

declared the House in recess at 4 o'clock and 32 minutes p.m., until approximately 5 o'clock p.m.

¶6.14 AFTER RECESS—5:01 P.M.

The SPEAKER pro tempore, Mr. UPTON, called the House to order.

¶6.15 H. RES. 352—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. UPTON, pursuant to clause 5, rule 1, announced the unfinished business to be the question on agreeing to the resolution (H. Res. 352) providing for consideration of motions to suspend the rules.

The question being put,
Will the House agree to said resolution?

The vote was taken by electronic device.

It was decided in the { Yeas 217
affirmative Nays 191

¶6.16 [Roll No. 12]
YEAS—217

| | | |
|--------------|---------------|---------------|
| Aderholt | Franks (NJ) | McIntosh |
| Archer | Frelinghuysen | McKeon |
| Armey | Gallegly | Metcalf |
| Bachus | Ganske | Mica |
| Baker | Gekas | Moran (KS) |
| Ballenger | Gibbons | Morella |
| Barr | Gilchrest | Nethercutt |
| Barrett (NE) | Gillmor | Neumann |
| Bartlett | Gilman | Ney |
| Barton | Goode | Northup |
| Bass | Goodlatte | Norwood |
| Bateman | Goodling | Nussle |
| Bereuter | Goss | Oxley |
| Billbray | Graham | Packard |
| Bilirakis | Granger | Pappas |
| Bliley | Greenwood | Parker |
| Blunt | Gutknecht | Paul |
| Boehkert | Hall (TX) | Paxon |
| Boehner | Hamilton | Pease |
| Bonilla | Hansen | Peterson (PA) |
| Brady | Hastert | Petri |
| Bryant | Hastings (WA) | Pickering |
| Bunning | Hayworth | Pitts |
| Burr | Hefley | Pombo |
| Burton | Herger | Porter |
| Buyer | Hill | Portman |
| Calvert | Hilleary | Pryce (OH) |
| Camp | Hobson | Quinn |
| Campbell | Hoekstra | Radanovich |
| Canady | Horn | Ramstad |
| Cannon | Hostettler | Redmond |
| Castle | Houghton | Regula |
| Chabot | Hulshof | Riggs |
| Chambliss | Hunter | Riley |
| Chenoweth | Hutchinson | Rogan |
| Christensen | Hyde | Rogers |
| Coble | Inglis | Rohrabacher |
| Coburn | Istook | Roukema |
| Collins | Jenkins | Royce |
| Combest | Johnson (CT) | Ryun |
| Cook | Johnson, Sam | Salmon |
| Cooksey | Jones | Sanford |
| Cox | Kasich | Saxton |
| Crane | Kelly | Scarborough |
| Crapo | Kim | Schaefer, Dan |
| Cubin | King (NY) | Schaffer, Bob |
| Cunningham | Kingston | Sessions |
| Davis (VA) | Klug | Shadegg |
| Deal | Knollenberg | Shaw |
| DeLay | Kolbe | Shays |
| Dickey | LaHood | Shimkus |
| Dreier | Largent | Shuster |
| Duncan | Latham | Skeen |
| Dunn | LaTourette | Smith (MI) |
| Ehlers | Lazio | Smith (NJ) |
| Ehrlich | Leach | Smith (TX) |
| Emerson | Lewis (CA) | Snowbarger |
| English | Lewis (KY) | Solomon |
| Ensign | Livingston | Souder |
| Everett | LoBiondo | Spence |
| Ewing | Lucas | Stump |
| Fawell | Manzullo | Sununu |
| Forbes | McCollum | Talent |
| Fossella | McCrery | Tauzin |
| Fowler | McDade | Taylor (NC) |
| Fox | McHugh | Thomas |
| | McInnis | Thornberry |

Thune
Tiahrt
Traficant
Upton
Walsh
Wamp

Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield

Wicker
Wolf
Young (AK)
Young (FL)

NAYS—191

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gordon
Green

Gutierrez
Hall (OH)
Hastings (FL)
Hefner
Hilliard
Hinchev
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (WI)
Johnson, E.B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Levin
Lewis (GA)
Lipinski
Lofgren
Lowe
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-
McDonald
Miller (CA)
Minge
Moakley
Mollohan
Moran (VA)
Murtha
Neal
Oberstar

Obey
Olver
Ortiz
Owens
Pallone
Pascarell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—22

Callahan
Diaz-Balart
Doolittle
Eshoo
Gonzalez
Harman
Lantos
Linder

Miller (FL)
Mink
Myrick
Nadler
Poshard
Ros-Lehtinen
Sawyer
Schiff

Sensenbrenner
Smith (OR)
Smith, Linda
Stearns
Waters
White

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶6.17 DAYCARE FAIRNESS FOR STAY-AT-HOME PARENTS

Mr. GOODLING moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 202); as amended:

Whereas studies have found that quality child care, particularly for infants and young children, requires a sensitive, interactive, loving, and consistent caregiver;

Whereas most parents meet and exceed the aforementioned criteria, circumstances allowing, often parental care marks the best form of child care;

Whereas the recent National Institute for Child Health and Development study found that the greatest factor in the development of a young child is "what is happening at home and in families";

Whereas a child's interaction with his or her parents has the most significant impact on their development, any Federal child care policy should enable and encourage parents to spend more time with their children;

Whereas nearly 1/2 of preschool children have at-home mothers and only 1/3 of preschool children have mothers who are employed full time;

Whereas a large number of low- and middle-income families sacrifice a second full-time income so that the mother may be at home with her child;

Whereas the average income of 2-parent families with a single income is \$20,000 less than the average income of 2-parent families with two incomes;

Whereas only 30 percent of preschool children are in paid child care and the remaining 70 percent of preschool children are in families that do not pay for child care, many of which are low- to middle-income families struggling to provide child care at home;

Whereas child care proposals should not provide financial assistance solely to the 30 percent of families that pay for child care and should not discriminate against families in which children are cared for by an at-home parent; and

Whereas any congressional proposal that increases child care funding should provide financial relief to families that sacrifice an entire income in order that a mother or father may be at home for their young child: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress recognizes that—

(1) many American families make enormous sacrifices to forgo a second income in order to have a parent care for their child at home;

(2) there should be no bias against at-home parents;

(3) parents choose many legitimate forms of child care to meet their individual needs -- an at-home parent, grandparent, aunt, uncle, neighbor, nanny, preschool, or child care center;

(4) child care needs of at-home parents and working parents should be given careful consideration by the Congress;

(5) any quality child care proposal should reflect careful consideration of providing financial relief for those families where there is an at-home parent; and

(6) mothers and fathers who have chosen and continue to choose to be at home should be applauded for their efforts.

The SPEAKER pro tempore, Mr. UPTON, recognized Mr. GOODLING and Mr. MARTINEZ, each for 20 minutes.

After debate,
The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mr. UPTON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GOODLING demanded that the vote be taken by the yeas and nays,

which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

It was decided in the affirmative
 Yeas 409
 Nays 0
 Answered present 3

¶6.18 [Roll No. 13]
 YEAS—409

| | | |
|--------------|---------------|----------------|
| Abercrombie | Delahunt | Hyde |
| Ackerman | DeLauro | Inglis |
| Aderholt | DeLay | Istook |
| Allen | Deutsch | Jackson (IL) |
| Andrews | Diaz-Balart | Jackson-Lee |
| Archer | Dickey | (TX) |
| Army | Dicks | Jefferson |
| Bachus | Dingell | Jenkins |
| Baesler | Dixon | John |
| Baker | Doggett | Johnson (CT) |
| Baldacci | Dooley | Johnson (WI) |
| Ballenger | Doyle | Johnson, E. B. |
| Barcia | Dreier | Johnson, Sam |
| Barr | Duncan | Jones |
| Barrett (NE) | Dunn | Kanjorski |
| Barrett (WI) | Edwards | Kaptur |
| Bartlett | Ehlers | Kasich |
| Barton | Ehrlich | Kelly |
| Bass | Emerson | Kennedy (MA) |
| Bateman | Engel | Kennedy (RI) |
| Becerra | English | Kennelly |
| Bentsen | Ensign | Kildee |
| Bereuter | Etheridge | Kilpatrick |
| Berman | Evans | Kim |
| Berry | Everett | Kind (WI) |
| Bilbray | Ewing | King (NY) |
| Bilirakis | Farr | Kingston |
| Bishop | Fattah | Kleczka |
| Blagojevich | Fawell | Klink |
| Bliley | Fazio | Klug |
| Blumenauer | Filner | Knollenberg |
| Blunt | Foley | Kolbe |
| Boehlert | Forbes | Kucinich |
| Boehner | Ford | LaFalce |
| Bonilla | Fossella | LaHood |
| Bonior | Fowler | Lampson |
| Borski | Fox | Largent |
| Boswell | Franks (NJ) | Latham |
| Boucher | Frelinghuysen | LaTourette |
| Boyd | Frost | Lazio |
| Brady | Furse | Leach |
| Brown (CA) | Galleghy | Levin |
| Brown (FL) | Ganske | Lewis (CA) |
| Brown (OH) | Gejdenson | Lewis (GA) |
| Bryant | Gekas | Lewis (KY) |
| Bunning | Gephardt | Lipinski |
| Burr | Gibbons | Livingston |
| Burton | Gilchrest | LoBiondo |
| Buyer | Gillmor | Lofgren |
| Calvert | Gilman | Lowey |
| Camp | Goode | Lucas |
| Campbell | Goodlatte | Luther |
| Canady | Goodling | Maloney (CT) |
| Cannon | Gordon | Maloney (NY) |
| Cardin | Goss | Manton |
| Carson | Graham | Manzullo |
| Castle | Granger | Markey |
| Chabot | Green | Mascara |
| Chambliss | Greenwood | Matsui |
| Chenoweth | Gutierrez | McCarthy (MO) |
| Christensen | Gutknecht | McCarthy (NY) |
| Clay | Hall (OH) | McCollum |
| Clayton | Hall (TX) | McCrery |
| Clement | Hamilton | McDade |
| Clyburn | Hansen | McDermott |
| Coble | Hastert | McGovern |
| Coburn | Hastings (FL) | McHale |
| Collins | Hastings (WA) | McHugh |
| Combest | Hayworth | McInnis |
| Condit | Hefley | McIntosh |
| Cook | Hefner | McIntyre |
| Cooksey | Herger | McKeon |
| Costello | Hill | McKinney |
| Cox | Hilleary | McNulty |
| Coyne | Hilliard | Meehan |
| Cramer | Hinchey | Meek (FL) |
| Crane | Hinojosa | Meeks (NY) |
| Crapo | Hobson | Menendez |
| Cubin | Hoekstra | Metcalf |
| Cummings | Holden | Mica |
| Cunningham | Hooley | Millender- |
| Danner | Horn | McDonald |
| Davis (FL) | Hostettler | Miller (CA) |
| Davis (IL) | Houghton | Minge |
| Davis (VA) | Hoyer | Moakley |
| Deal | Hulshof | Mollohan |
| DeFazio | Hunter | Moran (KS) |
| DeGette | Hutchinson | Moran (VA) |

| | | |
|---------------|---------------|-------------|
| Morella | Rogan | Stark |
| Murtha | Rogers | Stearns |
| Neal | Rohrabacher | Stenholm |
| Nethercutt | Ros-Lehtinen | Stokes |
| Neumann | Rothman | Strickland |
| Ney | Roukema | Stump |
| Northup | Roybal-Allard | Stupak |
| Norwood | Royce | Sununu |
| Nussle | Rush | Talent |
| Oberstar | Ryuo | Tanner |
| Oliver | Sabo | Tauscher |
| Ortiz | Salmon | Tauzin |
| Owens | Sanchez | Taylor (MS) |
| Oxley | Sanders | Taylor (NC) |
| Packard | Sandlin | Thomas |
| Pallone | Sanford | Thompson |
| Pappas | Sawyer | Thornberry |
| Parker | Saxton | Thune |
| Pascarell | Scarborough | Thurman |
| Pastor | Schaefer, Dan | Tiahrt |
| Paul | Schaffer, Bob | Tierney |
| Paxon | Schumer | Torres |
| Pease | Scott | Towns |
| Pelosi | Sensenbrenner | Traficant |
| Peterson (MN) | Serrano | Turner |
| Peterson (PA) | Sessions | Upton |
| Petri | Shadegg | Velazquez |
| Pickering | Shaw | Vento |
| Pickett | Shays | Visclosky |
| Pitts | Sherman | Walsh |
| Pombo | Shimkus | Wamp |
| Pomeroy | Shuster | Waters |
| Porter | Sisisky | Watkins |
| Portman | Skaggs | Watt (NC) |
| Price (NC) | Skeen | Watts (OK) |
| Pryce (OH) | Skelton | Waxman |
| Quinn | Slaughter | Weldon (FL) |
| Radanovich | Smith (MI) | Weldon (PA) |
| Rahall | Smith (NJ) | Weller |
| Ramstad | Smith (TX) | Wexler |
| Rangel | Smith, Adam | Weygand |
| Randolph | Smith, Linda | White |
| Regula | Snowbarger | Whitfield |
| Reyes | Snyder | Wicker |
| Riggs | Solomon | Wolf |
| Riley | Souder | Woolsey |
| Rivers | Spence | Wynn |
| Rodriguez | Spratt | Young (AK) |
| Roemer | Stabenow | Young (FL) |

ANSWERED "PRESENT"—3

| | | |
|------------|----------|-------|
| Frank (MA) | Martinez | Payne |
|------------|----------|-------|

NOT VOTING—18

| | | |
|-----------|-------------|------------|
| Callahan | Lantos | Obey |
| Conyers | Linder | Poshard |
| Doolittle | Miller (FL) | Schiff |
| Eshoo | Mink | Smith (OR) |
| Gonzalez | Myrick | Wise |
| Harman | Nadler | Yates |

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution, as amended, was agreed to.

By unanimous consent, the title was amended so as to read: "Concurrent resolution expressing the sense of the Congress that the Federal Government should acknowledge the importance of at-home parents and should not discriminate against families who forgo a second income in order for a mother or father to be at home with their children."

A motion to reconsider the votes whereby the rules were suspended and said concurrent resolution, as amended, was agreed to and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶6.19 SEA GRANT PROGRAM REAUTHORIZATION

Mr. SAXTON moved to suspend the rules and pass the bill of the Senate (S. 927) to reauthorize the Sea Grant Program; as amended.

The SPEAKER pro tempore, Mr. UPTON, recognized Mr. SAXTON and Mr. ABERCROMBIE, each for 20 minutes.

After debate, The question being put, viva voce, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. NEY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶6.20 COMMITTEE ELECTION—MAJORITY

Mr. SAXTON, by direction of the Republican Conference, submitted the following privileged resolution (H. Res. 354):

Resolved, That the following Members be, and they are hereby, elected to the following standing committees of the House of Representatives:

Committee on the Judiciary: Mr. Rogan of California.

Committee on National Security: Ms. Granger of Texas.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶6.21 DISMISSING ELECTION CONTEST

Mr. THOMAS, by direction of the Committee on House Oversight, reported (Rept. No. 105-416) the resolution (H. Res. 355) dismissing the election contest against Loretta Sanchez; referred to the House Calendar and ordered printed.

¶6.22 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. ESHOO, for today and February 12;

To Mr. MILLER of Florida, for today and the balance of the week; and

To Mrs. MINK, for today and February 12.

And then,

¶6.23 ADJOURNMENT

On motion of Mr. PAUL, at 10 o'clock and 9 minutes p.m., the House adjourned.

¶6.24 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, report of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMAS: Committee on House Oversight. House Resolution 355. Resolution dismissing the election contest against Loretta