

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 242, nays 180, not voting 9, as follows:

[Roll No. 142]

YEAS—242

Abercrombie	Grijalva	Olver
Ackerman	Gutierrez	Ortiz
Adler (NJ)	Hall (NY)	Pallone
Altmire	Halvorson	Pascrell
Andrews	Hare	Pastor (AZ)
Arcuri	Harman	Payne
Baca	Hastings (FL)	Perlmutter
Baird	Heinrich	Perriello
Baldwin	Herseth Sandlin	Peters
Bean	Higgins	Peterson
Becerra	Hill	Pingree (ME)
Berkley	Himes	Polis (CO)
Berman	Hinojosa	Pomeroy
Berry	Hirono	Price (NC)
Bishop (GA)	Hodes	Rahall
Bishop (NY)	Holden	Rangel
Blumenauer	Holt	Reyes
Boccieri	Honda	Richardson
Boren	Hoyer	Rodriguez
Boswell	Inslee	Ross
Boucher	Israel	Rothman (NJ)
Boyd	Jackson (IL)	Coffman (CO)
Brady (PA)	Jackson-Lee	Roybal-Allard
Braley (IA)	(TX)	Ruppersberger
Brown, Corrine	Johnson (GA)	Rush
Butterfield	Johnson, E. B.	Ryan (OH)
Capps	Kagen	Salazar
Capuano	Kanjorski	Sánchez, Linda
Cardoza	Kaptur	T.
Carahan	Kennedy	Sanchez, Loretta
Carney	Kildee	Sarbanes
Carson (IN)	Kilpatrick (MI)	Schakowsky
Castor (FL)	Kilroy	Schauer
Chandler	Kind	Schiff
Clarke	Kirkpatrick (AZ)	Schrader
Clay	Kissell	Schwartz
Cleaver	Klein (FL)	Scott (GA)
Clyburn	Kratovich	Scott (VA)
Cohen	Kucinich	Scott (VA)
Connolly (VA)	Langevin	Serrano
Conyers	Larsen (WA)	Sestak
Cooper	Larson (CT)	Shea-Porter
Costa	Lee (CA)	Sherman
Costello	Levin	Shuler
Courtney	Lewis (GA)	Sires
Crowley	Lipinski	Skelton
Cuellar	Loeb sack	Slaughter
Cummings	Lofgren, Zoe	Smith (WA)
Dahlkemper	Lowey	Snyder
Davis (AL)	Lujan	Space
Davis (CA)	Lynch	Speier
Davis (IL)	Maffei	Spratt
Davis (TN)	Maloney	Stark
DeFazio	Markey (CO)	Stupak
DeGette	Markey (MA)	Sutton
DeLauro	Marshall	Tanner
Dicks	Massa	Tauscher
Dingell	Matheson	Taylor
Doggett	Matsui	Teague
Donnelly (IN)	McCarthy (NY)	Thompson (CA)
Driehaus	Doyle	Thompson (MS)
Edwards (MD)	McDermott	Tierney
Edwards (TX)	McGovern	Titus
Ellison	McIntyre	Tonko
Ellsworth	McMahon	Towns
Engel	Meek (FL)	Tsongas
Eshoo	Meeks (NY)	Van Hollen
Etheridge	Melancon	Velázquez
Farr	Michaud	Velázquez
Fattah	Miller (NC)	Walz
Filner	Miller, George	Wasserman
Foster	Mollohan	Schultz
Frank (MA)	Moore (KS)	Waters
Fudge	Moore (WI)	Watson
Giffords	Moran (VA)	Watt
Gonzalez	Murphy (CT)	Waxman
Gordon (TN)	Murphy, Patrick	Weiner
Grayson	Murtha	Welch
Green, Al	Nadler (NY)	Wexler
Green, Gene	Neal (MA)	Wilson (OH)
Griffith	Oberstar	Woolsey
	Obey	Wu
		Yarmuth

NAYS—180

Aderholt	Austria	Barrett (SC)
Akin	Bachmann	Barrow
Alexander	Bachus	Bartlett

Barton (TX)	Gohmert	Moran (KS)
Biggert	Goodlatte	Murphy, Tim
Bilbray	Granger	Myrick
Bilirakis	Graves	Neugebauer
Bishop (UT)	Guthrie	Nunes
Blackburn	Hall (TX)	Nye
Blunt	Harper	Paul
Boehner	Hastings (WA)	Paulsen
Bonner	Heller	Pence
Bono Mack	Hensarling	Petri
Boozman	Herger	Pitts
Brady (TX)	Hoekstra	Platts
Bright	Hunter	Poe (TX)
Broun (GA)	Inglis	Posey
Brown (SC)	Issa	Price (GA)
Brown-Waite,	Jenkins	Putnam
Ginny	Johnson (IL)	Rehberg
Buchanan	Johnson, Sam	Reichert
Burgess	Jones	Roe (TN)
Burton (IN)	Jordan (OH)	Rogers (AL)
Buyer	King (IA)	Rogers (KY)
Calvert	King (NY)	Rogers (MI)
Camp	Kingston	Rohrabacher
Campbell	Kirk	Rooney
Cantor	Kline (MN)	Ros-Lehtinen
Cao	Kosmas	Roskam
Capito	Lamborn	Royce
Carter	Lance	Ryan (WI)
Cassidy	Latham	Scalise
Castle	LaTourette	Schmidt
Richardson	Latta	Schock
Rodriguez	Lee (NY)	Sensenbrenner
Childers	Coble	Sessions
Coble	Coffman (CO)	Shadegg
Cole	Cole	Shimkus
Conaway	Conaway	Shuster
Crenshaw	Crenshaw	Simpson
Davis (KY)	Davis (KY)	Smith (NE)
Deal (GA)	Deal (GA)	Smith (NJ)
Dent	Dent	Smith (TX)
Diaz-Balart, L.	Mack	Stearns
Diaz-Balart, M.	Manzullo	Sullivan
Dreier	Marchant	Terry
Duncan	McCarthy (CA)	Thompson (PA)
Ehlers	McCaul	Thornberry
Emerson	McClintock	Tiaht
Fallin	McCotter	Tiberi
Flake	McHenry	Turner
Fleming	McHugh	Upton
Forbes	McKeon	Walden
Fortenberry	McMorris	Wamp
Fox	Rodgers	Westmoreland
Franks (AZ)	McNerney	Whitfield
Frelinghuysen	Mica	Wilson (SC)
Galeggly	Miller (FL)	Wittman
Garrett (NJ)	Miller (MI)	Wolf
Gerlach	Minnick	Young (AK)
Gingrey (GA)	Mitchell	Young (FL)

NOT VOTING—9

Boustany	Hinchey	Olson
Culberson	Miller, Gary	Radanovich
Delahunt	Napolitano	Souder

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on this vote.

□ 1206

Mr. MCNERNEY changed his vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Madam Speaker, on Thursday, March 19, 2009, I was absent during rollcall vote No. 142 in order to attend an event with the President in my district. Had I been present, I would have voted “yea” on ordering the previous question to H. Res. 257—Which provides for consideration of motions to suspend the Rules.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

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 Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

TAXING EXECUTIVE BONUSES PAID BY COMPANIES RECEIVING TARP ASSISTANCE

Mr. RANGEL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1586

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. BONUSES RECEIVED FROM CERTAIN TARP RECIPIENTS.

(a) IN GENERAL.—In the case of an employee or former employee of a covered TARP recipient, the tax imposed by chapter 1 of the Internal Revenue Code of 1986 for any taxable year shall not be less than the sum of—

(1) the tax that would be determined under such chapter if the taxable income of the taxpayer for such taxable year were reduced (but not below zero) by the TARP bonus received by the taxpayer during such taxable year, plus

(2) 90 percent of the TARP bonus received by the taxpayer during such taxable year.

(b) TARP BONUS.—For purposes of this section—

(1) IN GENERAL.—The term “TARP bonus” means, with respect to any individual for any taxable year, the lesser of—

(A) the aggregate disqualified bonus payments received from covered TARP recipients during such taxable year, or

(B) the excess of—

(i) the adjusted gross income of the taxpayer for such taxable year, over

(ii) \$250,000 (\$125,000 in the case of a married individual filing a separate return).

(2) DISQUALIFIED BONUS PAYMENT.—

(A) IN GENERAL.—The term “disqualified bonus payment” means any retention payment, incentive payment, or other bonus which is in addition to any amount payable to such individual for service performed by such individual at a regular hourly, daily, weekly, monthly, or similar periodic rate.

(B) EXCEPTIONS.—Such term shall not include commissions, welfare or fringe benefits, or expense reimbursements.

(C) WAIVER OR RETURN OF PAYMENTS.—Such term shall not include any amount if the employee irrevocably waives the employee’s entitlement to such payment, or the employee returns such payment to the employer, before the close of the taxable year in which such payment is due. The preceding sentence shall not apply if the employee receives any benefit from the employer in connection with the waiver or return of such payment.

(3) REIMBURSEMENT OF TAX TREATED AS TARP BONUS.—Any reimbursement by a covered TARP recipient of the tax imposed under subsection (a) shall be treated as a disqualified bonus payment to the taxpayer liable for such tax.