

handled: because these individuals who are locked out of so many things in life turn on their television and they hear that tax relief is being passed for millionaires, they hear that tax relief is being passed for the owners of large corporations, and they hear that wider and broader and additional tax relief is contemplated. Yet they hear that they are not worthy of additional relief at all. They are told, as some of my colleagues on the other side have said, that they are welfare cases who really do not contribute to the system and really do not pay taxes anyway, so why get any kind of benefit.

We ought to recognize as elected officials, Mr. Speaker, that we cannot leave people out of the system and expect them to continue to have faith in the system. That may be a small cost to my colleagues on the other side of the aisle, because a lot of these folks are not a big part of their voter base, but they are part of the America that we have. This party that I speak for today will always be proud to speak for these families, because the kids in this country who live in families earning at the edge of the poverty line and slightly above it, they cannot come to this city and have fly-in week. They cannot hold \$50,000 fund-raisers. They cannot hold thousand-dollar-a-head events. Somebody has to speak for them. Somebody has to take the time to come to this floor to speak for their needs and advocate for their cause. The ones of us who do that represent the Democratic Party in America, and those of us on this side of the aisle will always be proud to be part of the party that speaks for those who have been left behind, who lack any other voice.

So with that said, I urge my colleagues to vote for this motion to instruct and to finally fix this fundamental unfairness in what was purported to be a tax fairness bill earlier this year.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BASS). Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Alabama (Mr. DAVIS).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DAVIS of Alabama. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 4 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1535

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. TERRY) at 3 o'clock and 35 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to instruct conferees previously postponed.

Votes will be taken in the following order:

Motion to instruct on H.R. 2691, de novo;

Motion to instruct on H.R. 1, by the yeas and nays;

and motion to instruct on H.R. 1308, by the yeas and nays.

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

MOTION TO INSTRUCT CONFEREES ON H.R. 2691, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

The SPEAKER pro tempore. The pending business is the de novo vote on the motion to instruct conferees on H.R. 2691.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentleman from Washington (Mr. DICKS).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. DICKS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 259, nays 165, answered "present" 1, not voting 9, as follows:

[Roll No. 527]

YEAS—259

Abercrombie	Boehlert	Conyers
Ackerman	Boswell	Cooper
Alexander	Boucher	Costello
Allen	Boyd	Cramer
Andrews	Brady (PA)	Crowley
Baca	Brown (OH)	Cummings
Baird	Brown, Corrine	Davis (AL)
Baldwin	Burr	Davis (CA)
Ballance	Burton (IN)	Davis (FL)
Bass	Buyer	Davis (IL)
Beauprez	Cannon	Davis (TN)
Becerra	Capps	Davis, Jo Ann
Bell	Capuano	DeFazio
Berkley	Cardin	DeGette
Berman	Cardoza	Delahunt
Berry	Carson (IN)	DeLauro
Bishop (GA)	Carson (OK)	Deutsch
Bishop (NY)	Case	Dicks
Bishop (UT)	Clay	Dingell
Blumenauer	Clyburn	Doggett

Dooley (CA)	Larsen (WA)	Price (NC)
Doyle	Larson (CT)	Quinn
Dunn	Leach	Rahall
Edwards	Lee	Rangel
Emanuel	Levin	Rehberg
Emerson	Lewis (GA)	Renzi
Engel	Lewis (KY)	Reyes
Etheridge	Lipinski	Rodriguez
Farr	LoBiondo	Rogers (KY)
Fattah	Lofgren	Ross
Ferguson	Lowe	Rothman
Filner	Lucas (KY)	Royal-Allard
Fletcher	Lynch	Ruppersberger
Forbes	Majette	Rush
Ford	Maloney	Ryan (OH)
Frank (MA)	Manzullo	Sabo
Frelinghuysen	Markey	Sanchez, Linda
Frost	Marshall	T.
Galleghy	Matheson	Sanchez, Loretta
Gibbons	Matsui	Sanders
Gonzalez	McCarthy (MO)	Sandlin
Goodlatte	McCarthy (NY)	Saxton
Gordon	McCollum	Shakowsky
Green (TX)	McCotter	Schiff
Green (WI)	McDermott	Scott (GA)
Grijalva	McGovern	Scott (VA)
Gutierrez	McInnis	Serrano
Hall	McIntyre	Sherman
Harman	McKeon	Simpson
Hastings (FL)	McNulty	Skelton
Hastings (WA)	Meehan	Smith (NJ)
Hayworth	Meek (FL)	Smith (WA)
Hefley	Meeks (NY)	Snyder
Herger	Menendez	Solis
Hill	Michaud	Spratt
Hinchey	Millender-	Stenholm
Hinojosa	McDonald	Strickland
Hoeffel	Miller (NC)	Stupak
Holden	Miller, George	Sweeney
Holt	Mollohan	Tancredo
Honda	Moore	Tanner
Hooley (OR)	Moran (VA)	Tauscher
Hoyer	Murtha	Taylor (MS)
Inslee	Musgrave	Thompson (CA)
Israel	Nadler	Thompson (MS)
Jackson (IL)	Napolitano	Tierney
Jackson-Lee	Neal (MA)	Towns
(TX)	Nethercutt	Turner (TX)
Janklow	Ney	Udall (CO)
Jefferson	Oberstar	Udall (NM)
Jenkins	Obey	Van Hollen
John	Olver	Velazquez
Johnson, E. B.	Ortiz	Visclosky
Jones (NC)	Osborne	Walden (OR)
Jones (OH)	Ose	Wamp
Kanjorski	Otter	Waters
Kaptur	Owens	Watson
Kennedy (RI)	Pallone	Watt
Kildee	Pascrell	Waxman
Kilpatrick	Pastor	Weiner
Kind	Payne	Weldon (PA)
Klecza	Pearce	Wexler
Kolbe	Pelosi	Wilson (NM)
Kucinich	Peterson (MN)	Woolsey
LaHood	Peterson (PA)	Wu
Lampson	Pombo	Wynn
Langevin	Pomeroy	
Lantos	Porter	

NAYS—165

Aderholt	Castle	Gerlach
Akin	Chabot	Gilchrest
Bachus	Chocola	Gillmor
Baker	Coble	Gingrey
Ballenger	Cole	Goode
Barrett (SC)	Collins	Goss
Bartlett (MD)	Cox	Granger
Barton (TX)	Crane	Graves
Bereuter	Crenshaw	Greenwood
Biggert	Cubin	Gutknecht
Bilirakis	Culberson	Harris
Blackburn	Cunningham	Hart
Blunt	Davis, Tom	Hayes
Boehner	Deal (GA)	Hensarling
Bonilla	DeLay	Hobson
Bonner	DeMint	Hoekstra
Bono	Diaz-Balart, L.	Hostettler
Boozman	Diaz-Balart, M.	Houghton
Bradley (NH)	Doolittle	Hulshof
Brown (SC)	Duncan	Hunter
Brown-Waite,	Ehlers	Isakson
Ginny	English	Istook
Burgess	Everett	Johnson (CT)
Burns	Feeney	Johnson (IL)
Calvert	Flake	Johnson, Sam
Camp	Foley	Keller
Cantor	Fossella	Kelly
Capito	Franks (AZ)	Kennedy (MN)
Carter	Garrett (NJ)	King (IA)

King (NY)
Kingston
Kirk
Kline
Knollenberg
Latham
LaTourette
Lewis (CA)
Linder
Lucas (OK)
McCrery
McHugh
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Oxley
Paul
Pence

Petri
Pickering
Pitts
Platts
Portman
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Reynolds
Rogers (AL)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster

Simmons
Smith (MI)
Smith (TX)
Souder
Stearns
Sullivan
Tauzin
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walsh
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

ANSWERED "PRESENT"—1

Taylor (NC)

NOT VOTING—9

Brady (TX)
Dreier
Eshoo

Evans
Gephardt
Hyde

Issa
Slaughter
Stark

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

□ 1601

Messrs. BOOZMAN, PORTMAN, TAUZIN, and PETRI changed their vote from "yea" to "nay."

Messrs. REHBERG, OSE, HERGER, HEFLEY, FLETCHER, GALLEGLY, LEWIS of Kentucky, NEY, BASS, FRELINGHUYSEN, FERGUSON, LOBIONDO, MANZULLO, LAHOOD, BOEHLERT, MCKEON, FORBES, QUINN, SAXTON, and SWEENEY, and Mrs. EMERSON and Mrs. JO ANN DAVIS of Virginia changed their vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1602

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. TERRY). Pursuant to clause 8 of rule XX, the remainder of the series of votes will be conducted as 5-minute votes.

MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

The SPEAKER pro tempore. The pending business is the question on the motion to instruct conferees on H.R. 1.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentleman

from Hawaii (Mr. CASE) on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 208, nays 215, not voting 11, as follows:

[Roll No. 528]

YEAS—208

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite,
Ginny
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Etheridge
Farr
Fattah
Filner
Fletcher
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez

Hall
Harman
Hastings (FL)
Hill
Hinchev
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Klecza
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larsen (CT)
Latham
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowe
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-
McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler

Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Renzi
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

NAYS—215

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggart
Bilirakis
Bishop (UT)
Blackburn
Blunt

Boehert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brown (SC)
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon

Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann

Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrist
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Isakson
Istook
Janklow
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)

Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
LaHood
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Osborne
Oxley
Ottner
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich

Ramstad
Regula
Rehberg
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 (MI)
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
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Brady (TX)
Dreier
Eshoo
Evans

Gephardt
Hensarling
Hunter
Hyde

Issa
Kirk
Stark

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1610

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

The SPEAKER pro tempore. The pending business is the vote on the motion to instruct on H.R. 1308 offered by the gentleman from Alabama (Mr. DAVIS) on which the yeas and nays were 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 gentleman from Alabama (Mr. DAVIS).

This will be a 5-minute vote.