

After debate, Mr. BISHOP, pursuant to House Resolution 453, submitted the following amendment:

Page 3, line 18, strike "acknowledge God" and insert "freedom of religion".

Page 4, beginning in line 1, strike "discriminate against religion, or deny equal access to a benefit on account of religion" and insert "or otherwise compel or discriminate against religion".

After further debate, Pursuant to House Resolution 453, the previous question was ordered on the amendment.

On demand of Mr. ISTOOK, the question on adoption of the amendment was divided.

The question being put, viva voce, Will the House agree to the first part of the amendment (page 3, line 18) on which a division of the question had been demanded?

The Speaker pro tempore, Mr. WICK-ER, announced that the nays had it.

Mr. ISTOOK objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present, The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 6 Nays 419

¶52.8 [Roll No. 198] YEAS—6

Bishop Fawell Jefferson Davis (IL) Hoyer Lantos

NAYS—419

Abercrombie Buyer Dingell Ackerman Callahan Dixon Aderholt Calvert Doggett Allen Camp Dooley Andrews Campbell Doolittle Archer Canady Doyle Armev Cannon Dreier Bachus Capps Duncan Baesler Cardin Dunn Baker Carson Edwards Baldacci Castle Ehlers Ballenger Chabot Ehrlich Barcia Chambliss Emerson Barr Chenoweth Engel Barrett (NE) Christensen English Barrett (WI) Clay Ensign Bartlett Clayton Eshoo Barton Clement Etheridge Bass Clyburn Evans Bateman Coble Everett Becerra Coburn Ewing Bentsen Collins Farr Bereuter Combest Fattah Berman Condit Fazio Berry Conyers Filer Bilbray Cook Foley Bilirakis Cooksey Forbes Blagojevich Costello Ford Bliley Cox Fossella Blumenauer Coyne Fowler Blunt Cramer Fox Boehlert Crane Frank (MA) Boehner Crapo Franks (NJ) Bonilla Cubin Frelinghuysen Bonior Cummings Frost Bono Cunnigham Gallegly Borski Danner Ganske Boswell Davis (FL) Gejdenson Boucher Davis (VA) Gekas Boyd Deal Gephardt Brady (PA) DeFazio Gibbons Brady (TX) DeGette Gilchrist Brown (CA) Delahunt Gillmor Brown (FL) DeLauro Gilman Brown (OH) DeLay Goode Bryant Deutsch Goodlatte Bunning Diaz-Balart Goodling Burr Dickey Gordon Burton Dicks Goss

Graham Granger Green Greenwood Gutierrez Gutknecht Hall (OH) Hall (TX) Hamilton Hansen Harman Hastert Hastings (FL) Hastings (WA) Hayworth Hefley Hefner Herger Hill Hilliary Hilliard Hinchey Hinojosa Hobson Hoekstra Holden Hooley Horn Hostettler Houghton Hulshof Hunter Hutchinson Hyde Inglis Istook Jackson (IL) Jackson-Lee (TX) Jenkins John Johnson (CT) Johnson (WI) Johnson, E. B. Johnson, Sam Jones Kanjorski Kaptur Kasich Kelly Kennedy (MA) Kennedy (RI) Kennelly Kildee Kilpatrick Kim Kind (WI) King (NY) Kingston Kleczka Klink Klug Knollenberg Kucinich Engel LaFalce LaHood Lampson Largent Latham LaTourette Lazio Leach Lee Levin Lewis (CA) Lewis (KY) Linder Lipinski Livingston LoBiondo Lofgren Lowey Lucas Luther Maloney (CT) Maloney (NY) Manton Manzullo Markey Martinez Mascara Matsui McCarthy (MO) McCarthy (NY) McCollum McCrery McDermott McGovern McHale McHugh McInnis McIntosh McIntyre McKeon McNulty Meehan Meek (FL) Meeks (NY) Menendez Metcalf Mica Millender-McDonald Miller (CA) Miller (FL) Minge Mink Moakley Moran (KS) Moran (VA) Morella Murtha Myrick Nadler Neal Nethercutt Neumann Ney Northup Norwood Nussle Oberstar Obey Olver Ortiz Owens Oxley Packard Pallone Pappas Parker Pascrell Pastor Kennedy (RI) Paul Paxon Payne Pease Pelosi Peterson (MN) Peterson (PA) Petri Pickering Klug Pitts Pombo Pomeroy Porter Portman Poshard Price (NC) Pryce (OH) Quinn Radanovich Rahall Ramstad Rangel Redmond Regula Riggs Riley Rivers Rodriguez Roemer Rogan Rogers Rohrabacher Rothman Roukema Roybal-Allard Royce Rush Ryun Sabo Salmon Sanchez Sanders Sandlin Sanford Sawyer Saxton Scarborough Schaefer, Dan Schaffer, Bob Schumer Scott Sensenbrenner Serrano Sessions Shadegg Shaw Shays Sherman Shimkus Shuster Sisisky Skaggs Skeen Skelton Slaughter Smith (MI) Smith (NJ) Smith (OR) Smith (TX) Smith, Adam Smith, Linda Snowbarger Snyder Solomon Souder Spence Spratt Stabenow Stark Stearns Stenholm Stokes Strickland Stump Stupak Sununu Talent Tanner Tauscher Tauzin Taylor (MS) Taylor (NC) Thomas Thompson Thornberry Thune Thurman Tiahrt Tierney Torres Towns Traficant Turner Upton Velazquez Vento Visclosky Walsh Wamp Waters Watkins Watt (NC) Watts (OK) Waxman Weldon (FL) Weldon (PA) Weller Wexler Weygand White Whitfield Wicker Wise Wolf Woolsey Wynn Yates Young (AK) Young (FL)

NOT VOTING—8 Furse McDade Reyes Gonzalez McKinney Ros-Lehtinen Lewis (GA) Mollohan

So the first part of the amendment was not agreed to.

The question being put, viva voce, Will the House agree to the second part of the amendment (page 4, beginning on line 1) on which a division of the question had been demanded?

The Speaker pro tempore, Mr. WICK-ER, announced that the nays had it.

Mr. ISTOOK demanded a recorded vote on agreeing to the second part of the amendment, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 23 negative Nays 399

¶52.9 [Roll No. 199] AYES—23

Berry Fowler Paul Bishop Green Payne Boucher Jefferson Scott Clayton Johnson, E. B. Spratt Clyburn Klink Tanner Danner Lazio Watt (NC) Ehrlich Martinez Wynn Fawell Ortiz

NOES—399

Abercrombie Combest Gillmor Ackerman Condit Gilman Aderholt Conyers Goode Allen Cook Goodlatte Andrews Cooksey Goodling Archer Costello Gordon Armev Cox Goss Bachus Coyne Graham Baesler Cramer Granger Baker Crane Greenwald Baldacci Crapo Gutierrez Ballenger Cubin Gutknecht Barcia Cummings Hall (OH) Barr Cunningham Hall (TX) Barrett (NE) Davis (FL) Hamilton Barrett (WI) Davis (IL) Hansen Bartlett Davis (VA) Harman Barton Deal Hastert Bass DeFazio Hastings (FL) Bateman DeGette Hastings (WA) Becerra Delahunt Hayworth Bentsen DeLauro Hefley Bereuter DeLay Hefner Berman Deutsch Herger Bilbray Diaz-Balart Hill Bilirakis Dickey Hilliary Blagojevich Dicks Hilliard Bliley Dingell Hinchey Blumenauer Dixon Hinojosa Blunt Doggett Hobson Boehlert Dooley Hoekstra Boehner Doolittle Holden Bonilla Doyle Hooley Bonior Duncan Horn Bono Dunn Hostettler Borski Edwards Houghton Boswell Ehlers Hoyer Boswell Boyd Emerson Hulshof Brady (PA) Engel Hutchinson Brady (TX) English Hyde Brown (CA) Ensign Inglis Brown (FL) Eshoo Istook Bryant Etheridge Jackson (IL) Bunning Evans Jackson-Lee Burr Everett (TX) Burton Ewing Jenkins Buyer Farr John Callahan Fattah Johnson (CT) Calvert Fazio Johnson (WI) Camp Filer Johnson, Sam Campbell Foley Jones Canady Forbes Kanjorski Cannon Ford Kaptur Capps Fossella Kasich Cardin Fox Kelly Carson Frank (MA) Kennedy (MA) Castle Franks (NJ) Kennedy (RI) Chabot Frelinghuysen Kennelly Chambliss Frost Kildee Chenoweth Gallegly Kilpatrick Christensen Ganske Kim Clay Gejdenson Kind (WI) Clement Gekas King (NY) Coble Gephardt Kingston Cobburn Gibbons Kleczka Collins Gilchrist Klug

Knollenberg	Nussle	Shimkus
Kolbe	Oberstar	Shuster
Kucinich	Obey	Sisisky
LaFalce	Olver	Skaggs
LaHood	Owens	Skeen
Lampson	Oxley	Skelton
Lantos	Packard	Slaughter
Largent	Pallone	Smith (MI)
Latham	Pappas	Smith (NJ)
LaTourette	Parker	Smith (OR)
Leach	Pascrell	Smith (TX)
Lee	Pastor	Smith, Adam
Levin	Paxon	Smith, Linda
Lewis (CA)	Pease	Snowbarger
Lewis (KY)	Pelosi	Snyder
Linder	Peterson (MN)	Solomon
Lipinski	Peterson (PA)	Souder
Livingston	Petri	Spence
LoBiondo	Pickering	Stabenow
Lofgren	Pickett	Stark
Lowe	Pitts	Stearns
Lucas	Pombo	Stenholm
Luther	Pomeroy	Stokes
Maloney (CT)	Porter	Strickland
Maloney (NY)	Portman	Stump
Manton	Poshard	Stupak
Manzullo	Price (NC)	Sununu
Mascara	Pryce (OH)	Talent
Matsui	Quinn	Tauscher
McCarthy (MO)	Radanovich	Tauzin
McCarthy (NY)	Rahall	Taylor (MS)
McCollum	Ramstad	Taylor (NC)
McCrery	Rangel	Thomas
McDermott	Redmond	Thompson
McGovern	Regula	Thornberry
McHale	Riggs	Thune
McHugh	Riley	Thurman
McInnis	Rivers	Tiahrt
McIntosh	Rodriguez	Tierney
McIntyre	Roemer	Torres
McKeon	Rogan	Towns
McKinney	Rogers	Trafficant
McNulty	Rohrabacher	Turner
Meehan	Rothman	Upton
Meek (FL)	Roukema	Velazquez
Meeks (NY)	Royal-Allard	Vento
Menendez	Royce	Visclosky
Metcalfe	Rush	Walsh
Mica	Ryun	Wamp
Millender-	Sabo	Waters
McDonald	Salmon	Watkins
Miller (CA)	Sanchez	Watts (OK)
Miller (FL)	Sanders	Waxman
Minge	Sandlin	Weldon (FL)
Mink	Sanford	Weldon (PA)
Moakley	Sawyer	Weller
Moran (KS)	Saxton	Wexler
Moran (VA)	Scarborough	Weygand
Morella	Schaefer, Dan	White
Murtha	Schaffer, Bob	Whitfield
Myrick	Schumer	Wicker
Nadler	Sensenbrenner	Wise
Neal	Serrano	Wolf
Nethercutt	Sessions	Woolsey
Neumann	Shadegg	Yates
Ney	Shaw	Young (AK)
Northup	Shays	Young (FL)
Norwood	Sherman	

NOT VOTING—11

Brown (OH)	Hunter	Mollohan
Dreier	Lewis (GA)	Reyes
Furse	Markey	Ros-Lehtinen
Gonzalez	McDade	

So the second part of the amendment was not agreed to.

Pursuant to House Resolution 453, the previous question was ordered on the joint resolution, as amended.

The joint resolution, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. SCOTT moved to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with the following amendment:

Strike all after the resolving clause and insert in lieu thereof the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitu-

tion when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

“ARTICLE —

“Congress shall make no laws respecting an establishment of religion, or prohibiting the free exercise thereof.”.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said joint resolution with instructions?

The SPEAKER pro tempore, Mr. WICKER, announced that the nays had it.

Mr. SCOTT demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 203
negative } Nays 223

52.10

[Roll No. 200]

AYES—203

Abercrombie	Franks (NJ)	McHale
Ackerman	Frelinghuysen	McKinney
Allen	Frost	McNulty
Andrews	Gejdenson	Meehan
Baldacci	Gephardt	Meek (FL)
Barrett (WI)	Gilchrist	Meeks (NY)
Becerra	Gilman	Menendez
Bentsen	Green	Millender-
Berman	Greenwood	McDonald
Billray	Gutierrez	Miller (CA)
Blagojevich	Hall (OH)	Minge
Blumenauer	Hamilton	Mink
Boehlert	Harman	Moakley
Bonior	Hastings (FL)	Moran (VA)
Borski	Hefner	Morella
Boswell	Hilliard	Murtha
Boucher	Hinche	Nadler
Boyd	Hinojosa	Neal
Brady (PA)	Holden	Northup
Brown (CA)	Hooley	Oberstar
Brown (FL)	Horn	Obey
Brown (OH)	Hoyer	Olver
Capps	Jackson (IL)	Ortiz
Cardin	Jackson-Lee	Owens
Carson	(TX)	Pallone
Castle	Jefferson	Pascrell
Clay	Johnson (CT)	Pastor
Clayton	Johnson (WI)	Payne
Clyburn	Johnson, E. B.	Pelosi
Conyers	Kanjorski	Pickett
Costello	Kaptur	Pomeroy
Coyne	Kelly	Porter
Cummings	Kennedy (MA)	Poshard
Danner	Kennedy (RI)	Price (NC)
Davis (FL)	Kennelly	Rangel
Davis (IL)	Kildee	Rivers
DeFazio	Kilpatrick	Rodriguez
DeGette	Kind (WI)	Rothman
Delahunt	Kleczka	Roybal-Allard
DeLauro	Klink	Rush
Deutsch	Kucinich	Sabo
Dicks	LaFalce	Sanchez
DeGette	Lampson	Sanders
Delahunt	Lantos	Sawyer
DeLauro	Leach	Saxton
Deutscher	Lee	Schumer
Dingell	Levin	Scott
Dixon	Lewis (CA)	Serrano
Doggett	Lofgren	Shays
Dooley	Lowey	Sherman
Doyle	Luther	Sisisky
Edwards	Maloney (CT)	Skaggs
Engel	Maloney (NY)	Slaughter
Ensign	Manton	Smith, Adam
Eshoo	Markey	Snyder
Etheridge	Martinez	Spratt
Evans	Mascara	Stabenow
Farr	Matsui	Stark
Fattah	McCarthy (MO)	Stokes
Fawell	McCarthy (NY)	Strickland
Fazio	McDermott	Stump
Filner	McGovern	Stupak
Forbes		
Ford		
Fox		
Frank (MA)		

Tanner
Tauscher
Thompson
Thurman
Tierney
Torres
Towns

Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler

Weygand
Wise
Woolsey
Wynn
Yates

NOES—223

Aderholt	Gillmor	Peterson (MN)
Archer	Goode	Peterson (PA)
Armey	Goodlatte	Petri
Bachus	Goodling	Pickering
Baesler	Gordon	Pitts
Baker	Goss	Pombo
Ballenger	Graham	Portman
Barcia	Granger	Pryce (OH)
Barr	Gutknecht	Quinn
Barrett (NE)	Hall (TX)	Radanovich
Bartlett	Hansen	Rahall
Barton	Hastert	Ramstad
Bass	Hastings (WA)	Redmond
Bateman	Hayworth	Regula
Bereuter	Hefley	Riggs
Berry	Herger	Riley
Bilirakis	Hill	Roemer
Bishop	Hilleary	Rogan
Bliley	Hobson	Rogers
Blunt	Hoekstra	Rohrabacher
Boehner	Hostettler	Roukema
Bonilla	Houghton	Royce
Bono	Hulshof	Ryun
Brady (TX)	Hunter	Salmon
Bryant	Hutchinson	Sandlin
Bunning	Hyde	Sanford
Burr	Inglis	Scarborough
Burton	Istook	Schaefer, Dan
Buyer	Jenkins	Schaffer, Bob
Callahan	John	Sensenbrenner
Calvert	Johnson, Sam	Sessions
Camp	Jones	Shadegg
Campbell	Kasich	Shaw
Canady	Kim	Shimkus
Cannon	King (NY)	Shuster
Chabot	Kingston	Skeen
Chambliss	Klug	Skelton
Chenoweth	Knollenberg	Smith (MI)
Christensen	Kolbe	Smith (NJ)
Clement	LaHood	Smith (OR)
Coble	Largent	Smith (TX)
Coburn	Latham	Smith, Linda
Collins	LaTourette	Snowbarger
Combest	Lazio	Solomon
Condit	Lewis (KY)	Souder
Cook	Linder	Spence
Cooksey	Lipinski	Stearns
Cox	Livingston	Stenholm
Cramer	LoBiondo	Sununu
Crane	Lucas	Talent
Crapo	Manzullo	Tauzin
Cubin	McCollum	Taylor (MS)
Cunningham	McCrery	Taylor (NC)
Davis (VA)	McHugh	Thomas
Deal	McInnis	Thornberry
DeLay	McIntosh	Thune
Diaz-Balart	McIntyre	Tiahrt
Dickey	McKeon	Trafficant
Doolittle	Metcalfe	Turner
Dreier	Mica	Upton
Duncan	Miller (FL)	Walsh
Dunn	Moran (KS)	Wamp
Ehlers	Myrick	Watkins
Ehrlich	Nethercutt	Watts (OK)
Emerson	Neumann	Weldon (FL)
English	Ney	Weldon (PA)
Everett	Norwood	Weller
Ewing	Nussle	White
Foley	Oxley	Whitfield
Fossella	Packard	Wicker
Fowler	Pappas	Wolf
Gallegly	Parker	Young (AK)
Ganske	Paul	Young (FL)
Gekas	Paxon	
Gibbons	Pease	

NOT VOTING—7

Furse	McDade	Ros-Lehtinen
Gonzalez	Mollohan	
Lewis (GA)	Reyes	

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said joint resolution?

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