

Lowey	Payne	Shows
Lucas (KY)	Pence	Shuster
Lucas (OK)	Peterson (PA)	Simmons
Luther	Petri	Simpson
Lynch	Phelps	Skeen
Maloney (CT)	Pickering	Skelton
Maloney (NY)	Pitts	Smith (MI)
Manzullo	Platts	Smith (NJ)
Markey	Pombo	Smith (TX)
Mascara	Pomeroy	Smith (WA)
Matheson	Portman	Solis
Matsui	Price (NC)	Spratt
McCarthy (MO)	Pryce (OH)	Stark
McCarthy (NY)	Putnam	Stearns
McCollum	Quinn	Stenholm
McCrery	Radanovich	Sullivan
McGovern	Rangel	Tanner
McInnis	Regula	Tauscher
McIntyre	Rehberg	Tauzin
McKeon	Reyes	Taylor (NC)
McKinney	Reynolds	Terry
McNulty	Riley	Thomas
Meehan	Rivers	Thornberry
Meeks (NY)	Rodriguez	Thune
Menendez	Roemer	Thurman
Mica	Rogers (KY)	Tiahrt
Millender-	Rogers (MI)	Tiberi
McDonald	Rohrabacher	Tierney
Miller, Dan	Ros-Lehtinen	Toomey
Miller, Jeff	Ross	Turner
Mollohan	Rothman	Upton
Moran (KS)	Roybal-Allard	Vitter
Moran (VA)	Royce	Walden
Morella	Rush	Walsh
Murtha	Ryun (KS)	Wamp
Nadler	Sanchez	Watkins (OK)
Napolitano	Sanders	Watt (NC)
Nethercutt	Sandlin	Watts (OK)
Ney	Sawyer	Waxman
Northup	Saxton	Weiner
Norwood	Schakowsky	Weldon (FL)
Nussle	Schiff	Weldon (PA)
Obey	Schrock	Wexler
Ortiz	Scott	Whitfield
Osborne	Sensenbrenner	Wilson (NM)
Ose	Sessions	Wilson (SC)
Otter	Shadegg	Wolf
Owens	Shaw	Woolsey
Pallone	Shays	Wynn
Pascrell	Sherman	Young (AK)
Pastor	Sherwood	Young (FL)
Paul	Shimkus	

NOES—42

Aderholt	Hilliard	Slaughter
Bachus	Hinche	Strickland
Baldwin	Kennedy (MN)	Stupak
Borski	Kucinich	Sweeney
Brady (PA)	Larsen (WA)	Taylor (MS)
Costello	Latham	Thompson (CA)
DeFazio	LoBiondo	Thompson (MS)
English	McDermott	Udall (CO)
Filner	Moore	Udall (NM)
Gillmor	Oberstar	Visclosky
Green (TX)	Olver	Waters
Hart	Peterson (MN)	Weller
Hastings (FL)	Sabo	Wicker
Hefley	Schaffer	Wu

ANSWERED "PRESENT"—1

Tancredo

NOT VOTING—47

Ackerman	Gallegly	Neal
Barr	Gephardt	Oxley
Barrett	Gilman	Pelosi
Bereuter	Gonzalez	Rahall
Berman	Hastings (WA)	Ramstad
Bonilla	Hilleary	Roukema
Brown (FL)	Hookey	Ryan (WI)
Capuano	Issa	Serrano
Clay	Kennedy (RI)	Snyder
Clement	Kirk	Souder
Combest	McHugh	Stump
Conyers	Meek (FL)	Sununu
Cooksey	Miller, Gary	Towns
Cramer	Miller, George	Velazquez
Crane	Mink	Watson (CA)
Ehrlich	Myrick	

□ 1045

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. BEREUTER. Mr. Speaker, on September 12, 2002, official business in Washington, D.C., caused this Member to unavoidably miss two rollcall votes. On rollcall No. 385 (motion to go to conference on H.R. 1646, the State Department Authorization bill), this Member would have voted "yea." On rollcall No. 386 (approving the Journal), this Member would have voted "yea."

PERSONAL EXPLANATION

Mr. STUPAK. Mr. Speaker, on September 11 I was in my district taking part in September 11 ceremonies and remembrances and I missed rollcall vote number 384. Had I been present, I would have voted an emphatic "yea" on this vote expressing the sense of Congress on the anniversary of the terrorist attacks launched against the United States on September 11, 2001.

APPOINTMENT OF CONFEREES ON H.R. 1646, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2002 AND 2003

The SPEAKER pro tempore (Mr. TERRY). Without objection, the Chair appoints the following conferees:

From the Committee on International Relations, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

Messrs. HYDE, SMITH of New Jersey, LANTOS and BERMAN and Ms. ROS-LEHTINEN.

From the Committee on the Judiciary for consideration of sections 234, 236, 709, 710, and 844 and section 404 of the Senate amendment, and modifications committed to conference:

Messrs. SENSENBRENNER, SMITH of Texas and CONYERS.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 5193, BACK TO SCHOOL TAX RELIEF ACT OF 2002

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 521 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 521

*Resolved*, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 5193) to amend the Internal Revenue Code of 1986 to allow a deduction to certain taxpayers for elementary and secondary education expenses. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from New York (Mr. REYNOLDS) is recognized for 1 hour.

Mr. REYNOLDS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. REYNOLDS asked and was given permission to revise and extend his remarks.)

Mr. REYNOLDS. Mr. Speaker, House Resolution 521 is a standard closed rule providing for the consideration of H.R. 5193, the Back to School Tax Relief Act of 2002. The rule waives all points of order against consideration of the bill and provides one motion to recommit, with or without instructions.

Mr. Speaker, one of the great successes of this Congress and this administration was the enactment of the No Child Left Behind Act, legislation to extend and amend the Elementary and Secondary Education Act.

Containing some of the most sweeping education reforms in decades, the act incorporates four key principles: Stronger accountability to ensure results; increased flexibility and local control that sends dollars and decisions directly to the classroom; expanded options for parents; and an emphasis on teaching methods that have been proven to work. It is one of these principles, expanded options for parents, that brings us here today.

The Back to School Tax Relief Act of 2002 will give parents the opportunity to take advantage of the Tax Code and take control over financing their child's education. According to the National Center for Education Statistics, student enrollment at public and private elementary and secondary schools peaked to a record level of 53.2 million in the fall of 2000, a 14 percent increase since 1990. In my home State of New York, enrollment in grades K through 12 increased more than 4 percent from 1994 to 2000, and in many parts of the country, enrollments are expected to continue increasing through at least 2005.

As more and more students hit the books, more and more parents are straining the family finances trying to make ends meet as they put their kids through school. Under present law, above-the-line deductions are allowed for qualified tuition and related expenses for higher education only. The legislation before us today simply extends that deduction of up to \$3,000 to qualified elementary and secondary education expenses paid in connection with eligible K through 12 students. This includes expenses at public, private, religious or home schools.

Not every school district is the same nor is every family. By incorporating this tax deduction we can provide parents the flexibility to tailor their education expenses to best suit the needs of their families and their children.