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Lewis (CA)
Lewis (GA)
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Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
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McCarthy (CA)
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McMorris Rodgers
McNerney
Meek (FL)
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Miller (FL)
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Miller (NC)
Miller, Gary
Miller, George
Minnick
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Murphy (CT)
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Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
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Ross
Rothman (NJ)
Roybal-Allard
Royce
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Ryan (OH)
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Sánchez, Linda T.
Sanchez, Loretta
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Young (AK)
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NOT VOTING—17

Barton (TX)
Bean
Berkley
Bishop (GA)
Buchanan
Butterfield
Campbell
Carnahan
Connolly (VA)
Crowley
Dahlkemper
Delahunt
Fallin
Grayson
Hoekstra
Massa
Titus

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 1 minute remaining in this vote.

□ 1149

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GRAYSON. Madam Speaker, on rollcall Nos. 85 and 86, H. Res. 1086, H. Res. 1111, I missed these votes to attend a bill signing with the President at the White House. Had I been present, I would have voted "aye."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4529

Mr. RYAN of Ohio. Madam Speaker, I ask unanimous consent that Representative ERIC PAULSEN of Minnesota be removed as a cosponsor of H.R. 4529.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 2847, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Ms. MATSUI. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1137 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1137

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, with the Senate amendment to the House amendment to the Senate amendment thereto, and to consider in the House, without intervention of any point of order except those arising under clause 10 of rule XXI, a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment to the House amendment to the Senate amendment with the amendment printed in the report of the Committee on Rules accompanying this resolution. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to final adoption without intervening motion.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 1 hour.

Ms. MATSUI. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume.

GENERAL LEAVE

Ms. MATSUI. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1137.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. MATSUI. Madam Speaker, House Resolution 1137 provides for consideration of the Senate amendment to H.R. 2847, the Hiring Incentives to Restore Employment Act. The rule makes in order a motion offered by the Chair of the Committee on Ways and Means, or his designee, that the House concur in the Senate amendment to the House amendment to the Senate amendment with the amendment printed in the report of the Committee on Rules accompanying this resolution.

The rule waives all points of order against consideration of the motion, except those arising under clause 10 of rule XXI. The rule provides the Senate amendment and the motion shall be considered as read. The rule provides 1 hour of debate on the motion equally divided and controlled by the Chair and ranking minority member of the Committee on Ways and Means.

Madam Speaker, in today's economy, many families are struggling to make ends meet. As we know, the economic recession began in 2008 as a direct result of reckless and irresponsible financial decisions. We are still dealing with the wreckage today. Over the last few years, I have heard countless stories of people struggling to put food on the table, pay their mortgages, and provide for their children, and millions of America's seniors are making decisions every day to skip meals or cut their pills in half just to survive.

California and, in particular, my constituents in Sacramento, have been greatly impacted by this economic crisis. Many of my constituents were and continue to be victims of predatory home loan lending, unfair credit card practices, payday loans, and other forms of unscrupulous business practices. They turned to Congress for help, and we responded with the CARD Act. And the ink was hardly dry on that legislation before credit card companies tried to find loopholes to arbitrarily raise credit card interest rates and fees on consumers.

This Congress also passed the Wall Street Reform and Consumer Protection Act, which will bring much-needed oversight and accountability to Wall Street. This bill also creates a new consumer financial protection agency to protect consumers from unfair and deceptive financial practices. Meanwhile, small businesses are seeking assistance to help make payroll, retain their employees, and pay for the skyrocketing costs of health insurance. These are the reasons why it is time to once again put the American people first and provide them with the support they need from their Representatives in Congress.

We need to pass the jobs bill before us today as a significant step towards helping hardworking Americans get back to work. The American people are hurting, and the top priority of this administration and this Congress must be

jobs, jobs, jobs. In December, the House passed a jobs package, the Jobs for Main Street Act that would make $156 billion in targeted investments in our economy. The projects supported by this bill will improve our highways and transit infrastructure, renovate schools, and help small businesses rebuild, support job training initiatives, and affordable housing programs.

While the jobs package we are considering today is not as broad as the version passed by this House, it is an important step in the right direction and one we cannot afford not to enact. Today's bill is one that I hope will be the first of a series of job creation proposals that we will consider in the coming weeks and months because the reality is that the unemployment rate in this country is at an unacceptable level of 9.7 percent, and this bill will help incentivize employers to start hiring immediately. Already the Recovery Act, put forth by congressional Democrats, has saved or created more than 2 million jobs. That is according to CBO. The Recovery Act has clearly helped us rebound from this recession and saved us from the brink of another Great Depression.

The Recovery Act has greatly benefited my district and the entire Sacramento region, providing almost $700 million for dozens of projects. Such projects include $21 million for improving and enhancing Sacramento's levees from flood protection, public transportation facilities, developing clean energy technology, and hiring 30 new officers at the Sacramento Police Department. It is also helping struggling homeowners avoid foreclosure, investing in new community health facilities, and the list does go on and on and on. My constituents can see where and how every dollar is being spent in our district by visiting my Web site.

One of the most important results of the Recovery Act is that it helps school districts minimize budget cuts. However, as the economy declines, school districts are now considering shorter school years, larger class sizes, and looking to lay off teachers. We cannot let this happen. So our path towards economic recovery must continue to invest in our Nation's workforce to spur additional job creation, innovation and long-term economic growth. And by supporting the rule and the underlying bill, we will do just that.

I have heard from small business owners who are eager to be connected to business counseling and resources, to learn more about financing opportunities, SBA loan products, and government contracting opportunities. There is a great demand for immediate and real assistance for our small businesses to get back on their feet and for workers to get back into the labor market. Over the last few months, I have held two small business workshops to help existing small business owners understand the recovery legislation, obtain financing, and find new opportunities for government programs. And I have seen firsthand how eager people are to start working again or get retrained in new fields and to take an active part in our country's economic recovery.

The proposal before us today offers a key strategic tax incentive for employers to hire new workers. The proposal would exempt employers from paying Social Security taxes through the end of this year for hiring new workers who have been out of work for at least 60 days. If the newly hired workers remain on the payroll for at least a year, the bill provides an additional $1,000 income tax credit to employers. This new hiring tax credit could spur as many as 250,000 jobs, according to leading economists. To help small businesses, the proposal offers an immediate writeoff, up to $250,000 for equipment purchased this year. To invest in additional transportation infrastructure, the proposal extends the Highway Trust Fund, otherwise known as SAFETEA–LU, for 15 months to pay for transportation projects ready to break ground.

Using the rule of thumb in highway contracting where every $1 billion in transportation spending creates about 35,000 jobs, this $77 billion investment means that more than 2 million jobs will be retained or created, including high-quality jobs in the construction and building trades.

□ 1200

Finally, the bill expands the Build America Bonds Program to allow investors to claim Federal subsidies up to 45 percent of the borrowing cost for bonds issued for public works projects.

There is no doubt that this package will incentivize and spur much-needed job creation and economic growth in our neighborhoods and communities. And to my colleagues, concerned, as I am, that this bill does not go far enough to create jobs, I want to be clear that this is the first in a series of steps we will be taking to continue to get the economy back on track.

Together with the continued economic assistance of the Recovery Act, we are laying the groundwork for continued job creation and future economic growth to lead us to our prosperity.

It is my hope that this Congress continues to find new ways to get Americans back to work, stabilize our economy, and help rebuild our middle class. This is not the end of our work, but it is a critical step forward for the American people. I, therefore, urge my colleagues to support this rule and the underlying legislation.

I reserve the balance of my time.

Mr. SESSIONS. I thank the gentlewoman for yielding the time.

Madam Speaker, the Republicans in this body are in a quandary again today because of the way this bill was brought to the floor, and I would like to yield 3 minutes to the gentleman from Houston, Texas (Mr. CULBERSON) to ask some questions.

Mr. CULBERSON. I would like to, if I could, ask Ms. MATSUI, how long has the public had to read this bill? It is my understanding that this bill was posted on the Internet about 2½ hours ago. There was no committee hearing, and this contains approximately $15 billion in tax increases. I am committed to transparency. The Speaker says she is committed to transparency. Yet isn't it true that this bill has only been on the Internet, available for the public to read, for about 2½ hours, and there was no committee hearing on this legislation; is that correct?

Ms. MATSUI. I would like to say this job creation package has been discussed in the headlines and the Halls of Congress for weeks now. In addition, the pay-fors that are proposed here have been debated numerous times in the House previously. There are no surprises here.

Mr. CULBERSON. I understand, and that is typically the rhetoric that we hear from the leadership is that this concept has been discussed, this idea has been discussed. But my question is: Has this specific piece of legislation had a full committee hearing, number one? And how long has this specific piece of legislation, this $15 billion tax increase, how long has this $15 billion tax increase been available for the public to read on the Internet? Isn't it true it has only been posted for about 2½ hours? It was posted at 9:30; is that correct, Ms. MATSUI?

I yield to the gentlewoman from California.

Ms. MATSUI. Madam Speaker, I just want to say that I just received this amendment as well this morning. It is fairly short, 15 pages, double-spaced. I read it, and it took less than 10 minutes for me to see that the amendment was fully paid for.

Mr. CULBERSON. Just confirming for the record, Madam Speaker, that once again this liberal leadership of the Congress is shutting out the American public, utterly untransparent, denying the American taxpayers the ability to read and see the legislation before the Congress. This $15 billion tax increase, Madam Speaker, has only been available for the American people to read for about 2½ hours. No committee hearing, no transparency, consistent with the cap-and-tax legislation, a 300-page amendment in the lobby, consistent with every major piece of legislation, the ''spendulus'' package, all of the other massive tax and spending increases that this liberal leadership and this new liberal President have pushed through Congress. You have shut out the American people. You have shut out the ability of we who represent them to debate the legislation, to offer amendments.

It is an affront to this great institution, the greatest democracy in the history of the world. You are denying the public a chance to participate. That's why you see the Tea Party rallies all over America. This is why there will be a tsunami this November to sweep out this liberal leadership, this tax-and-spend majority in Congress,

which is using up the good will that this President had when he came in as a new President. And I am just very disappointed, frankly, that this Congress, this Speaker, has not allowed the public to read important legislation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds Members to direct their comments to the Chair.

Ms. MATSUI. Madam Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Madam Speaker, I was so troubled by the remarks of the gentleman from Texas, for whom I have great respect. I think he was making more of a political argument than a substantive discussion of the matter at hand.

In December, the House passed the Jobs for Main Street bill. It included the piece that is before us today. That measure went over to the Senate. It was held up in its entirety, and in the specific that we are dealing with today, by a hold, a series of holds, and then a filibuster by the Senator from Kentucky. Eventually, the Senate overcame that filibuster. This measure, this $15 billion, has been before the Congress for 2½ months. It is no surprise to anyone.

The measure before us does what Republican leadership did with our support on this side on SAFETEA–LU in 2004 and 2005; 12 extensions of current law, 12 extensions, in order to muster the support we needed, in order to buy the time necessary to pass the 5-year surface transportation bill.

This measure before us provides $77 billion for a 15-month extension of current law. It restores the $8.7 billion rescission that was required in SAFETEA–LU, at the insistence of the Bush administration, which required, for the President's signature, a rescission at the end of the 5-year period, and that occurred September of 2009. That meant that programs were underfunded, that is, underfunded below the authorization level of SAFETEA–LU, for the past several months. The bill restores that funding level.

I will yield to the gentleman in just a moment.

So what we are doing here is restoring stability to the highway, bridge, SAFETEA, and transit program, providing certainty for States so they can advertise for bids, award bids, and keep contracts going. The filibuster of the Senator from Kentucky resulted in numerous bid lettings being cancelled and others being withheld, jobs lost, a great disruption to the program because there were not Federal Highway Administration personnel on the job to be able to make the overnight electronic transfers to the States for their vouchers. This bill restores stability to the program.

Mr. CULBERSON. Would the gentleman yield?

Mr. OBERSTAR. I am happy to yield to the gentleman.

Mr. CULBERSON. Thank you, Mr. Chairman.

My concern, if I could focus on the transparency of the process, these wonderful new technology tools, Mr. Chairman, and I know you are committed to transparency. You have run your committee that way. The concern we all have on behalf of the American taxpayers is that the bill has only been available for about 2½ hours.

I have called for legislation, and I think you are a coauthor of requiring bills to be laid out for 72 hours. And I understand the urgency of some of the provisions in here, but this is a $15 billion tax increase, Mr. Chairman, and my concern is that it was not posted on the Internet for the public to read but 2½ hours ago.

Mr. OBERSTAR. Madam Speaker, I would just point out to the distinguished gentleman from Texas, there isn't a single new provision in this bill that hasn't been available since last December.

Ms. MATSUI. Reclaiming my time, Madam Speaker, I want to say that the motion to concur with the amendment that is made in order under this rule is a very simple one that will bring the bill into compliance with statutory pay-as-you-go rules. It changes very little, as Mr. OBERSTAR says, with the underlying bill which was intended to create jobs and spur hiring by America's small businesses. Delaying this package of job-creation measures today would delay our ability to get Americans back to work. Time is not on our side, which is why we have to act quickly here today.

I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, I do appreciate the gentleman—and I am extending my words to him at this time. I do appreciate the gentleman, Mr. OBERSTAR, for being available to come down to the floor, but that is not the process. The process is the gentleman should have been upstairs at the Rules Committee. There was not one person available on behalf of the majority to come up to the Rules Committee to explain the bill. An explanation of, ''Well, none of this is new,'' is an inadequate explanation to the American people and to this body, and the Speaker should be embarrassed. This is not open. This is not, I believe, ethical, because the decisions were made and there was no discussion.

I believe we are calling into question, Republicans are calling into question today about how this House is being run. And I do appreciate the gentleman from Minnesota (Mr. OBERSTAR), and, in fact, I admire him a lot. Despite its being only perhaps 15 or 18 pages, that is an inadequate explanation. This House should not stand for it. The Members of this body should say we will not tolerate this. And I am deeply disappointed once again.

Madam Speaker, I yield such time he may consume to the ranking member, the gentleman from San Dimas, California.

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

Mr. DREIER. I thank the gentleman from Dallas, a very hardworking member of the Rules Committee, for yielding me this time.

Yesterday, Madam Speaker, I stood here in the well and began talking about a date that may only be in my head, but I have been talking about it. The date was June 24, and my friend from Dallas, of course, remembers it. It was 3 a.m. on June 24, and we were sitting upstairs in the Rules Committee considering the so-called cap-and-trade bill, and as the motion was being offered by my friend from Worcester, Mr. MCGOVERN, to move the special rule to the floor for consideration, as that motion was being offered, I had a nice, warm, hot-off-the-press, 300-page amendment dropped in my lap, as did Mr. SESSIONS, Mr. DIAZ-BALART, and Ms. FOXX. Within a matter of hours, we considered that measure. And it was a very important time, Madam Speaker, because that is when the American people got it. They began this chant, ''Read the bill. Read the bill.''

The next day, we will all recall, that when the customary 1 minute was yielded to the distinguished minority leader, the gentleman from Ohio (Mr. BOEHNER), he spent 1 hour going through the 300 pages in that amendment that Members of this House had not yet read and had only had before them for a matter of a few hours.

I talked about that just yesterday when we were, for the second time in as many weeks, proceeding under martial law rule, and I was arguing that takes place at the end of a Congress when we are dealing with very, very pressing situations, not in the third month of the second session of the 111th Congress, which is where we are today.

Madam Speaker, once again we have it again, and I know that my friends from Texas, Mr. CULBERSON and Mr. SESSIONS, have both referred to the fact that we met this morning for a grand total of 2 minutes in the Rules Committee, and this measure is now before us.

The American people are hurting. They want us to focus on job growth and economic growth. They know full well that it is absolutely imperative that we create good, long-term private sector jobs. We know how important that is. But we also have a responsibility to do what James Madison envisaged this institution as being, and that is a great deliberative body. We have the responsibility to deliberate on these matters.

Now, I understand the urgency. I understand the urgency, but when you look at the legislative schedule we have had over the past several weeks, and some of our colleagues have gone through them, I can't name them all, but post offices and recognition of items, we have not extended the time and energy and effort that we clearly could here in this institution doing it.

□ 1215

Now, I know that Mr. OBERSTAR was speaking earlier, and others have spoken. It's not a question of our not trusting the process we're under right now, but I'm reminded so vividly of the famous exchange that took place between Ronald Reagan and Mikhail Gorbachev. ''Doveryai, no proveryai'' was what the Russian used to say: ''Trust, but verify.''

Madam Speaker, I think that that's all we're saying. We have a responsibility—not to Republicans, not to Democrats, but to all of the American people—to hold accountable this institution, which saw this majority come to power based on a document, a document that was entitled ''A New Direction for America.'' In that document, Speaker PELOSI pointed to the fact that legislation would be considered under an open amendment process whenever possible. It talked about minority rights, the kinds of things that James Madison regularly focused on when he talked about the rights of the minority.

And what is it that's happened, Madam Speaker? Unfortunately, we are now, as I said, in the third month of the second session of the 111th Congress, and guess what? We've gone through the entire first session of Congress for the first time in the history of the Republic and not had a single piece of legislation considered under an open amendment process, not a single piece of legislation considered under an open amendment process, and now we're in the third month of this second session, nothing considered under an open amendment process.

Then we have, as we deal with the very important pressing jobs issue, we have legislation that is brought here under martial law rule, considered for a grand total of 2 minutes in the House Rules Committee just 3 hours ago, and now we're here on the floor dealing with it.

Madam Speaker, we can do better. I urge my colleagues to join with Mr. SESSIONS in opposition to this rule so that we can come back with a work product that will do the kinds of things that will get real jobs created out there.

I know that in this measure there is a provision that provides a tax incentive for people to hire new employees. Well, that sounds great, but the heads of one of the top companies in this country had this proposal offered to him by the former Treasury Secretary, one of the top economic advisers to President Obama, Larry Summers, and his response was, Don't offer me a tax credit to hire someone. What we need to do is increase the demand for our product. Those are the kinds of things that we should be doing.

So, Madam Speaker, again I say, as I regularly do from this well, when it comes to job creation and economic growth, what we should be doing is pursuing the bipartisan John F. Kennedy/Ronald Reagan vision: marginal rate reduction and a reduction of the top rate on capital gains. Job creators deserve the kind of relief that is necessary since Japan is the only nation in the world with a higher tax on those job creators than ours.

We know what it takes; we know what it takes. It worked under a Democratic administration, and it's worked under a Republican administration. So let's defeat this rule and go back and come up with a bill that will, in fact, create exactly what I said at the outset: good, long-term private sector jobs.

Ms. MATSUI. Madam Speaker, before I yield to my next speaker, I just want to point out my colleagues on the other side of the aisle are quite concerned that we are using same-day authority before the end of a session. In the 109th Congress, when the Republicans were in the majority, the Rules Committee reported two same-day rules in March and early April. These were hardly end-of-the-session times, Madam Speaker, and they had nothing to do with reviving our economy. These particular same-day rules were about the Federal Government interfering in a case of Terri Schiavo. Now, without reopening that divisive debate, I just want to say that the issues we are dealing with today under this same-day rule are important to the lives of millions of Americans.

With that, I would like to yield 3 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. I thank the gentlelady.

I oppose neither the rule nor the transportation funding in this bill, but I do oppose the so-called ''jobs'' tax credit. I only have one big problem with it, that it does so little to create jobs while adding to our very big debt.

In deciding whether to waste more resources on such legislation that will not accomplish its purpose, I think it's important that we look at one of the last jobs bills that this Congress considered. We were told that the only way to extend unemployment benefits to families in need through Christmas was to simultaneously approve a measure that sent $33 billion to corporations with no requirement that they use their cash windfall to create or preserve jobs.

The so-called ''loss carry-back'' provision simply directed the Treasury to begin writing checks, $33 billion in checks this year, to corporations. One corporation, a bankrupt financial services company, Washington Mutual, got $2.6 billion in checks this year from the Treasury. That just happens to be a little more than all of the unemployed people in America combined got from this piece of legislation. So I think we need to take a close look at every piece of legislation to see whether it really creates jobs as this one did not.

Today, we have another tax break that is weak on policy, strong on politics. It's a retread proposal that this Congress rejected last year, and it doesn't smell any better this year. Indeed, one former Treasury Department economist has described ''a general consensus among tax experts that the credit is a [real] stinker'' because it simply encourages conduct that would occur anyway.

Amazingly, one current top leader at the Treasury Department has said, Don't worry, it may be 10 percent effective in creating new jobs. I don't think that passes the sniff test. Surely there are better ways to promote job growth than a proposal whose own advocates say it may be 90 percent ineffective.

And being ineffective does not mean that it is harmless since it disadvantages some businesses in the marketplace versus their competitors. Those small businesses in Central Texas who have hung on to their employees, even though it hurt, even though it was painful to do so, get absolutely no benefit from this job tax credit, although they certainly could use it, but a company that dismissed its employees last year or a new competitor that moves into town down the street will gain a benefit.

As the Congressional Budget Office has noted, this jobs credit would provide no incentive to maintain employment in struggling firms and provides less incentive to maintain employment overall in industries and regions that are hurting the most. While it may deliver a few temporary minimum-wage jobs at considerable expense to the United States Treasury, this credit won't deliver help where it is needed most, and to whom or with whom it is needed the most. It is off-target and off-budget. I think it has the same problem as a bill that gave more money to one bankrupt corporation than to all the unemployed people in our country.

It's great that the United States Senate could finally find bipartisan agreement on something, but this bill, this job tax credit, is not just bipartisan from the Senate, it's bi-wrong.

Mr. SESSIONS. Madam Speaker, the gentleman said it best about this bill: Nobody even really knows what's in it. There was no general discussion. There was no one made available to come to the Rules Committee to answer questions. There were no committee hearings on this. This isn't the way to run this House, and it's not just Republicans that are down saying this. It's Members of the majority party also. It is this kind of unthoughtful and unprofessional conduct that is being put off on this body to where Members don't even know what's in the bill, have not had the time. And once again, Republicans are down saying it's not open, it's not honest, and certainly not ethical.

I would like to yield 3 minutes at this time to the favorite son of Winterpark, Florida (Mr. MICA).

Mr. MICA. I thank you for yielding and for the opportunity to stand up and talk on the rule here that is before us that would allow the so-called ''jobs'' bill to move forward.

I've had to think long and hard about my position on this because I do favor every opportunity to increase jobs. I have one county with nearly 18 percent unemployment. Florida is in the top 10 States with unemployment with 11.8 percent, and I understand we're going to get some even grimmer news tomorrow on the job front nationally.

I have to oppose the rule, and reluctantly I'm going to oppose the bill. Many people, because I'm the Republican leader of the Transportation Committee, have asked me how I'm going to vote on the final bill and final passage, and it's a reluctant ''no.'' And let me tell you why.

The substance of my opposition really lies in what the Rules Committee did. If we ever needed a time to amend, we should have had an opportunity to amend this. And we have time to send it back to the Senate.

The previous speaker, a Democrat from the other side of the aisle—I believe the gentleman from Texas—stated his opposition to a tax provision, but let me tell folks that are listening, Madam Speaker, and the Members that may be concerned about this. When the Senate passed the transportation provision, four States take 58 percent of the new money in this in transportation projects of national significance. Those States, I believe, are California, Illinois, the State of Washington and Louisiana. Twenty-two States get zero, the big goose egg, including my State, the State of Florida. Now, this isn't a parochial issue just for Florida, but 46 States are in fact disadvantaged by the way the Senate passed the bill in giving an advantage to four States. So it's unfair.

Now, Mr. OBERSTAR, my Democrat counterpart, the Chair, he has a letter of intention from the Speaker, and also from Mr. REID, to correct this after we pass this. But to do this in a proper legislative fashion to actually create jobs, we should be fair to everyone and distribute this equitably among all States.

Also missing from this is a 6-year bill, which we really need. This only extends transportation authorization through December 31 of this year, which will leave many States behind.

So this bill leaves many jobs behind. It leaves fairness behind. And, again, it doesn't do the job that it should do in creating jobs that we so badly need in this Nation.

So I will reluctantly oppose the so-called ''jobs'' bill on the basis that I stated. It's my hope that we can correct this measure. I will do everything I can, working in a bipartisan fashion, to correct it so that we have fairness for all 50 States in the distribution of the funds that they sent to Washington.

Ms. MATSUI. Madam Speaker, I just want to say, while this bill distributes some highway funds in a way that disproportionately benefits a handful of States, it's important to remind my colleagues that these concerns will be addressed in subsequent legislation.

With that, I would like to yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

(Ms. JACKSON LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. I thank the distinguished gentlelady from California, and I rise to thank the Rules Committee. This is a tough business. They had to do their work in the backdrop of Senator BUNNING, who didn't care about the unemployed, thousands upon thousands and millions, and held up this bill and the negotiations for this bill for as long as he thought it was relevant. And so here we stand trying to address this question.

I would offer to say, there are some good things: the fact that employers have a $1,000 income tax credit for every new employee that continues to work for 52 weeks; the fact that there is an incentive to hire new employees and to keep them hired; the fact that there is an extension of the small business expensing to allow small businesses, the backbone of America, to be able to write off certain capital expenditures so they can hire new people.

The SAFETEA–LU, the infrastructure bill, is a good thing that deals with the rebuilding of the infrastructure that is so important and, of course, protecting minority-owned business that likewise go into those hard-hit communities and should be hiring people.

□ 1230

Yet we are dealing with a Senate bill. The other body has a different understanding so that some States, for example, are not getting the money that they should—Texas. It raises a lot of concern.

Then I have to rise on this floor to talk about young people and the summer youth program. Why isn't that in the bill? The chronically unemployed whom I see walking the streets of my district over and over again, what are we going to provide for them?

It is key to recognize that there is obstruction in the other body that now pours over into this body. So we had to stymie the unemployment benefits, which all of us should have rallied around to support. My State alone rejected just a couple of months ago $515 million for the unemployed. Where is the compassion there?

Where is the compassion for individuals who have served their time—who have their families, who are trying to do well in our faith houses, being worked with by faith organizations, and who persistently cannot find jobs?

There is a lot to be desired. The Rules Committee, however, worked with what they had to work with.

My message is that we have to go back to the drawing board, not for what my colleagues are talking about—more tax cuts, more tax cuts, more tax cuts—but to help the people who are walking the streets of America who ask us, Can you put jobs in our hands? They are qualified, and there is nothing in this bill that would suggest that you are putting jobs in their hands.

Let me say this: The infrastructure work is important. If this is going to generate jobs in their hands, then it is important for us to hear that jobs in the hands are going to get to the folk who are walking the streets in the Fifth Ward, in the Fourth Ward, in Acres Homes, and in places around America. Those places are in the 18th Congressional District.

I am fighting for jobs, and I want to make sure that we have the right kind of vehicle for this job language to go forward on. Let's not forget the chronically unemployed.

Mr. SESSIONS. Madam Speaker, there is an answer to the gentlewoman from Texas, which is to vote against this rule. Vote against this rule. Then become a part of the process for the things which you would hope, would expect, and would want to be in the bill so at least your feedback can be accepted.

We've been told now that the Senate is the problem, but the problem is this House, Madam Speaker. The problem is the way we are doing things. The gentleman Mr. OBERSTAR said, Yes, we've been waiting for months to get this from the Senate. We took 2½ minutes upstairs this morning—not one hearing, not one person who represented the Democratic Party who would explain what is in this bill. Now we are down on the floor, trying to figure out what is in the bill, getting it just hours ago. This is a flawed process.

Madam Speaker, hearkening back to February 5, 2009, over a year ago, in the CQ article, '' 'Regular Order' Will Prevail in House After Stimulus Is Complete, Pelosi says,'' the article reads, ''Speaking at House Democrats' annual policy conference, Pelosi said in her opening speech, 'Of course we will go forward under regular order. We now have a large majority and a President who will sign legislation.' ''

It's not happening. It's not happening again today. It did not happen even after February 5, 2009. We should be embarrassed, but as the old saying goes, beatings will continue until morale improves.

Madam Speaker, I yield 5 minutes to the distinguished gentleman from Bainbridge Township, Ohio (Mr. LATOURETTE).

PARLIAMENTARY INQUIRY

Mr. LATOURETTE. Madam Speaker, before I begin my 5 minutes, I have a parliamentary inquiry.

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

Mr. LATOURETTE. I didn't want to interrupt the distinguished gentlewoman from Texas, but is it proper in debate to utter words that Senator BUNNING does not care about the unemployed? Is that an appropriate observation?

The SPEAKER pro tempore. The Chair cannot answer hypothetical

questions posed as parliamentary inquiries.

Mr. LATOURETTE. Well, excuse me. It is not a hypothetical. The gentlewoman said it, so it is not a hypothetical. She said it 2 minutes ago.

Are you saying that I am asking you a hypothetical?

The SPEAKER pro tempore. The Chair is constrained not to give advisory opinions.

The gentleman is recognized for 5 minutes.

Mr. LATOURETTE. Madam Speaker, I think regular order has prevailed in the House. The regular order is that we don't follow the rules and that we issue gag rules. This is another gag rule. It is a closed rule, and we are going to talk about, not only the bad underlying bill, but the bad rule. This isn't a jobs bill.

I have great admiration for the gentlewoman from California, the manager on the majority side of this rule, but my admiration has grown today because she has been able during this debate to call this a ''jobs bill'' with a straight face. She has not giggled once. But she should have. This isn't a jobs bill. This is a no jobs bill. This is a faux jobs bill. This is a snow jobs bill.

Mr. DOGGETT, with whom I rarely agree, I think was right on the money. The centerpiece of this bill is $13 billion for a tax credit—$13 billion out of $15 billion. The way this things works is, if you're a small business person in this country, struggling, and if you hire somebody at $30,000 a year, do you know what? You don't have to pay the payroll taxes, 6.2 percent payroll taxes, which is about $1,500.

I had three chambers back in Ohio—chambers of commerce, small business people, Republicans, Democrats, Independents. I said, You know what? Here's the deal. How many of you are going to hire anybody? Nobody. Nobody raised their hands. This is not going to create one job, and it's the centerpiece of the bill.

So, Madam Speaker, I will be asking Members to defeat the previous question so I may amend the rule. If the previous question is defeated, I would propose to amend the rule to make in order an amendment to modify the proposed further House amendment, which would eliminate the $13 billion in this stupid tax provision and would transfer it to infrastructure spending and, further, that that infrastructure spending be distributed pursuant to the House-passed formula and not the Senate-passed formula.

I want to get now to the underlying policy on the infrastructure side. I spent 14 years on the infrastructure committee—love the infrastructure committee, love Chairman OBERSTAR—but I can't figure out why people would vote for this thing based on the infrastructure spending. I understand, if you're from California, you might like this bill because, under this bill, California gets $277 million and, under the House bill, only $85 million. Illinois, the President's home State, I understand why he might like it—$151 million under this bill and $15 million under the House bill. Oregon, I don't know why a person from Oregon would vote for this bill: $40 million under this bill and $11 million under the—well, actually, you should vote for this bill, people from Oregon. You'll do better.

Texas. Really, I saw Ms. JACKSON LEE, who apparently can say that Senator BUNNING doesn't care about unemployed people in this country. I don't know why anybody from Texas would vote for this bill, Mr. SESSIONS. Under this bill, you will get $1 million and change. Under Mr. OBERSTAR's proposal, Texas would have gotten $78 million.

Now, why is that fair? Why is that fair that 22 States get zero? Why is it fair that you have winners and losers? Why is it fair that California gets 30 percent of the money under this bill? Well, it's not, and you know it's not.

Finally, to the process. You know, I was tipping my hat to the Democratic majority a little earlier today because the original plan was just to bring the Senate amendment to the House bill over here, which of course, would have cut off the minority's ability to offer an amendment and a motion to recommit—but no, they didn't do that. I thought that was pretty crafty. What they did do is amend it with these 15 pages that were available 3 hours ago for our consideration. I'll give the gentlewoman from California the nod that, yes, these ideas have been talked about for a long time. Nobody had seen the 15 pages before 9:30 this morning. So they amended it. They had a Rules Committee hearing. What did they not permit under this rule? A motion to recommit.

I can't believe it. You should be ashamed. Excuse me, Madam Speaker. They should be ashamed. This is a fraud. This is an anti-democratic rule.

What are you afraid of? You have 256 votes. Let us offer my motion to recommit that transfers this stupid $13 billion to infrastructure spending that will put people to work in a sector of the economy that has 30 percent unemployment. It will distribute it according to the House proposal, not the Senate proposal so that California, Oregon, and Illinois don't walk out of this place with 58 percent of the money. It's not fair.

Ms. MATSUI. Madam Speaker, I want to say this again, that I believe it's important to note that the chairman of the authorizing committee has reached an agreement with the House and Senate leadership on the contentious highway funding issue that was included in the other Chamber's jobs package.

I yield 4 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Thank you. I appreciate the gentlewoman's courtesy.

Madam Speaker, I appreciate the opportunity to follow my dear friend from Ohio with whom I look forward to the day when we can come to this floor and we can deal with a broad-based approach to renew and to rebuild America. That is how we are really going to create jobs.

I commend the gentleman from Ohio for having the courage to stand up to his leadership when they tried to pull the plug on extending the Highway Transportation bill. I think it's interesting that he has a proposal that he would like to transfer some of this money into infrastructure. Would that we were playing with two Chambers that were playing by the same rules and were committed to the well-being of America, I'd be happy to see that happen.

One of the reasons we have the bill before us today in the forum is that we have seen what has happened when one member of the Senate decides that his personal pique is more important than millions of people, their welfare, causing thousands of people to be laid off, stopping critical money going to the State. It's an example of how the non-democratic operation on the other side of the Chamber puts us at this point.

If we monkey with this, there is no guarantee that we will, in fact, have an extension of the part of this bill that is the great jobs generator—and that's the extension of the Surface Transportation Act—through the end of this calendar year and stop this stupid game of Russian roulette, that sadly, my friends on the other side of the aisle have decided they are going to play games with.

As my friend from Minnesota pointed out, the distinguished Chair of the Transportation and Infrastructure Committee, we never, when we were in the minority, played games with the critical infrastructure needs. When they were stumbling around when they were in control and required not one, not two, not three, but 12 extensions, we never made it partisan. We always helped them. We didn't play parliamentary games.

Yet the combination of parliamentary games from my dear friends on the Republican side of the aisle and the meltdown of responsibility in the Senate has left us with this. This is the vehicle. I am not contending that the best the Senate can do in terms of job creation is going to be a panacea. I think it's relatively minor, and I'm not impressed, but it is a small price to pay to guarantee the $77 billion to make sure that America's transportation system continues while we try and get people here to act like grownups. With all due respect, to somehow seize on less than $1 billion out of $77 billion and claim that only four States benefit is not true. It's not true.

I mean, first and foremost, what we have had is the chairman, who happens to agree that he wants that formula changed. He is committed. The Senate is committed. We're going to work with the administration and refine that. But even if you put aside the $800 million, we have $77 billion that we are relying on, and I think that ought not to obscure.

It's kind of ironic that our friend from California got up and talked about doing what——

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. MATSUI. I yield the gentleman an additional minute.

Mr. BLUMENAUER. It's kind of ironic that our friend from California got up and talked about why we don't do what Ronald Reagan and President Kennedy would have done. We've done that. We've cut taxes. We cut taxes several times before that. In fact, his facts are completely wrong when he says that American taxes on companies that create jobs are the second-highest in the world except for Japan. That is the effective tax rate. That's what's on the books. That's not what they pay. When we get through all of the gimmicks, and loopholes, and exemptions, those tax rates for American businesses are actually the second-lowest in the world. Effective tax rates and what people actually pay, that's not the problem.

The problem is we need to get the economy unfrozen. We need to have people stop playing political games. We need to invest in infrastructure to rebuild and to renew America, and we need to do so in a way that doesn't have us talking past one another and playing games with jobs across America that are at risk if we don't pass this Bill.

□ 1245

Mr. SESSIONS. Madam Speaker, you know, we have heard all this before, and it is not working. The bottom line is what this Democratic leadership and this Democratic President are proposing is not working, and that is why we are back at the well, so to speak, again.

Over and over and over again we have a bunch of people that want to claim, ''Oh, we know how to get this done. Look at what President Clinton did.'' That was a Republican House of Representatives. Those were free market ideas. That was encouraging this country to be competitive. That was doing things that would encourage America and American business to go hire people.

The three largest political items of Speaker PELOSI and President Barack Obama have lost this country 10 million net jobs. No wonder American business is not hiring people. They are getting things jammed down their throat.

The President of the United States when he was a candidate talked about all the great things that could be accomplished, and since the President has been in the White House, he has done nothing but call people names, pick on them, belittle them, bully them, and then turns around and wonders why we have no jobs, why his agenda is not working. It is obvious why it is not working, because it is not made to work. It is made to bully the free enterprise system.

I reserve the balance of my time.

Ms. MATSUI. Madam Speaker, I would like to inquire of the gentleman from Texas if he has any remaining speakers.

Mr. SESSIONS. I thank the gentlewoman for asking. I appear to have one additional speaker plus myself.

Ms. MATSUI. I reserve my time.

Mr. SESSIONS. Madam Speaker, if I could inquire of the time that remains on both sides, please.

The SPEAKER pro tempore. The gentleman from Texas controls 6½ minutes; the gentlewoman from California controls 5 minutes.

Mr. SESSIONS. Madam Speaker. I yield myself such time as I may consume.

Madam Speaker, I want to reiterate that this House of Representatives is made up of 435 Members who take time every week to come here to Washington. Perhaps they live here, but they still come to work, I believe, with a sense of obligation and duty, all 435 of us, to be fully participatory and to be a part of a moving body and a process that should work for the American people.

We are now in our fourth year of leadership that denies the American people and the Members of this body an opportunity, I believe, to even participate; not just fully participate, but to participate.

This bill that is on the floor again today is an example of a process that is very deceptive, because our friends, the Speaker and the Democratic leadership, talk about being open and honest, and yet the bill is here today with just hours' notice, with no one up in the Rules Committee on behalf of the Democrat leadership even explaining what is in the bill. I believe, again, the American people will reject this kind of leadership when the American people want to be engaged and Members of Congress want to be engaged.

So, today, Republicans are going to ask that we reject this, and we should reject this, because we know that Republicans have better ideas.

At this time I yield to the gentleman from Ohio, the Republican leader (Mr. BOEHNER).

Mr. BOEHNER. Madam Speaker, I want to thank my colleague for yielding and suggest to my colleagues that here we go again. We are bringing this bill to the floor, a bill that no one has read.

The bill was filed at 9:35 a.m., and here we are at 12:50 p.m. We are operating under what is normally called a martial law rule, passed yesterday, that allows the majority to bring any bill to the floor at any time this week. So there was this hastily called Rules Committee meeting after this bill was filed. Now it is here on the floor.

Members haven't had time to read this bill. In addition to that, there is no score on this bill from the Joint Tax Committee on the so-called pay-fors on this bill and what impact they will have on taxes. I just think it is outrageous and another example of how the majority continues to ram through partisan legislation here on the floor of the House without the transparency and accountability that the American people deserve and expect.

If this is a dress rehearsal for how we are going to handle the so-called health care bill, I think the majority had better be ready to endure the wrath of the American people.

Mr. SESSIONS. Madam Speaker, I believe that our Republican leader, JOHN BOEHNER, has said it very clearly, and that is that the way we are operating is not in the best interests of this House, the institution, or the Members.

We have heard lots of colleagues on the other side cut down and argue about this isn't even a job bill because it is not even going to create jobs and how inefficient it is. But until this Democratic leadership agrees that they want to be open, that they want to be honest about what is in the bill, and that they want to be ethical about how decisions are made, Republicans are going to keep coming down to this floor.

Many times I have argued openly in front of our Rules Committee chairman, LOUISE SLAUGHTER, and said, Please know that the Republican Party wants to be better at our job, not as loyal opposition, but as an alternative party, and you do not even allow us an opportunity to know what is in the bills.

It is ridiculous. We find ourselves in the role of asking questions, making statements, and doing things that, to the American people, look awkward and, quite honestly, unprofessional.

I lay at the feet of the Speaker of the House and the Democratic leadership and my great Rules Committee chairman, LOUISE SLAUGHTER, once again a request: If you want this body to have a chance to not look unprofessional and perhaps stupid, like we don't know what we are doing, and to gain back some trust of the American people, you have got to open up the process to where we as Members of Congress are able to come down with an educated opportunity to understand what is in the bill, to engage our colleagues on a professional basis, and to be able to thoughtfully talk about the content of the bill.

This is an embarrassment. It is an embarrassment that after we heard a year ago that we will start going through regular order now, we are still not doing that, that Members of Congress cannot even see the bill hours before they read it, nor do we know the content because nobody came to explain it.

It is wholly inadequate to people who are back home, Madam Speaker, to expect their Member of Congress, who comes up here 40 weeks a year to represent people, to be told we don't even know what is in the bill.

I encourage a ''no'' vote. I encourage a ''no'' vote on this rule. I will say once again to my friends that are Democrats, if you want to read the bill, if

you want to open up the process, your vote is the one that will make it happen. Don't blame that on somebody else. I have said it over the years. If you want to read the bill, then vote ''no'' on the rule. If you are perfectly happy with the process that is happening, go ahead and support this rule. But don't go back home and tell people, well, you know, I really didn't have a chance. That is a bad thing. Their vote matters on this floor.

Madam Speaker, every single one of us is issued a voting card that should be controlled by the Member, not by somebody else. Today, the Republican Party is coming down once again on this floor and saying directly to the American people and the Speaker of the House of Representatives, We are not happy. The process is flawed. And we are going to hold accountable every Member that votes for this rule today, just like we are for the others.

So if you bring what we consider to be a less than stellar bill to the floor and the process is part of that participation and you shut it out, you can expect to hear the same from the Republican Party. We want to be a part of this process, the American people do, and I even heard today your own Members again.

I yield back the balance of my time.

Ms. MATSUI. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, calling up and passing rules using same-day authority is a legitimate legislative tool, with precedent. In the 109th Congress, when the Republicans had the majority, when they passed the fiscal year 2006 budget resolution, same-day authority was used to bring it before the House. During debate on that rule, the then chairman of the Rules Committee called it ''a very fair rule.'' That was followed by Mr. DREIER's assertion that ''Members have had a great deal of time over the past several weeks and months to focus on this issue. Let us continue what we have done throughout this great 109th Congress—get the work of the American people done.''

Madam Speaker, getting the work of the American people done is exactly what we aim to do today by passing the jobs bill under an expedited procedure. Creating jobs must be our top priority, until we get our economy completely back on track and put more Americans back to work.

The legislation we are considering today had bipartisan support in the Senate, with 13 Senate Republicans voting for this much-needed jobs package. That bill was not even paid for. Well, the House version is and has full PAYGO language included.

The jobs package includes key provisions to spur job creation and investment in our workforce. It includes a new jobs payroll extension, offering employers exemption from paying Social Security payroll taxes for hiring new workers who were previously unemployed. This specific provision is estimated to create an additional 250,000 jobs alone. The bill also provides relief to small businesses by allowing them to write off more of the costs of their 2010 expenditures.

The package extends the Highway Trust Fund for 15 months for existing highway programs to allow for billions to be invested in infrastructure projects and make a real difference in communities across our country.

The bill also expands the Build America bonds to allow States and local governments to borrow at lower costs to finance infrastructure projects and put more Americans to work.

Together with the ongoing investment by the Recovery Act, this jobs package will further incentivize and spur job creation and economic growth in this country. This Congress must continue to invest wisely in proposals that will train our workers, create new, good-paying jobs, grow our economy, and rebuild the middle class.

Madam Speaker, we must lead by example and demonstrate our continued commitment to help our middle class families, our seniors, and the economy move forward. With that in mind, I urge a ''yes'' vote on the previous question and on the rule.

I yield back the balance of my time, and I move the previous question on the resolution.

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

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

Mr. SESSIONS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on:

Adoption of House Resolution 1137, if ordered; and

Suspending the rules and agreeing to House Resolution 362, if ordered.

The vote was taken by electronic device, and there were—yeas 236, nays 184, not voting 11, as follows:

[Roll No. 87]

YEAS—236

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

NAYS—184

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Driehaus
Duncan
Ehlers
Emerson
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer

Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Teague
Terry
Thompson (PA)
Thornberry
Tiberi
Turner
Upton
Walden
Wamp
Waters
Watson
Watt
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Buyer
Campbell
Dahlkemper
DeLauro
Eshoo
Fallin
Hoekstra
Jordan (OH)
Linder
Massa
Tiahrt

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining to vote.

□ 1324

Messrs. GRIFFITH, BURTON of Indiana, WITTMAN, Mrs. MILLER of Michigan and Mr. MINNICK changed their vote from ''yea'' to ''nay.''

Mr. DOYLE changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. SESSIONS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 212, noes 209, not voting 11, as follows:

[Roll No. 88]

AYES—212

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Davis (AL)
Davis (CA)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards (TX)
Ellison
Ellsworth
Engel
Etheridge
Farr
Fattah
Filner
Frank (MA)
Garamendi
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Johnson (GA)
Kagen
Kanjorski
Kennedy
Kildee
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—209

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Baird
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Clarke
Clay
Cleaver
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Cummings
Davis (IL)
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Driehaus
Duncan
Edwards (MD)
Ehlers
Emerson
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Green, Al
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hunter
Inglis
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kilpatrick (MI)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Meeks (NY)
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy (NY)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Payne
Pence
Perriello
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Quigley
Radanovich
Rehberg
Reichert
Richardson
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Rush
Ryan (WI)
Scalise
Schmidt
Schock
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Sullivan
Taylor
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Towns
Turner
Upton
Walden
Wamp
Waters
Watson
Watt
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Buyer
Campbell
Dahlkemper
Eshoo
Fallin
Foster
Hoekstra
Jordan (OH)
Linder
Massa
Tiahrt

□ 1334

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FOSTER. Madam Speaker, on rollcall No. 88 due to an inadvertent error, I was not recorded. I would have voted "no."

SUPPORTING NATIONAL SCHOOL LUNCH PROGRAM

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 362, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the resolution, H. Res. 362, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. MATSUI. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 403, nays 13, not voting 15, as follows:

[Roll No. 89]

YEAS—403

Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble