

Pearce	Ryun (KS)	Terry
Pelosi	Sabo	Thomas
Pence	Sanchez, Linda	Thompson (CA)
Peterson (MN)	T.	Thompson (MS)
Peterson (PA)	Sanchez, Loretta	Thornberry
Petri	Sanders	Tiahrt
Pickering	Sandlin	Tiberi
Pitts	Saxton	Tierney
Platts	Schakowsky	Turner (OH)
Pombo	Schiff	Turner (TX)
Pomeroy	Schrock	Udall (NM)
Porter	Scott (GA)	Upton
Portman	Scott (VA)	Van Hollen
Price (NC)	Sessions	Visclosky
Pryce (OH)	Shaw	Vitter
Putnam	Shays	Walden (OR)
Quinn	Sherman	Walsh
Radanovich	Sherwood	Wamp
Rahall	Shuster	Waters
Ramstad	Simmons	Watson
Regula	Simpson	Watt
Rehberg	Skelton	Waxman
Renzi	Slaughter	Weiner
Reyes	Smith (NJ)	Weldon (FL)
Reynolds	Smith (TX)	Weldon (PA)
Rodriguez	Snyder	Weller
Rogers (AL)	Solis	Whitfield
Rogers (KY)	Souder	Wicker
Rogers (MI)	Spratt	Wilson (NM)
Ross	Stenholm	Wilson (SC)
Rothman	Stupak	Wolf
Roybal-Allard	Sullivan	Wu
Royce	Sweeney	Wynn
Ruppersberger	Tanner	Young (AK)
Rush	Tauscher	Young (FL)
Ryan (OH)	Tauzin	
Ryan (WI)	Taylor (NC)	

NAYS—39

Barrett (SC)	Hensarling	Ros-Lehtinen
Boswell	Hergert	Sensenbrenner
Conyers	Jones (NC)	Shadegg
Costello	Matheson	Shimkus
Deutsch	McHugh	Smith (MI)
Diaz-Balart, L.	Meek (FL)	Smith (WA)
Diaz-Balart, M.	Menendez	Stark
Evans	Miller (FL)	Stearns
Everett	Nussle	Strickland
Flake	Obey	Tancredo
Franks (AZ)	Oxley	Taylor (MS)
Hastings (FL)	Paul	Toomey
Hefley	Rohrabacher	Wexler

NOT VOTING—14

Cummings	Janklow	Towns
Emerson	Keller	Udall (CO)
Fossella	Kucinich	Velazquez
Gephardt	Rangel	Woolsey
Hoekstra	Serrano	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 2010

Mr. MEEK of Florida and Mr. HASTINGS of Florida changed their vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA
APPROPRIATIONS ACT, 2004

The SPEAKER pro tempore. Pursuant to the order of the House of Friday, July 25, 2003, and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2765

□ 2012

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the State of the Union for the further consideration of the bill (H.R. 2765) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2004, and for other purposes, with Mr. BASS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Friday, September 5, 2003, amendment No. 2 offered by the gentleman from Colorado (Mr. HEFLEY) had been disposed of and the bill was open for amendment from page 12, line 23, through page 52, line 12.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time to advise the House that this vote that we will take soon on the D.C. bill is the end of the 13 regular appropriations bills for fiscal year 2004. This does the job.

We have had some interesting times, Mr. Chairman; but in this calendar year starting in February, the Committee on Appropriations concluded 11 of last year's bills, two major supplementals, and 13 regular bills once we have the vote on the D.C. appropriations bill.

I want to say thank you to all of the Members of the Committee on Appropriations on both sides. I want to say thank you to the Members of the House that gave us some spirited debate in amendments but also some very strong votes.

Mr. Chairman, we are prepared then to move on to our conferences with the other body, which should prove to be very interesting.

Ms. NORTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this House has a proud bipartisan record of reserving scarce Federal funds for public education. We cannot convincingly make the District of Columbia an exception to that record.

The majority of the city council, the majority of the elected members of the school board, and as the member who has represented the city for 13 years, the majority of the residents of the city are just like your districts and overwhelmingly oppose vouchers. Hundreds of them, led by the clergy of our city ministers and rabbis, came to fan out to tell the Congress that just last week.

□ 2015

If you are willing to vote to give public money to private schools this year, you better be prepared to answer back home. Of course you can say, well, the District of Columbia is different; you know, the schools are so bad. There are school districts exactly like the District of Columbia in every State of the Union. Those of you from Michigan know about Detroit. If you come from Georgia, you know about Atlanta. If you come from Connecticut, you know

about Bridgeport. If you come from Texas, you know about Houston and Dallas. And I do not know all of your rural districts, but I am sure they will match the District in test scores and all the rest of the deprivations that lead to bad schools.

So you go home, if you will, and tell them that in the year when the unkept promise of special education remains outstanding, while the schools in your district are being called shortchanged, that is okay; there was one district in the United States that I was willing to give private money for public schools.

So you go home and tell them, well, I am not for it here, because that is the hypocrisy I hear time and again, but this is one district in the whole United States that I was willing to dig in my Federal pocket and draw out some public money for private schools and it will never happen again. There is a 5-year appropriation here. You will be doing it year after year. And you go home and tell them, when there is a backlash now developing against the bipartisan No Child Left Behind, that that \$9 billion unfunded mandate, that is okay, we are taking care of that. Meanwhile, we had some private schools in the District of Columbia that we simply had to fund this year.

This is a voucher-only bill. If you vote for the Davis amendment, you are voting for vouchers for our country. If you vote "yes" on final, you are voting vouchers if the Davis amendment is in the bill. Vote "no" on Davis. Vote "no" on final passage. Do not flip-flop on vouchers. You will pay the price. We will try to see to it that you do.

Mr. BOEHNER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would say to my colleagues that I will not use the 5 minutes, but we need to understand that the Davis proposal that the gentleman from New Jersey (Mr. FRELINGHUYSEN) and I have cosponsored is supported by the Mayor and supported by the President of the school board and other members of the city government. It is also overwhelmingly supported by the people of D.C.

But do not take my word for this, because this is really not about the politicians and it is really not about us; it is about poor kids in poor schools who are being denied an education. We hope, we hope that the Mayor and the school board do a great job trying to improve the city schools. But while they are out there working, trying to improve the city's schools, why should we not take the chance, why should we not take the chance of offering 2,000 children a chance to go to a better school? Because in the end, that is what this is about, these kids. And these kids today are going to have no future if we do not stand up and begin to help them.

So I would ask all of my colleagues today, when you vote, think about these children and think about their future. All of their parents want, and what these kids want is the same

things that we want for our children, and if we stand up here today and vote "no," I want you to look into their parents' eyes and say, I am not going to help you, and your children are not going to have the same opportunity as ours. Please vote for Davis.

Mrs. JONES of Ohio. Mr. Chairman, I move to strike the last word.

I come from the great city of Cleveland where the voucher program was upheld by the Supreme Court, and I look in the eyes of the parents of every one of those children everyday and say to them that public education is what we ought to be supporting. Let us put some of that \$87 billion we are getting ready to send to Iraq into public education. Let us put some of these dollars that we are setting aside into public education. Let us reduce student-teacher ratio. Let us increase the opportunity for our children to do well.

I am not going to take 5 minutes either, but I could not let you leave with saying you could not look into eyes of the parents. I look in their eyes everyday, and they say, Stephanie, send me more teachers, send me more money for our schools, and give our children an opportunity.

The CHAIRMAN. The Clerk will read the last 2 lines of the bill.

The Clerk read as follows:

This Act may be cited as the "District of Columbia Appropriations Act, 2004".

The CHAIRMAN. Are there any further amendments to the bill? If not, under the order of the House, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THORNBERRY) having assumed the chair, Mr. BASS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2765) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2004, and for other purposes, pursuant to the previous order of the House of July 25, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. NORTON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 209, noes 208, not voting 17, as follows:

[Roll No. 490]

AYES—209

Aderholt	Baker	Bartlett (MD)
Akin	Ballenger	Barton (TX)
Bachus	Barrett (SC)	Bass

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

NOES—208

Abercrombie	Carson (IN)	Etheridge
Ackerman	Carson (OK)	Evans
Alexander	Case	Farr
Allen	Clay	Fattah
Andrews	Clyburn	Filner
Baca	Conyers	Frank (MA)
Baird	Cooper	Frost
Baldwin	Costello	Gonzalez
Ballance	Cramer	Gordon
Becerra	Crowley	Green (TX)
Bell	Davis (AL)	Grijalva
Berkley	Davis (CA)	Gutierrez
Berman	Davis (FL)	Harman
Berry	Davis (IL)	Hastings (FL)
Biggett	Davis (TN)	Hill
Bishop (GA)	DeFazio	Hinchey
Bishop (NY)	DeGette	Hinojosa
Blumenauer	Delahunt	Hoefel
Boehert	DeLauro	Holden
Boswell	Deutsch	Holt
Boucher	Dicks	Honda
Boyd	Dingell	Hooley (OR)
Brady (PA)	Doggett	Hoyer
Brown (OH)	Dooley (CA)	Inslee
Brown, Corrine	Doyle	Israel
Burr	Edwards	Jackson (IL)
Capps	Emanuel	Jackson-Lee
Capuano	Engel	(TX)
Cardin	English	Jefferson
Cardoza	Eshoo	John

Johnson (IL)	Menendez	Sanchez, Linda
Johnson, E. B.	Michaud	T.
Jones (OH)	Millender-	Sanchez, Loretta
Kanjorski	McDonald	Sanders
Kaptur	Miller (NC)	Sandlin
Kennedy (RI)	Miller, George	Saxton
Kildee	Mollohan	Schakowsky
Kilpatrick	Moore	Schiff
Kind	Moran (VA)	Scott (GA)
Klecza	Murtha	Scott (VA)
Lampson	Nadler	Sherman
Langevin	Napolitano	Simmons
Lantos	Neal (MA)	Skelton
Larsen (WA)	Ney	Slaughter
Larson (CT)	Oberstar	Smith (WA)
Leach	Obey	Smith (WA)
Lee	Olver	Snyder
Levin	Ortiz	Solis
Lewis (GA)	Osborne	Spratt
LoBiondo	Owens	Stark
Lofgren	Pallone	Stenholm
Lowey	Pascarell	Strickland
Lucas (KY)	Pastor	Stupak
Lynch	Paul	Tanner
Majette	Payne	Tauscher
Maloney	Pelosi	Thompson (CA)
Markey	Peterson (MN)	Thompson (MS)
Marshall	Platts	Tierney
Matheson	Pomeroy	Turner (TX)
Matsui	Price (NC)	Udall (NM)
McCarthy (MO)	Rahall	Van Hollen
McCarthy (NY)	Ramstad	Vislosky
McCollum	Reyes	Waters
McDermott	Rodriguez	Watson
McGovern	Ross	Watt
McHugh	Rothman	Waxman
McIntyre	Roybal-Allard	Weiner
McNulty	Ruppersberger	Wexler
Meehan	Rush	Wu
Meek (FL)	Ryan (OH)	Wynn
Meeks (NY)	Sabo	

NOT VOTING—17

Cummings	Hoekstra	Simpson
Emerson	Janklow	Towns
Ford	Keller	Udall (CO)
Fossella	Kucinich	Velazquez
Gephardt	Rangel	Woolsey
Graves	Serrano	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. THORNBERRY) (during the vote). Members are advised that 2 minutes remain in this vote.

PARLIAMENTARY INQUIRIES

Mr. HOYER (during the vote). Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore (Mr. THORNBERRY). The gentleman may state a parliamentary inquiry pertaining to the vote.

Mr. HOYER. Mr. Speaker, under regular order, we were told at the beginning of this session that the leadership of the House and the message from the Speaker of the House, DENNIS HASTERT, was that we were going to allot 15 minutes for votes with only 2 minutes, and that at 17 minutes, the voting tally would close, and we were all urged to be on time so that the work of the House could be done efficiently and effectively.

Mr. Speaker, my inquiry is, is that regular order still in place? Is that still the policy of the leadership of this House?

The SPEAKER pro tempore. The Chair would respond to the gentleman from Maryland that clause 2 of rule XX states that the minimum time for a recorded vote or quorum call by electronic device shall be 15 minutes.

Mr. HOYER. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his further parliamentary inquiry.

Mr. HOYER. Mr. Speaker, was that the rule that the distinguished Robert Walker of Pennsylvania raised such cane about and was so angry about and felt that Jim Wright was so out of order about when he held the vote open? Is that the rule, Mr. Speaker?

The SPEAKER pro tempore. The gentleman did not state a further parliamentary inquiry.

The Chair would further note, from House Practice, chapter 58, section 20, that the Chair has the discretion either to close a vote and to announce the result at any time after 15 minutes have elapsed or may allow additional time for Members to record their votes before announcing the result.

Mr. HOYER. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Maryland may state his further parliamentary inquiry.

Mr. HOYER. Mr. Speaker, listening to the Chair's recitation of the rule, would that mean that the Chair now has the authority to close this vote and express the will of the House of Representatives as reflected on the board?

The SPEAKER pro tempore. The Chair would again state to the gentleman that the Chair has the discretion either to close a vote and announce the result at any time after 15 minutes have elapsed or to allow additional time for Members to record their votes before announcing the result.

Mr. FRANK of Massachusetts. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. For what purpose does the gentleman from Massachusetts rise?

Mr. FRANK of Massachusetts. The question is not whether the Chair has the discretion but whether or not he has the integrity and courage to do so.

Mr. OBEY. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Wisconsin may state his parliamentary inquiry.

Mr. OBEY. Mr. Speaker, could I inquire if anyone from the attending physician is present? I understand someone's arm is being broken.

□ 2101

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. THORNBERRY). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 210, nays 206, not voting 18, as follows:

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Biggart
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Boyd
Brady (PA)

[Roll No. 491]

YEAS—210

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Burgess
Burns
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Dunn
Ehlers
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons

NAYS—206

Brown (OH)
Brown, Corrine
Burr
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio

Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inlee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lynch
Majette

Coble
Cummings
Emerson
Ford
Fossella
Gephardt

Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender
McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Reyes
Rodriguez

NOT VOTING—18

Graves
Hoekstra
Janklow
Keller
Kucinich
Rangel
Serrano
Simpson
Towns
Udall (CO)
Velazquez
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. THORNBERRY) (during the vote). Members are advised 2 minutes remain in this vote.

□ 2117

Ms. KILPATRICK changed her vote from "yea" to "nay."

Mr. MILLER of Florida changed his vote from "nay" to "yea."
So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the time to resume proceedings on the motion to instruct conferees offered by the gentleman from Maryland (Mr. RUPPERSBERGER) is redesignated as tomorrow.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2622, FAIR AND ACCURATE CREDIT TRANSACTIONS ACT OF 2003

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report