

Kucinich	Ney	Sensenbrenner
Kuhl (NY)	Northup	Serrano
LaHood	Norwood	Sessions
Langevin	Nunes	Shadegg
Lantos	Nussle	Shaw
Larsen (WA)	Oberstar	Shays
Latham	Obey	Sherman
LaTourette	Oliver	Sherwood
Leach	Ortiz	Shimkus
Lee	Osborne	Shuster
Levin	Owens	Simmons
Lewis (CA)	Oxley	Skelton
Lewis (GA)	Pallone	Slaughter
Lewis (KY)	Pascrell	Smith (NJ)
Linder	Pastor	Smith (TX)
Lipinski	Paul	Smith (WA)
LoBiondo	Payne	Snyder
Lofgren, Zoe	Pearce	Sodrel
Lowey	Pelosi	Solis
Lucas	Pence	Souder
Lungren, Daniel E.	Peterson (MN)	Spratt
	Peterson (PA)	Stark
Lynch	Petri	Stearns
Mack	Pickering	Strickland
Maloney	Pitts	Stupak
Manzullo	Platts	Sweeney
Marchant	Poe	Tancredo
Markey	Pombo	Tanner
Marshall	Pomeroy	Tauscher
Matheson	Porter	Taylor (MS)
Matsui	Price (GA)	Taylor (NC)
McCarthy	Price (NC)	Terry
McCaul (TX)	Pryce (OH)	Thomas
McCollum (MN)	Putnam	Thompson (CA)
McCotter	Radanovich	Thompson (MS)
McCrery	Rahall	Thornberry
McDermott	Ramstad	Tiahrt
McGovern	Rangel	Tiberi
McHenry	Regula	Tierney
McHugh	Rehberg	Towns
McIntyre	Reichert	Turner
McKeon	Renzi	Udall (CO)
McKinney	Reyes	Udall (NM)
McMorris	Reynolds	Upton
McNulty	Rogers (AL)	Van Hollen
Meehan	Rogers (KY)	Velázquez
Meek (FL)	Rogers (MI)	Visclosky
Meeks (NY)	Rohrabacher	Walden (OR)
Melancon	Ros-Lehtinen	Wamp
Menendez	Ross	Wasserman
Mica	Rothman	Schultz
Michaud	Roybal-Allard	Waters
Millender-McDonald	Royce	Watson
Miller (FL)	Ruppersberger	Watt
Miller (MI)	Rush	Waxman
Miller (NC)	Ryan (OH)	Weiner
Miller, Gary	Ryan (WI)	Weldon (PA)
Miller, George	Ryun (KS)	Weller
Mollohan	Sabo	Westmoreland
Moore (KS)	Salazar	Wexler
Moore (WI)	Sánchez, Linda T.	Whitfield
Moran (KS)	Sanchez, Loretta	Wicker
Moran (VA)	Sanders	Wilson (NM)
Murphy	Saxton	Wilson (SC)
Musgrave	Schakowsky	Wolf
Myrick	Schiff	Woolsey
Nadler	Schwartz (PA)	Wu
Napolitano	Schwarz (MI)	Wynn
Neal (MA)	Scott (GA)	Young (AK)
Neugebauer	Scott (VA)	Young (FL)

NOT VOTING—17

Berry	Diaz-Balart, M.	Otter
Brown (OH)	Edwards	Simpson
Clay	Fattah	Sullivan
Culberson	Hoyer	Walsh
Davis (FL)	Larson (CT)	Weldon (FL)
Diaz-Balart, L.	Murtha	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1937

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

The result of the vote was announced as above recorded.

The title of the resolution was amended so as to read: "Resolution honoring the contributions of Viet-

namese Americans to American society over the past three decades."

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, I would like to submit this statement for the RECORD and regret that I could not be present today, Tuesday, May 3, 2005 to vote on rollcall vote Nos. 151 and 152 due to a family medical emergency.

Had I been present, I would have voted: "No" on rollcall vote No. 151 on the motion to table H. Res. 253, the Conyers Resolution Raising a Question of the Privileges of the House; "yea" on rollcall vote No. 152 on H. Res. 228—Observing the 30th anniversary of the fall of the Republic of Vietnam to the Communist forces of North Vietnam.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Mr. NADLER. Mr. Speaker, I offer a resolution raising a question of the privileges of the House.

The SPEAKER pro tempore. The gentleman may give notice.

Mr. NADLER. Mr. Speaker, I give notice of this resolution and that it will be brought up as soon as the rules permit.

The SPEAKER pro tempore. The gentleman must read the form of the resolution and then ask for unanimous consent.

Mr. NADLER. Mr. Speaker, by the form, does the Speaker mean the text?

The SPEAKER pro tempore. The gentleman may ask unanimous consent to dispense with the reading.

Mr. NADLER. Mr. Speaker, I do not ask that unanimous consent.

Will the Clerk read the resolution?

The SPEAKER pro tempore. The gentleman must read the resolution.

Mr. NADLER. "Whereas the Committee on the Judiciary conducted a markup of the bill H.R. 748, the "Child Interstate Abortion Notification Act," on Wednesday, April 13, 2005, and ordered the bill reported on that same day;

Whereas the Committee on the Judiciary subsequently reported H.R. 748 to the House on Thursday, April 21, 2005, with an accompanying report designated House Report 109-51;

Whereas, during the markup of H.R. 748, Representatives NADLER, SCOTT, and JACKSON-LEE offered in good faith a total of five amendments to the bill, all of which failed on party-line votes;

Whereas, because Representatives NADLER, SCOTT, and JACKSON-LEE called for recorded votes on their amendments, under section 3(b) of Rule XIII, the votes were published in House Report 109-51;

Whereas, although it is the long and established practice in House reports to describe recorded votes with objective, nonargumentative captions, the Committee on the Judiciary majority

departed from this practice in House Report 109-51 by captioning these five amendments with inflammatory, inaccurate captions;

Whereas, when Representative SEN-SENRENNER, the Chairman of the Committee on the Judiciary, was asked about this language and given the opportunity to correct it, both in the Committee Rules and on the House floor, he instead explained that it was his purpose and intention to include these derogatory and inaccurate captions in House Report 109-51;

Whereas, committee reports are official congressional documents to which American citizens will refer when seeking to interpret the bills they accompany;

Whereas, although the committee markup and reporting process gives Members ample opportunity to debate, characterize, and criticize each other's views, committees have a ministerial, institutional responsibility to accurately report the proceedings of committee activities;

Whereas, under the procedures of the Committee on the Judiciary, the minority must submit its dissenting views to the majority without having the opportunity to review the report;

Whereas, the majority has the opportunity to review the minority's dissent before filing its report;

Whereas, earlier versions of H.R. 748 were reported by the Committee on the Judiciary on three separate occasions and in each case, these amendments, or similar amendments, were described in these earlier committee reports with objective, nonargumentative captions;

Whereas, this unprecedented manipulation of a traditionally nonpartisan portion of a committee report constitutes an abuse of power by the majority of the Committee on the Judiciary;

Whereas, a report of a committee offers the majority and minority the opportunity to provide their views and interpretations of the legislation, amendments, and issues;

Whereas, the section of a committee report required by clause 3(b) of Rule XIII was purposely misused as an opportunity to comment on, or characterize, the amendments; and

Whereas the vote captions published in House Report 109-51 appear to be purposefully inaccurate and misleading, and reflect negatively on the integrity of the Members offering the amendments, and therefore belittle the dignity of the House and undermine the integrity of the proceedings of the House;

Now, therefore, be it:

*Resolved*, That the House of Representatives

(1) finds that the Committee on the Judiciary purposefully and deliberately mischaracterized the above-mentioned votes in House Report 109-51; and

(2) directs the chairman of such committee to report to the House a supplement to House Report 109-51 that corrects the record by describing the five

amendments with nonargumentative, objective captions.”

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from New York (Mr. NADLER) will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 366, VOCATIONAL AND TECHNICAL EDUCATION FOR THE FUTURE ACT

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 109-69) on the resolution (H. Res. 254) providing for consideration of the bill (H.R. 366) to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to strengthen and improve programs under that Act, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1185, FEDERAL DEPOSIT INSURANCE REFORM ACT OF 2005

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 109-70) on the resolution (H. Res. 255) providing for consideration of the bill (H.R. 1185) to reform the Federal deposit insurance system, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### REAPPOINTMENT AS MEMBER OF ADVISORY COMMITTEE ON RECORDS OF CONGRESS

The SPEAKER pro tempore. Pursuant to 44 United States Code 2702, and the order of the House of January 4, 2005, the Chair announces the Speaker's reappointment of the following member on the part of the House to the Advisory Committee on the Records of Congress:

Mr. Timothy J. Johnson, Minnetonka, Minnesota.

#### COMMUNICATION FROM THE HONORABLE NANCY PELOSI, DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

HOUSE OF REPRESENTATIVES,  
OFFICE OF THE DEMOCRATIC LEADER,  
Washington, DC, April 28, 2005.  
Hon. J. DENNIS HASTERT,  
Speaker of the House, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to 44 U.S.C. 2702, I hereby appoint Dr. Joseph Cooper of Maryland, to the Advisory Committee on Records of Congress.

Best regards,

NANCY PELOSI.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

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

HOUSE OF REPRESENTATIVES,  
OFFICE OF THE CLERK,  
Washington, DC, May 3, 2005.  
Hon. J. DENNIS HASTERT,  
The Speaker, House of Representatives, Wash-  
ington, DC.

DEAR MR. SPEAKER: Pursuant to the provisions of 44 U.S.C. 2702, I hereby appoint as a member of the Advisory Committee on the Records of Congress the following person: Susan Palmer, Aurora, IL.

With best wishes, Sincerely,

JEFF TRANDAHL,  
Clerk.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings on the three remaining motions to suspend the rules will resume tomorrow.

#### TRIBUTE TO KATHRYN LEHMAN

(Ms. PRYCE of Ohio asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PRYCE of Ohio. Mr. Speaker, I rise to honor my departing chief of staff, Kathryn Lehman. Kathryn has faithfully served at the House Republican Conference for the last 2 years. She came well-equipped, having worked for the gentleman from Illinois (Speaker HASTERT) and Speaker Gingrich, the gentleman from Texas (Mr. DELAY), and the gentleman from Wisconsin (Chairman SENSENBRENNER).

Kathryn is truly an American success story. Born and raised in Pittsburgh, she attended Oral Roberts University and then put herself through law school. Kathryn came to the House Committee on the Judiciary and quickly found a home crafting some of the best legislation of the first 100 days of this majority in 1994.

While a rock-solid Republican, Kathryn has enjoyed the friendship and respect of many people across the political spectrum. She has helped bridge the gap between ideological differences for the good of the conference and, therefore, for the good of our country.

She has helped us deal with some of the most challenging issues facing America in the last 15 years: the Republican takeover of the House, the im-

peachment of a President, the passage of the largest tax cut in history, and the Medicare prescription drug bill.

As Kathryn turns the page and starts the next chapter of her life, I wish her well. I am grateful for the time she has given us, and I look forward to enjoying her friendship for many years to come. With her departure, the House loses one of its most dedicated and finest public servants.

Fare thee well to Kathryn.

#### NATIONAL TEACHER DAY

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

Mr. BARROW. Mr. Speaker, today on National Teacher Day, I want to encourage all my constituents and my colleagues to take just a minute to thank those teachers who helped us get where we are today, sometimes despite ourselves.

For me those teachers included Ms. Moseley, Ms. Goodwyn, Ms. Rapley, Ms. Hughes, and a host of others. But the teacher I want to single out is Ms. Bertha Musick. She just celebrated her 96th birthday, and she is still going strong.

She was my 11th grade English teacher, and she was tough as nails. Every day it was her job to hammer an understanding and an appreciation of good English into the heads of an 11th grade class full of thick-skulled teenagers.

Ms. Musick meant business. And while she had a reputation for being tough, every one of her students came to realize that her toughness was driven by her devotion. Many of us understood that at the time. All of us came to understand it over time.

□ 1945

I cannot tell my colleagues how many times I have heard her describe how former students, who used to think of her as the enemy, came back to her, sometimes many years later, to thank her for being caring enough to be tough. Not just caring enough about her work, but caring enough about her students; and they were right.

Someone once defined an education as what you remember after you forget 99 percent of what you learned in school. What Ms. Musick taught me, and hundreds of other impressionable youngsters, is the value of not giving in and not giving up.

That is what defined a good teacher in Ms. Musick's day, and that is what defines good teachers today, who are overworked, underpaid, and underappreciated.

So to Ms. Musick, at 99 years strong, I just want to say "thank you very much."

#### THE HOUSE WILL MISS KATHRYN LEHMAN

(Mr. BLUNT asked and was given permission to address the House for 1