And so if anything was said by the November elections, it was about we need to sit down and get together and work through people's problems like any family would address family problems. And we must be about the business of making sure that we do those things to have a future. I don't want any child in America—I don't care whether he is in your district, Mr. Speaker, or anybody else's district—I want every child to have an opportunity. I want the same opportunities for your children, Mr. Speaker, as I want for mine.

Mr. SESSIONS. Mr. Speaker, at this time I would like to inform the gentlewoman from New York that I have no further requests for time.

Ms. SLAUGHTER. I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, the facts of this case state very clearly that this Nation is being overrun; it is being overrun by too much taxing, too much borrowing, too much spending. Just last month, we hit a record deficit, $223 billion. This is unacceptable. The status quo of where we are moving is not acceptable. With the debt looming at $14 trillion and unemployment hovering across the country at 9 percent, and much higher in many areas of the country, including congressional districts that are hurting even more, and I understand this because those who first lose their jobs many times are disabled people and I understand disabled people and their plight that they have also and it is sad, and it hurts us as Members of Congress and it hurts the American people. The American people asked Congress to rein in the spending and do something about jobs, and that is what we are doing. We are not making excuses; we are getting the job accomplished.

Eliminating this program will save taxpayers hundreds of millions of dollars. By gaining control of government spending and eliminating wasteful Washington government spending and handouts, the private sector can gain some confidence in the economy and start investing in jobs and a brighter economic future.

I applaud my friend, the gentleman from Texas (Mr. HENSARLING), for bringing this legislation, and to the chairman of the Rules Committee, the young chairman, DAVID DREIER, favorite son from California, San Dimas, California. DAVID comes here and so ably runs our Rules Committee for us. We thank them for providing an open and transparent process.

I encourage a ''yes'' vote on the rule.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 830, FHA REFINANCE PROGRAM TERMINATION ACT

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 150 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 150

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 830) to rescind the unobligated funding for the FHA Refinance Program and to terminate the program. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII in a daily issue dated March 9, 2011, or earlier and except pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered as read if printed. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Utah is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, this resolution provides for a modified open rule for the consideration of H.R. 830, the FHA Refinance Program Termination Act. It provides for 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services, and for consideration of any amendments proposed by Members that conform to House rules and which were preprinted in the CONGRESSIONAL RECORD no later than March 9, today.

Mr. Speaker, I am also pleased to stand before the House today in support of this rule and the underlying legislation, H.R. 830, the FHA Refinance Program Termination Act.

I appreciate the hard work of the distinguished chairman of the Financial Services Committee, Mr. BACHUS, as well as the hard work of the bill's chief sponsor, the gentleman from Illinois (Mr. DOLD), in creating this piece of legislation which will help this Congress continue to take concrete steps to rein in the out-of-control Federal mandatory spending.

The FHA Refinance Program was originally promoted by the current administration as a way to bail out the so-called underwater borrowers who for whatever reason found themselves in over their heads in personal and mortgage debt and unable to pay their mortgages.

The 110th Congress passed TARP, which was enabling legislation for this new program, thereby effectively allowing lenders to transfer high-risk mortgages, through the FHA, onto the backs of taxpayers in the case of likely default. The $8 billion in TARP funds was originally identified for this new expansive program.

While no one likes to see homeowners in distress and at risk of losing their homes, the fact of the matter is that this new program, no matter how well intentioned, is expensive and has also proven to be a woefully ineffective program at its best.

□ 1320

Originally it was asserted by the administration that this program would allow up to 1½ million homeowners or, as some reports in the papers said, 3 million to 4 million distressed homeowners to obtain more favorable mortgage terms, all guaranteed by U.S. taxpayers in case of ultimate default.

However, Mr. Speaker, there are several problems with this new mortgage bailout program.

First, in some and perhaps in many cases, this program would subsidize irresponsible lenders and borrowers and insulate them from the consequences of bad choices and, in some cases, intentionally speculative financial choices that were made during the housing boom, thus shifting the economic impact of those bad choices and decisions onto the backs of responsible homeowners and the taxpayers. This is troubling, for this should not be the role of the Federal Government—to pick winners and losers in the marketplace.

While homeownership in this country is certainly to be encouraged, this program is exactly the wrong way to go about it. The program basically tells a lender, Don't worry, it's okay. So what if you knowingly encouraged or lent more than you knew the borrower could afford? We'll bail you out of your predicament so you don't have to feel any of the economic consequences of your actions. The program tells borrowers, So what if you took out the maximum loan and got the most expensive house that you could buy even though you knew it was highly unlikely that you would be able to afford those payments in the future. We will bail you out too and insulate you from the consequences of actions as well, and we'll shift all the costs and send the bill, via the FHA, onto the backs of the already overburdened taxpayers.

That's apparently where the buck stops in this program. It stops on the back of already burdened taxpayers and the Nation that itself is $14 trillion underwater in a crushing and unprecedented debt.

Second, it appears that in spite of the urgent housing crisis, this so-called emergency program to bail out underwater mortgages hasn't actually helped anyone. According to the Department of Housing and Urban Development statistics, as of February 3, only 44 refinancing applications have been processed by the agency. That's 44 homeowners out of the potentially 3 million to 4 million as originally asserted by the program's sponsors. Mr. Lamar Wooley, a spokesman for HUD, was quoted in a National Journal Daily article last week as saying ''the department has not yet spent any of the money for the FHA program.''

Even the Special Inspector General for the Troubled Asset Relief Program testified before the Financial Services Committee last week that it was ''somewhat shameful'' how the administration has mishandled this program. Those are his words, not mine. And, finally, FHA Administrator Stevens also testified before that committee last week that ''these new loans may perform worse than refinanced loans that were not previously underwater.'' In other words, Mr. Stevens' statement indicates that many new loans made under this program for underwater loans are far less likely to be repaid, which will weaken the FHA Mutual Mortgage Insurance Fund, hurting other taxpayers and other potential homeowners and exposing them to an even higher risk.

As a result, this program privatizes profit, socializes losses, and at its foundation, this program appears to be built on a misguided economic principle of income redistribution, leaving other taxpayers and future generations to hold the bag with interest.

In testimony before the Rules Committee yesterday, it was mentioned that the private sector, the private mortgage industry, has on its own and without any interference by the Federal Government worked with troubled borrowers to refinance over 3 million loans in order to keep these homes from foreclosure.

So there clearly appears to be a far more effective private sector solution to this crisis than to inject a layer of Federal Government regulation and spending through this expensive program.

We must have the courage to admit when a program is ineffective or too expensive or based on wrong-headed principles of subsidizing personal greed and irresponsibility. With our Nation itself underwater with monstrous debt, passage of this bill to terminate this expensive and ineffective program is a step in the right direction.

It's a good and fair rule. It opens it up for anyone to have access to this bill, and a good underlying bill, and I urge their adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I thank the gentleman from Utah for the time, and I yield myself such time as I may consume.

Mr. Speaker, now more than ever it's critical that we focus our efforts on creating jobs, continuing to stabilize our economy and the housing market, and I am happy to say there's some good news on that front.

Just last month, Mr. Speaker, it was reported that we added 192,000 jobs and that unemployment dipped below 9 percent for the first time in almost 2 years. We're talking about private sector jobs. This was due in part to the recovery efforts that were passed in the 111th Congress and signed by the President.

Now, however, instead of building on the successes of the previous Congress and introducing legislation to continue this economic growth, my colleagues are seeking to pull the plug and return us to policies that got us into this economic mess. Instead of talking about on the floor of the House creating jobs, the Republican leadership is focused on repealing the Patient Bill of Rights; passing H.R. 1, a spending bill that Chairman Bernanke stated will kill 200,000 jobs over the next 2 years; and now removing critical support for homeowners who are struggling to pay their mortgages in this tough economic time.

H.R. 830 is more of the same. At a time when housing markets are beginning to show signs of life, signs of recovery, my Republican colleagues want to eliminate programs that keep families in their homes and protect communities from the crippling consequences of foreclosures.

Democrats want to empower homeowners to get their debts under control, not undermine our economic recovery for political gain. It's critical to preserve the American Dream by keeping families in their homes and out of shelters and unemployment lines, and preserving the integrity of neighborhoods that suffer when homes are foreclosed upon.

Repealing the FHA refinance program would empower collection agencies and municipal eviction squads rather than empower hardworking American families who are suffering in this difficult economic climate or are victims of lenders that created financial products through the housing crisis that led to reckless lending.

The bill we have before us today would be harmful to middle class families who are struggling to stay in their homes. Middle class Americans hurt by this bill are exactly the people we should be protecting in this Congress as we start to build a stronger and more stable economic future for our country. Instead, we saw that this House has raised their taxes with the passage of H.R. 4, and now the Republicans are threatening to remove working families from their homes.

Mr. Speaker, we do all agree that this Nation needs to get its fiscal house in order and resolve the housing crisis. But this bill, an outright repeal of the FHA program, is not the right approach. A strong rebound in the housing market is critical to our economic recovery, creating jobs and ensuring that our banks remain stable.

A good indication of the housing market is the amount of delinquencies or the number of mortgages that are at least 30 days late on their payment. According to Jay Brinkmann, the chief economist for the Mortgage Bankers Association, the latest delinquency numbers represent significant across-the-board decreases in mortgage delinquency rates in the U.S. More importantly, loans that are past due by 90 days or more fell 28 percent.

It's clear that through programs like the FHA short refinance option, which the Republicans are trying to eliminate, we have begun to stabilize the housing market while helping Americans pay their mortgages and stay in their homes. These numbers coincide with signs of a recovery in the job market, and now is not the time to abandon the program.

The FHA refinance program allows people who have mortgages that are worth more than their homes to refinance to a more affordable FHA-insured mortgage. This program allows lenders to write down at least 10 percent of the outstanding principal to help bring monthly payments down to affordable levels. According to CoreLogic, in December of last year, about 22½ percent of all residential properties with mortgages were underwater. We are no stranger to that in Colorado. Many homes in Adams County and Boulder County are underwater. These distressed mortgages pose a threat to our economy and the integrity of the banking system. We can't risk another housing crisis and banking crisis by removing programs that help keep families in their homes and keep the homes out of foreclosure.

My friends on the other side of the aisle will argue that this program has fallen short of its original goals. I

agree that this program is not perfect. Instead of scrapping it entirely, we should work to strengthen it, build on success, and figure out how best to resolve the housing crisis this Nation faces. We need to mend it, not end it.

□ 1330

Until just recently, many homeowners weren't even able to partake in this program. Borrowers had difficulty finding banks that had the capacity to refinance under the stringent guidelines of this program. But recently, we've had some good news. Two major banks who underwrite many loans in Colorado, Wells Fargo and Allied Financial, announced pilot projects that would allow underwater borrowers to refinance under this FHA program. By adding these two giants to the mix, the FHA Refinance Program will begin to grow and prosper while it continues to add more banks and increase accessibility. Terminating this project now would result in many families losing their homes and would be a tragic mistake.

Mr. Speaker, banks support this program; homeowners support this program. It's critical that we all allow this program the chance to succeed, rather than make arbitrary budget cuts rather than help struggling families.

This program does not bail out individuals who made mistakes, who made poor decisions, who bought houses they couldn't afford or are looking for a way out of foreclosure. It's not a program to protect vacation homes or megamansions. It's not a free line of credit for anybody. This program is a helping hand to the many hardworking Americans who are in a difficult spot, individuals with good credit scores who can help themselves and the banks who hold their mortgages by participating in this program.

In my home State of Colorado, almost 20 percent of all homes were in negative equity. This means about 220,000 families in Colorado are stuck with mortgages that are worth more than their homes. According to The New York Times, ending this program would squander an important chance to prevent foreclosures. In addition, Mark Fleming, the chief economist at CoreLogic, stated, ''Negative equity is a primary factor holding back the housing market and broader economy.'' With so many families underwater, it would be irresponsible of us to eliminate this program and unnecessarily put more Americans at risk of foreclosure.

Mr. Speaker, to date, not a single mortgage that has been refinanced through this program has gone into default. The majority of costs associated with this program occur if these FHA-insured mortgages go into default.

Now, there's no way my friends on the other side of the aisle can call this a waste of taxpayer money because it has yet to spend $1 of the funds it was allocated. In fact, the Dodd-Frank Wall Street Reform and Consumer Protection Act that Congress passed and the President signed last year requires all unused funds from the program to be returned to the Treasury.

By strengthening this program, improving this program, we can continue to keep Americans in their homes at a minimal cost to taxpayers. Mr. Speaker, we must improve this program so we can keep families from defaulting, strengthen the economy, save taxpayer dollars, and stabilize the real estate market.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I am very pleased to yield such time as he may consume to the sponsor of this bill who has found a program that flat-out doesn't work, the gentleman from Illinois (Mr. DOLD).

Mr. DOLD. I thank the gentleman from Utah for yielding, and I certainly want to take this opportunity to outline what this program has been.

It is undeniable that this program has been what anybody that looks at it can say is a failure. It doesn't work for the homeowners; it doesn't work for hardworking American families that are paying taxes; and it doesn't work for future generations, children and grandchildren that will certainly be burdened with an enormous debt that the government continues to heap on them.

If I can, I will just go back. As a small business owner, I employ just under 100 people—for me, that's 100 families. And I do stay awake at night trying to make sure that these families have the opportunity to put food on the table and provide an education for their children. But one of the things I have learned in business is the fact that you have to recognize when something is not working. This is an instance of something not working in our government.

Let's go back down to just the raw basics. Let's look at the facts of this program. While well-intentioned, the program facts are simply these: We have obligated $8.12 billion out of TARP funds. We have disbursed $50 million. Fifty million dollars has been disbursed, and yet in the downturn we have seen that what should have been—what, $1.5 million is what the administration is saying, the number of homeowners that are coming into this program? We've seen 245 applicants in the last 6 months, 245 applicants. Out of the $50 million disbursed, we have received 44 loan modifications. Just doing the quick, back-of-the-envelope math, $1.1 million per refinanced loan. The average loan is $300,000.

Now, I have to tell you, for the American public, for future generations, that is not a good use of the American taxpayer dollar. We can and must do better. There is no question that there are good and laudable programs out there that we need to be financing. This is not one of them.

Let me just say again that this doesn't work for the homeowners themselves. Why are there so few in a downturn? I would argue because many of the homeowners recognize that this is not a program that they want to be involved with. You can't be engaged in this program if you, first of all, have any equity in your home. You can't be engaged in this program if you're delinquent on any one of your mortgage payments. There are a whole litany of things that prevent you from getting into this program. But if you do get into this program, your credit will be decimated for years to come. The average credit score, according to the experts, is 711. Well, it won't be 711 for long as soon as they take this and get access to this program.

The question is: Will it reduce your monthly payments? Well, after going through this, the homeowners actually have to pay the closing costs, then they have to actually purchase private homeowners' insurance, the mortgage insurance. The chance of them actually reducing their payments is actually not that great. So they're going to go through the hoops and the pains to not reduce their monthly payment. Again, this is not a win for the homeowners.

It's also not a win for the taxpaying American families; $8.12 billion obligated. We have to go in and look at this. When you tuck your children in bed this evening, ask yourself: Is this in the best interests of the future generations? Is this the best use of our taxpayer funds?

We have to be truthful with the American taxpayer. We have to be truthful with the American people. That's what you sent us here to Washington to do is to look you in the eye and be truthful with you. This is a program that doesn't work. That doesn't mean that we don't want to help out homeowners. We do not want to be wasteful with your tax dollars. We have to go back to the drawing board because right now this absolutely is a program that, by all accounts, has failed.

So when you look at your children and grandchildren, know that we can and must do better. I think that we have an obligation to ask ourselves, when we look at the American family: Is this the best use of our resources? Is this the best that we can do? I don't believe that it is.

As a small business owner, we make mistakes. We're going to make mistakes here in this Congress. How will we be judged? I hope we're judged on the fact that we can admit when we've made mistakes and try to then go back to the drawing board.

I urge my colleagues on both sides of the aisle to take a strong look at this, to know when something is not working. We have refinanced literally millions of mortgages in other vehicles. Out of the 6 months that this has been alive, 44 mortgages at the tune of about $1.1 million for the disbursed funds into this FHA Refinance Program.

Mr. Speaker, I urge my colleagues to support H.R. 830 and support this rule.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend from Colorado for yielding.

Mr. Speaker, I would venture to say that if we went to a mall this afternoon in our country, or a diner, or some other place where people gather—maybe people waiting outside of school to pick up their kids—and said, ''What would you like to see Congress work on this week?'' I think most of them would say, ''Why don't you work together to create an environment where small businesses and entrepreneurs can create jobs, because there are 15 million unemployed Americans and we need to put people back to work.'' Others of them might say, ''I'm concerned about educating my children. I have college-age children, and I'm looking at the cost of paying for college education, and I'm extremely concerned I'm not going to be able to educate my kids.'' Others might say, ''I'm worried about my parents. My mom or my dad live with me and their prescription costs are going through the roof and it's a major problem for them. I'm worried about health care for my parents.''

□ 1340

I'm sure there are some—there are many—who would say that they're worried about wasteful government spending, that they do want to see this government not waste their hard-earned money. And I guess there are some who would say there's this mortgage program that's been running for a couple of months, and I really think you should do something about that and get rid of it. There are some, and there will be debate about the merits of doing that.

But if we look at the record of this majority, 10 weeks of hearing those concerns and they are 0 for 10. Ten weeks, not one bill about jobs. Not one idea about jobs, not one effort to create an environment that small businesses and entrepreneurs would thrive in, and this is week number 10 and not a word.

Earlier, in the last debate, the gentleman from Texas said that the Republican job plan was to repeal the health care bill. That was their jobs plan. Well, that ignores the reality that since the health care plan was enacted, about 1.4 million jobs have been added to the economy, almost a quarter of a million of them in health care itself. So that's their jobs plan.

Their education plan is to go to a woman who's working part-time, raising children and trying to go to school, and reduce her college scholarship by $845, so that she probably has to either stretch the years in which she's in school or throw in the towel on her education altogether.

Their education plan is to take 10,000 reading teachers out of America's classrooms and 7,000 special education teachers out of America's classrooms. That doesn't sound like a very educated education plan to me.

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

Mr. POLIS. I yield the gentleman an additional minute.

Mr. ANDREWS. I thank the gentleman.

And, frankly, as far as the price of health care is concerned, if they succeed in repealing the health care bill, the price of prescription drugs will go up for people's moms and dads, not down. Jobs. Ten weeks. No plan. The cost of education. Ten weeks. A bad plan that raises the price of education. The prescription drug problem for seniors. Ten weeks. A bad plan that raises the price of prescriptions for seniors.

A lot of Americans would probably say they don't like the idea of paying $4 or $5 a gallon for gasoline at the gas pump. No plan from the majority. So we'll have a debate on the merits of this bill; but with all due respect, Mr. Speaker, this is the wrong bill at the wrong time. The American people want us to work together to create jobs, make education affordable, and make health care affordable, particularly for senior citizens in this country.

The majority is 0 for 10. Let's make this week the one that we break their losing streak and work for the people of our country.

Mr. BISHOP of Utah. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. It is my honor to yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to the rule and in support of the FHA refinancing bill that is one of four bills that will be on the floor coming out of the Financial Services Committee on which I serve that is terminating programs that will literally help people stay in their homes and help in the economic recovery.

My Republican colleagues are proposing to terminate these programs, but they are not putting forward any alternative to help these people stay in their homes. There are nearly 11 million homes that are underwater now, meaning that the value of the home is less than the loan the homeowner has taken out to pay for it. Seven million homes have been foreclosed on so far, and another 3 million are expected to be foreclosed on through 2012.

This vote will be on continuing the refinancing of FHA loans that will keep people in these homes, keep these homes filled so that they're not eyesores or pulling down the economy in certain areas.

Last week, Citibank, Wells and GMAC voluntarily came forward and said they intend to participate in this program. It's a voluntary program. These are three of the largest mortgage companies in the country, and their participation will certainly broaden the reach to help more people.

The program allows borrowers to write down at least 10 percent to reduce the debt burden. Then standard FHA loan terms will apply. As with all FHA-insured loans, the property must be the homeowner's primary residence, and the borrower must meet the FHA's full documentation. And they must be current on their mortgage.

With declining home values, borrowers are caught in mortgages that they can no longer afford because their rates have reset or because their interest-only payments have not allowed them to grow any equity in their homes. They are making their payments—but barely. This is an important program.

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

Mr. POLIS. I yield the gentlewoman an additional 30 seconds.

Mrs. MALONEY. States across the country have this challenge. As I said, almost 11 million mortgages are underwater, or 22 percent of all outstanding mortgages. By passing this bill, we are saying that we have no solutions for these homeowners. It is not good for the homeowner, not good for the economy, and certainly not good for our country.

President Obama has issued a statement that he will oppose the termination of this program and indicated that he will veto it when it gets to his desk. But I urge my colleagues to join me in vetoing this rule and vetoing the underlying bill in order to help our economy and to help homeowners stay in their homes.

Mr. BISHOP of Utah. I appreciate listening to the gentlewoman's discussion of the bill actually at hand, and I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, at the end of this debate I will ask my colleagues to vote ''no'' on the previous question so that I can offer an amendment to bring up H.R. 964, the Federal Price Gouging Prevention Act.

I am honored to yield 2 minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to the previous question and against the rule. Not only is the majority passing up another opportunity to finally put forward a bill to create jobs; they are using the underlying bills to make it even tougher on American families, in particular, tougher on middle class homeowners. Further, it is clear, as the gentleman from New Jersey suggested, that Republicans have no plan for rapidly soaring gas prices, another threat to middle class families and to our economy.

The Department of Energy forecasts gas prices could spike to a national average of more than $4 a gallon for regular this summer—about 50 cents higher per gallon than Tuesday's national average of $3.50. In my district of eastern Long Island, regular unleaded has already surged by 34 cents in the last

month alone and now averages $3.74 a gallon. In the east end of my district, it's already well over $4 a gallon. And AAA projects gas prices could reach 50 cents higher per gallon by Memorial Day.

The Republican response: silence. Instead, we will vote today to kill a mortgage assistance program for the struggling homeowners and the recently unemployed. That is why my colleagues, Congressmen MCNERNEY, WALZ and MCINTYRE, and I have joined in introducing the Federal Price Gouging Act to take on this new threat to our economy. Our legislation gives the FTC the authority to investigate, enforce, and then to punish price gouging and market manipulation.

I urge my colleagues to join us in standing up to the oil companies and show hardworking Americans that we are in their corner. Vote against the previous question which, if defeated, would allow the House to consider this important price gouging measure. Now is the time that we must act to prove that their interests are paramount, not the oil companies' or the bankers'.

Mr. BISHOP of Utah. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. POLIS. I yield myself the balance of my time.

Mr. Speaker, while it has been over 2 months, we have yet to pass a single piece of legislation that promotes job growth in this country. My friends across the aisle repeatedly speak of their mandate to create jobs; and yet instead of listening, the Republicans have focused on bills that will hurt the middle class, disempower the middle class, and, in this case, force more Americans into losing their home.

The Republicans have been talking about repeal and replace. Yet so far all we've seen is repeal, no replace. It's not as if there aren't many viable alternatives when we discuss health care reform. There was discussion, well, what do we do with people that have preexisting conditions? There was an enormous leap of faith with regard to repeal. Oh, we'll get to it someday. Oh, we'll get to it someday.

We're hearing the same thing here. It's not as if these viable alternatives, the replace part, are a mystery. In fact, in the 111th Congress I introduced H.R. 4877, which would have provided a capital gains tax waiver for private investment in community banks, giving local banks sorely needed capital to lend to homeowners who needed to be rescued, to shore up their balance sheets, to encourage primary offerings of equity in the private sector.

□ 1350

My bill would allow Americans to invest directly and profit directly from the economic recovery. I plan shortly to reintroduce this bipartisan bill, and I hope to see an outpouring of support from those who have called for repeal so that there is a replace component to what we actually do need to do as a country to mitigate the housing crisis and stabilize real estate. Republicans and Democrats alike should be interested in free market alternatives that don't just reduce taxes to revitalize the housing market, but can eliminate them.

Mr. Speaker, instead of scrapping this program, we need to have a solid response to the housing crisis in this country. We welcome suggestions from Republicans, independents, all Americans to improve this program to make it accessible to more families. No program is perfect when it's created. And the FHA refinance program has shown that it can successfully keep families in their homes when given the chance. Our recovery is just beginning and it's fragile. We need to provide stability and predictability with regard to the Federal policies in this area.

This is just another example of a broken promise, a repeal without a replace. And it is leaving what is fundamentally a critical public policy issue, on which Democrats and Republicans agree, namely, the stabilization of the housing market, without any answer. And even a partially correct answer, Mr. Speaker, is better than no answer. So I hope that the work proceeds to replace; but in the meantime, repealing without knowing what comes next is an enormous leap of faith that could cost too many middle class families their home, which is why I urge a ''no'' vote on the rule.

Mr. Speaker, if we defeat the previous question I will offer an amendment to the rule to provide that immediately after the House adopts this rule it will bring up H.R. 964, the Federal Price Gouging Prevention Act. This bill, introduced today by my colleague, Mr. BISHOP of New York, who we just heard from, would crack down on gas price gouging during international crises affecting oil markets, preventing sellers from taking unfair advantages of circumstances with prices that are unconscionably high.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with the extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. POLIS. Mr. Speaker, I urge my colleagues to vote ''no'' and defeat the previous question so we can take up a bill that will help, rather than hurt, struggling families. I urge a ''no'' vote on the rule.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I close with some trepidation, as I heard the debate today about continuing resolutions, health programs, teachers, gas prices, and capital gains. But let me risk something and actually talk about the bill at hand.

First of all, it's an impeccably good rule, which allows an open amendment process for anyone who wants to think through an amendment and prefile it. Not a gotcha amendment, but a real amendment to this bill. It's a good way of handling the situation on the floor. I am very proud of the Rules Committee for presenting this type of a rule.

Secondly, you have heard from the sponsor of this piece of legislation the details that are required of this particular program, which discourages those from actually using it. So that the CBO would say that if we continue this program, which is not actually attracting any takers, it would cost the Federal Government at least $175 million in failed mortgages, defaulted mortgages.

In addition, this is one of the programs that we are talking about mandatory spending, not discretionary, but actually doing something about mandatory spending. And in the terms of the Inspector General, this program has failed. We can do better. And as a government we ought to do better than this poorly planned, poorly executed, underutilized, and very, very expensive failed program.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 150 OFFERED BY MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 964) to protect consumers from price-gouging of gasoline and other fuels, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the Majority Leader and Minority Leader or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 2 of this resolution.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote

against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BISHOP of Utah. Mr. Speaker, 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. POLIS. Mr. 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 150, if ordered; and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 235, nays 186, not voting 11, as follows:

[Roll No. 165]

YEAS—235

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—186

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Holden
Holt
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—11

Costa
Ellison
Giffords
Gohmert
Graves (MO)
Hastings (WA)
Hinchey
Honda
Hurt
Reichert
Royce

□ 1419

Messrs. FRANK of Massachusetts, PASCRELL, ACKERMAN, and Ms. BASS of California changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. ELLISON. Mr. Speaker, on March 9, 2011, I inadvertently missed rollcall No. 165. Had I been present I would have voted "no."

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. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 180, not voting 12, as follows:

[Roll No. 166]

AYES—240

Adams
Aderholt
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Conaway
Cooper
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Heller
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—180

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Higgins
Himes
Hinojosa
Hirono
Holden
Holt
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—12

Akin
Cole
Giffords
Graves (MO)
Herrera Beutler
Hinchey
Honda
Hurt
Lankford
Luetkemeyer
Marino
Reichert

□ 1426

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 for:

Mr. LANKFORD. Mr. Speaker, on rollcall No. 166, had I been present, I would have voted "aye."

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER pro tempore (Mrs. ADAMS). The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and Afghanistan, and their families, and of all who serve in our Armed Forces and their families.

THE JOURNAL

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 326, noes 91, answered "present" 1, not voting 14, as follows:

[Roll No. 167]

AYES—326

Ackerman
Adams
Aderholt
Akin
Alexander
Austria
Baca
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
Denham
DesJarlais
Diaz-Balart
Dingell
Doggett
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Farenthold
Fattah
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.