shimkus
Diaz-Balart, L.	Lucas (KY)	Stark
Diaz-Balart, M.	McCollum	Sullivan
Dunn	Meek (FL)	Tauzin
Emanuel	Meeks (NY)	
Foley	Menendez	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1740

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.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I would be glad to yield to my friend, the gentleman from Texas (Mr. DELAY), the majority leader, for the purpose of informing us of the schedule for next week.

Mr. DELAY. Mr. Speaker, I thank the gentleman from Maryland for yielding to me.

Mr. Speaker, next week the House will convene on Monday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to

Members' offices by the end of this week. We may also consider one or more motions to go to conference. Any votes called on those measures will be rolled until 6:30 p.m.

On Tuesday and the balance of the week, it is likely that we will consider additional legislation under suspension of the rules. We also expect to consider three bills under a rule: S. 878, the Bankruptcy Judgeship Act; H.R. 5107, the Justice For All Act; and H.R. 10, the 9/11 Commission Implementation Act.

In addition, there are a number of potential conference reports that we are working through, including several appropriations bills, the American Jobs Creation Act, and the Department of Defense Authorization bill. Members should be aware that these conference reports may be brought to the floor at any time next week.

Finally, I would like to note, Mr. Speaker, that we are expecting to consider a second supplemental request for disaster relief sometime next week. We may have additional requests resulting from Hurricane Jeanne, so we are working through these requests and trying to figure out how best to address these needs.

Obviously, we are expecting a very busy week. Members should expect to work some late nights and possibly into Friday evening or Saturday as we resolve these important pieces of legislation.

I thank the gentleman for yielding, and I will be happy to answer any questions he may have.

Mr. HOYER. Mr. Speaker, I thank the majority leader for the information. I want to assure the leader, as he says we ought to be, that the Members on this side are, in fact, prepared to spend the time necessary to address the important issues, as the leader requests. And I want to assure the leader of our cooperation in being ready to do our work.

Mr. Leader, initially, may I ask, the motions to instruct, can the gentleman give us a time when those might occur, and will they occur relatively close to the votes, the suspension votes at the end of the day? I yield to my friend.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding. As the gentleman knows, we have three appropriations bills that are out there that are eligible for motions to instruct. I do not know of any others. They are available when those Members want to bring a motion to instruct, and we are trying to fit them in as best we can during the week.

Mr. HOYER. I thank the leader for that information.

Mr. Leader, as all of us know, today is the end of the current fiscal year, and 12 of the 13 2005 appropriation bills have not been passed. We do not have a budget. The new fiscal year starts tomorrow. The highway program is still pending. We extended that for 8 months. The FSC bill, which is subjecting businesses in the country doing