

Pryce (OH)	Shimkus	Turner (OH)
Putnam	Simpsons	Walden (OR)
Quinn	Simpson	Walsh
Radanovich	Smith (TX)	Weldon (FL)
Reynolds	Souder	Weller
Rogers (KY)	Sullivan	Wicker
Rogers (MI)	Sweeney	Wilson (SC)
Ryan (WI)	Thomas	Wolf
Schrock	Thornberry	Young (AK)
Sessions	Tiahrt	Young (FL)
Shadegg	Tiberi	
Sherwood	Toomey	

This will be a 5-minute vote.
 The vote was taken by electronic device, and there were—yeas 397, nays 19, not voting 18, as follows:

[Roll No. 568]
 YEAS—397

Obey	Roybal-Allard	Tanner
Ortiz	Royce	Tauzin
Osborne	Ruppersberger	Taylor (MS)
Ose	Ryan (OH)	Taylor (NC)
Otter	Ryan (WI)	Terry
Owens	Ryun (KS)	Thomas
Oxley	Sabo	Thompson (CA)
Pallone	Sanders	Thompson (MS)
Pascrell	Sandlin	Thornberry
Pastor	Saxton	Tiahrt
Payne	Schakowsky	Tiberi
Pearce	Schiff	Toomey
Pelosi	Schrock	Towns
Pence	Scott (GA)	Turner (OH)
Peterson (MN)	Scott (VA)	Turner (TX)
Peterson (PA)	Sensenbrenner	Udall (CO)
Petri	Serrano	Udall (NM)
Pickering	Sessions	Upton
Pitts	Shadegg	Van Hollen
Platts	Shaw	Velazquez
Pombo	Shays	Vislosky
Pomeroy	Sherman	Walden (OR)
Porter	Sherwood	Walsh
Portman	Shimkus	Wamp
Price (NC)	Shuster	Waters
Pryce (OH)	Simmons	Watson
Putnam	Simpson	Watt
Quinn	Skelton	Waxman
Radanovich	Smith (MI)	Weiner
Rahall	Smith (NJ)	Weldon (FL)
Rangel	Smith (TX)	Weldon (PA)
Rehberg	Smith (WA)	Weller
Renzi	Snyder	Whitfield
Reynolds	Solis	Wicker
Rodriguez	Souder	Wilson (NM)
Rogers (AL)	Spratt	Wilson (SC)
Rogers (KY)	Stearns	Wolf
Rogers (MI)	Stenholm	Woolsey
Rohrabacher	Strickland	Wu
Ros-Lehtinen	Stupak	Wynn
Ross	Sullivan	Young (AK)
Rothman	Sweeney	Young (FL)

NOT VOTING—18

Andrews	Gallegly	Reyes
Ballance	Gephardt	Sanchez, Loretta
Case	Kelly	Slaughter
Coble	Marshall	Vitter
Doggett	Ramstad	Watson
Fletcher	Regula	Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (Mr. LINDER) (during the vote). There are 2 minutes remaining in this vote.

□ 1354

Messrs. NUNES, YOUNG of Alaska, HOBSON, BASS, CHOCOLA, ISSA, COLE, and FRELINGHUYSEN changed their vote from “yea” to “nay.”

Messrs. KELLER, TANCREDO, ROGERS of Alabama, GRAVES, BALLENGER, NORWOOD, BACHUS, MARIO DIAZ-BALART of Florida, HEFLEY, BARTLETT of Maryland, DICKS, SKELTON, LINCOLN DIAZ-BALART of Florida, PETERSON of Pennsylvania, SHAYS, and Mrs. CUBIN and Ms. DUNN changed their vote from “nay” to “yea.”

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BALLANCE. Mr. Speaker, I inadvertently did not vote on the Democratic Motion to Instruct Conferees on H.R. 3289, Supplemental Appropriations Act for FY04. This motion directs conferees to keep the Senate-adopted language to: convert half of the Iraq rebuilding funds into a loan provided 90 percent of Iraq's bilateral debts are forgiven; provide quality of life improvements for our troops; and provide \$1.3 billion in emergency funds for veterans' health care.

Had I been present, on rollcall Vote No. 567, I would have voted “aye.”

Ms. WATSON. Mr. Speaker, on Tuesday, October 21, I was unavoidably detained and missed a recorded vote number 567 on a motion to instruct conferees for H.R. 3289, the Emergency Supplemental Appropriations for Defense and for the Reconstruction of Iraq and Afghanistan for FY 2004. Had I been present, I would have voted “yea.”

FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2004

The SPEAKER pro tempore. The pending business is the question of passage of the joint resolution, House Joint Resolution 73, on which the yeas and nays are ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

Abercrombie	DeLay	Johnson (CT)
Ackerman	DeMint	Johnson (IL)
Aderholt	Deutsch	Johnson, E. B.
Akin	Diaz-Balart, L.	Johnson, Sam
Alexander	Diaz-Balart, M.	Jones (NC)
Allen	Dicks	Jones (OH)
Baca	Dingell	Kanjorski
Bachus	Dooley (CA)	Kaptur
Baird	Doolittle	Keller
Baker	Doyle	Kennedy (MN)
Baldwin	Dreier	Kennedy (RI)
Ballance	Duncan	Kildee
Ballenger	Dunn	Kilpatrick
Barrett (SC)	Edwards	Kind
Bartlett (MD)	Ehlers	King (IA)
Barton (TX)	Emanuel	King (NY)
Bass	Emerson	Kingston
Beauprez	Engel	Kirk
Bell	English	Kleczka
Bereuter	Eshoo	Kline
Berkley	Etheridge	Knollenberg
Berman	Evans	Kolbe
Berry	Everett	LaHood
Biggett	Farr	Lampson
Bilirakis	Fattah	Langevin
Bishop (GA)	Feeney	Lantos
Bishop (NY)	Ferguson	Larsen (WA)
Bishop (UT)	Flake	Larson (CT)
Blackburn	Foley	Latham
Blunt	Forbes	LaTourette
Boehlert	Ford	Leach
Boehner	Fossella	Levin
Bonilla	Frank (MA)	Lewis (CA)
Bonner	Franks (AZ)	Lewis (GA)
Bono	Frelinghuysen	Lewis (KY)
Boozman	Frost	Linder
Boswell	Garrett (NJ)	Lipinski
Boucher	Gerlach	LoBiondo
Boyd	Gibbons	Lofgren
Bradley (NH)	Gilchrest	Lowey
Brady (PA)	Gillmor	Lucas (KY)
Brady (TX)	Gingrey	Lucas (OK)
Brown (OH)	Gonzalez	Lynch
Brown (SC)	Goode	Majette
Brown, Corrine	Goodlatte	Maloney
Brown-Waite,	Gordon	Manzullo
Ginny	Goss	Markey
Burgess	Granger	Matheson
Burns	Graves	Matsui
Burr	Green (TX)	McCarthy (MO)
Burton (IN)	Green (WI)	McCarthy (NY)
Buyer	Greenwood	McCollum
Calvert	Grijalva	McCotter
Camp	Gutierrez	McCrery
Cannon	Gutknecht	McGovern
Cantor	Hall	McHugh
Capito	Harman	McInnis
Capps	Harris	McIntyre
Cardin	Hart	McKeon
Cardoza	Hastings (FL)	McNulty
Carson (IN)	Hastings (WA)	Meehan
Carson (OK)	Hayes	Meek (FL)
Carter	Hayworth	Meeks (NY)
Castle	Hefley	Menendez
Chabot	Hensarling	Mica
Chocola	Hergert	Michaud
Clay	Hill	Millender-
Clyburn	Hinche	McDonald
Cole	Hinojosa	Miller (FL)
Conyers	Hobson	Miller (MI)
Cooper	Hoefel	Miller (NC)
Costello	Hoekstra	Miller, Gary
Cox	Holden	Mollohan
Cramer	Honda	Moore
Crane	Hooley (OR)	Moran (KS)
Crenshaw	Hostettler	Moran (VA)
Crowley	Houghton	Murphy
Cubin	Hoyer	Murtha
Culberson	Hulshof	Musgrave
Cummings	Hunter	Myrick
Cunningham	Hyde	Nadler
Davis (AL)	Inslee	Napolitano
Davis (FL)	Isakson	Neal (MA)
Davis (IL)	Israel	Nethercutt
Davis (TN)	Issa	Neugebauer
Davis, Jo Ann	Istook	Ney
Davis, Tom	Jackson (IL)	Northup
Deal (GA)	Janklow	Norwood
DeGette	Jefferson	Nunes
DeLahunt	Jenkins	Nussle
DeLauro	John	Oberstar

NAYS—19

Becerra	Jackson-Lee	Paul
Blumenauer	(TX)	Sanchez, Linda
Capuano	Kucinich	T.
Lee (CA)	Davis (CA)	Stark
DeFazio	McDermott	Tancredo
Filner	Miller, George	Tauscher
Holt	Olver	Tierney

NOT VOTING—18

Andrews	Gallegly	Reyes
Case	Gephardt	Rush
Coble	Kelly	Sanchez, Loretta
Collins	Marshall	Slaughter
Doggett	Ramstad	Vitter
Fletcher	Regula	Wexler

□ 1402

So the joint resolution was passed.
 The result of the vote was announced as above recorded.
 A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 3289, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN, 2004

The Speaker pro tempore (Mr. LINDER). Without objection, the Chair appoints the following conferees: Messrs. YOUNG of Florida, LEWIS of California, ROGERS of Kentucky, WOLF, KOLBE, WALSH, KNOLLENBERG, OBEY, MURTHA, Mrs. LOWEY, Mr. SERRANO, and Mr. EDWARDS.

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2821

Mrs. MCCARTHY of New York. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2821.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentlewoman from New York?

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Madam Speaker, I yield to the gentleman from Texas (Mr. DELAY) for the purpose of informing us of the schedule, and it seems to me we did this just yesterday.

Mr. DELAY. Madam Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, the House will convene on Tuesday at 12:30 for morning hour debates and 2 p.m. for legislative business. We will consider several measures under suspension of rules. A final list of these bills will be sent to Members' offices by the end of the week. Any votes called on these measures will be rolled until 6:30 p.m. on Tuesday.

On Wednesday, the House will convene at 10 a.m. for legislative business. We may consider additional legislation under suspension of the rules, as well as H.R. 2443, the Coast Guard and Maritime Transportation Act of 2003. Next week we hope to have the conference report for H.R. 6, the Energy Policy Act for 2003 ready for consideration, as well as the Department of Defense authorization conference report. And in addition to that, there are four appropriations bills currently in conference that will be ready at any time.

Members should also be aware that we will be in session next Friday, October 31, and expect to have votes that day. Finally, I would like to make all of the Members aware that we hope the following week, the week of November 3, will be our last week of the session. We expect our first votes of that week to occur after 6:30 p.m. on Tuesday, and we anticipate having votes through Friday, November 7.

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

Mr. HOYER. Madam Speaker, I thank the gentleman for that information, and for his optimism. The gentleman indicated that Members should expect there will be votes in the House next Friday. That is Halloween. How certain is the gentleman that we are going to have votes on that day?

Mr. DELAY. I am pretty certain we are going to have votes on that day. If Members look at the conference reports and the fact that the present continuing resolution runs out on that day, if things do not go as we expect them, we could have some very important legislation on that day, although we understand that it is Halloween and

Members want to be home with their families and want to trick or treat. And hopefully even if we work on that day, we can let Members out in time to go trick or treating.

Mr. HOYER. Better trick or treating at home than here.

Mr. DELAY. I understand.

Mr. HOYER. Mr. Leader, November 7 is indicated as the target date for adjournment. So that Members can plan, how confident is leadership that we can meet that date? How strong is leadership's intention to meet that date?

Mr. DELAY. As the gentleman knows, any date is tentative at the end of any session; but we are working very hard. The Senate is working very hard. If we get the conference reports that I outlined in my opening remarks next week, then we really only have the Medicare conference report, the finishing of the appropriations process, and we hope that we can do all of that in the next 2 weeks.

Mr. HOYER. Madam Speaker, I ask the gentleman, would it be fair to conclude there will be no action on the child tax credit?

Mr. DELAY. I would hope there would be. I would hope that the Senate would realize that allowing the child tax credit to expire in just a couple of years is actually raising taxes, and would accept the House bill that makes them permanent.

Mr. HOYER. Mr. Leader, I think I am correct that every tax bill that we have passed over the last 3 years has been sunsetted. Therefore, pursuant to your rationale on child tax credit, in effect those bills would be raising taxes, sometimes in 2010, sometimes a little before, and sometimes a little after, 2006, 2007 some sunset. How does that rationale differ from the rationale being applied to the child tax credit?

Mr. DELAY. Madam Speaker, it is pretty simple. The House has voted for a bill which covers more families than the Senate bill, and we think that they ought to receive that child tax credit, and they ought to receive it on a permanent basis. The House has spoken, and the Senate does not seem to want to come together with the House and work out our differences.

Mr. HOYER. Unfortunately, it is our position that the children, those 12 million children, the 6.5 million families, the 200,000 military families who would otherwise be eligible, are the ones who are paying the price for the inability of the two Houses to come together when apparently both Houses believe that they ought to get the tax relief of which we speak, and but for the difference on making it permanent, would be getting.

I would again reiterate our hope in the next 2 weeks that we plan on being in session, that if we cannot resolve the differences between the two Houses, we would urge leadership to reconsider that and pass at least the 1- or 2-year extension while we try to reach agreement on the differences that exist between the two Houses.

Mr. Leader, on the FSC bill, it is our understanding that the Committee on Ways and Means will mark up this legislation on Monday. Does leadership expect the bill to be on the floor next week or does leadership expect it to pass before we leave?

Mr. DELAY. Madam Speaker, the Committee on Ways and Means is considering a markup in the very near future, and once the committee has completed its work, because this bill has been a work in progress and has taken longer than we thought it would take to mark it up in committee, we have not scheduled time for it. But obviously, it is a very important piece of legislation; and once the committee has completed its work, we will look for floor time to move it. But at this point we cannot give an exact prediction of whether it is next week or the following week.

Mr. HOYER. As the leader knows, this bill comes about by a WTO ruling which places in jeopardy the United States, and we believe that we have a solution which advantages U.S. manufacturers, and we are very hopeful this does move ahead so our country does not confront at the end of this year, as the European Union has suggested it might, take action if we have not corrected the deficiency which the WTO has found. I hope that we could move that bill before we leave here.

The leader mentioned several conference reports which will come up next week. Which are the most likely? Energy was mentioned. Energy was a possibility for this week. How confident is leadership that energy will come next week? This is a complicated bill, a very important bill; and I would ask you to comment, and I would ask you to facilitate the availability of this bill as soon as possible, and more than 24 hours before because it is a complicated bill. We need time to review it; and as the leader knows, we have not been included, from our perspective, in the conference proceedings so we do not know what is in this bill at this point in time.

First, how confident is the gentleman that the conference report will come next week; and, second, can we be assured that we will receive a copy of the report and the accompanying bill hopefully by Friday afternoon?

Mr. DELAY. Madam Speaker, as the gentleman knows, we do not have to be in session for us to get our work done in conference committees or other committees. People are going to be working the rest of this week to finalize what will be submitted to formal proceedings of the conference committee on the energy bill, the comprehensive energy bill. The gentleman is correct in that it is a very complicated bill. Obviously we want to make sure that Members have enough time to review it so they can vote with some sort of understanding of what is in the bill. Obviously, I cannot predict when the final proceedings on the energy bill will be, but we will get to the