

NAYS—214

Aderholt	Gilchrest	Paul
Akin	Gillmor	Pearce
Bachus	Gingrey	Pence
Baker	Goode	Peterson (PA)
Ballenger	Goodlatte	Petri
Barrett (SC)	Goss	Pickering
Bartlett (MD)	Graves	Pitts
Bass	Green (WI)	Platts
Beauprez	Greenwood	Pombo
Bereuter	Gutknecht	Porter
Biggett	Harris	Portman
Bilirakis	Hart	Pryce (OH)
Bishop (UT)	Hastings (WA)	Putnam
Blackburn	Hayes	Quinn
Blunt	Hayworth	Radanovich
Boehlert	Hensarling	Ramstad
Boehner	Herger	Regula
Bonner	Hobson	Rehberg
Bono	Hoekstra	Renzi
Boozman	Hostettler	Reynolds
Bradley (NH)	Houghton	Rogers (AL)
Brady (TX)	Hulshof	Rogers (KY)
Brown (SC)	Hunter	Rogers (MI)
Brown-Waite,	Hyde	Rohrabacher
Ginny	Isakson	Ros-Lehtinen
Burns	Issa	Royce
Burr	Istook	Ryan (WI)
Burton (IN)	Jenkins	Ryan (KS)
Buyer	Johnson (CT)	Saxton
Calvert	Johnson (IL)	Schrock
Camp	Jones (NC)	Sensenbrenner
Cannon	Keller	Sessions
Cantor	Kelly	Shadegg
Capito	Kennedy (MN)	Shaw
Chabot	King (IA)	Shays
Chocola	King (NY)	Sherwood
Coble	Kingston	Shimkus
Cole	Kirk	Shuster
Collins	Kline	Simmons
Cox	Knollenberg	Simpson
Crane	Kolbe	Smith (MI)
Crenshaw	LaHood	Smith (NJ)
Cubin	Latham	Smith (TX)
Culberson	LaTourette	Souder
Cunningham	Lewis (CA)	Stearns
Davis, Jo Ann	Lewis (KY)	Sullivan
Davis, Tom	LoBiondo	Sweeney
Deal (GA)	Lucas (OK)	Tancredo
DeLay	Manzullo	Tauzin
DeMint	McCotter	Taylor (NC)
Diaz-Balart, L.	McCrery	Terry
Diaz-Balart, M.	McHugh	Thomas
Doolittle	McInnis	Thornberry
Dreier	McKeon	Tiahrt
Duncan	Mica	Tiberi
Dunn	Miller (FL)	Toomey
Ehlers	Miller (MI)	Turner (OH)
Emerson	Miller, Gary	Vitter
English	Moran (KS)	Walden (OR)
Everett	Murphy	Walsh
Feeney	Musgrave	Wamp
Flake	Myrick	Weldon (FL)
Fletcher	Nethercutt	Weldon (PA)
Foley	Neugebauer	Weller
Forbes	Ney	Whitfield
Fossella	Northup	Wicker
Franks (AZ)	Norwood	Wilson (NM)
Frelinghuysen	Nunes	Wilson (SC)
Gallely	Nussle	Wolf
Garrett (NJ)	Osborne	Young (AK)
Gerlach	Ose	Young (FL)
Gibbons	Otter	

NOT VOTING—18

Barton (TX)	Ferguson	Klecza
Berkley	Gephardt	Linder
Berman	Granger	Millender-
Bonilla	Hefley	McDonald
Burgess	Janklow	Oxley
Carter	Jefferson	
Dooley (CA)	Johnson, Sam	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 2357

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MAKING IN ORDER AT ANY TIME
CONSIDERATION OF H.R. 2754, EN-
ERGY AND WATER DEVELOP-
MENT APPROPRIATIONS ACT,
2004

Mr. HOBSON. Mr. Speaker, I ask unanimous consent that it be in order at any time for the Speaker, as though pursuant to clause 2(b) of rule XVIII, to declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2754) making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes, which shall proceed according to the following order:

The first reading of the bill shall be dispensed with.

All points of order against consideration of the bill are waived.

General debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

After general debate the bill shall be considered for amendment under the 5-minute rule.

The amendment I have placed at the desk shall be considered as adopted in the House and in the Committee of the Whole.

Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived except for section 310.

During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read.

At the conclusion of consideration of the bill for amendment, the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

And I ask unanimous consent that the amendment that I have placed at the desk be considered as read.

□ 0000

The SPEAKER pro tempore (Mr. GINGREY). The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 6, strike "Provided further," and all that follows through line 17 and insert the following:

Provided further, That funds appropriated in this Act for the preservation and restoration of the Florida Everglades shall be made available for expenditure unless (1) the Sec-

retary of the Army, not later than 30 days after the date of enactment of this Act, transmits to the State of Florida and the Committees on Appropriations of the House of Representatives and the Senate a report containing a finding and supporting materials indicating that the waters entering the A.R.M. Loxahatchee National Wildlife Refuge and Everglades National Park do not meet the water quality requirements set forth in the Consent Decree entered in United States v. South Florida Water Management District, (2) the State fails to submit a satisfactory plan to bring the waters into compliance with the water quality requirements within 45 days of the date of the report, (3) the Secretary transmits to the State and the Committees a follow-up report containing a finding that the State has not submitted such a plan, and (4) either the Committee on Appropriations of the House of Representatives or the Senate issues a written notice disapproving of further expenditure of the funds: *Provided further*, That the Secretary of the Army shall provide the State of Florida with notice and an opportunity to respond to any determination of the Secretary under the preceding proviso before the determination becomes final.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 1472

Ms. HART. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1472.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 1472

Mr. WELLER. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1472.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 1472

Mr. PORTMAN. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1472.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

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

Mr. BELL. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. BELL moves that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the