

I urge my colleagues to support this bill.

Mr. OXLEY. Mr. Speaker, the legislation the House considers today represents the Financial Services Committee's continuing efforts to modernize America's laws so that they promote economic growth and the free market. Today's legislation is but one of many needed reforms to ensure that outdated thinking doesn't stifle the competitive forces of markets, and the changes made by H.R. 1009 are long overdue.

Under current law, small businesses are the only entities which must leave their capital lying idle in non-interest bearing accounts. The Business Checking Freedom Act of 2002 corrects this problem. This change is simply common sense, which is why a similar measure sponsored by Representative KELLY was passed by this body over a year ago. Unfortunately, as has been the case with so many important reforms passed by the House this Congress, the other body has refused to take up Representative KELLY's bill for consideration. While the other body waits, millions of small businesses across America are denied the opportunity to earn interest, which they could put towards hiring more workers and improving their operations.

H.R. 1009 is an important reform that will have tangible effects on our economy. That's why the President included these reforms in his plan for revitalizing small business and entrepreneurship. It is also why Federal Reserve Chairman Alan Greenspan supports this bill. By passing this legislation today the House will continue to demonstrate its leadership in improving our laws to reflect the realities of the 21st century.

Mr. Speaker, it is time for the other body to follow our lead. I thank Representative TOOMEY for his outstanding leadership in this area. His efforts will help small businessmen and women across America, and as Chairman of the Financial Services Committee I am grateful. I urge all of my colleagues to support H.R. 1009.

Mr. TOOMEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The question is on the motion offered by the gentleman from Pennsylvania (Mr. TOOMEY) that the House suspend the rules and pass the bill, H.R. 1009, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6:30 p.m.

Accordingly (at 3 o'clock and 40 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1836

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Mrs. BIGGERT) at 6 o'clock and 36 minutes p.m.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 2646, FARM SECURITY ACT OF 2001

Mr. PHELPS. Madam Speaker, pursuant to clause 7(c) of rule XXII, I hereby announce my intention to offer the following motion to instruct House conferees tomorrow on H.R. 2646.

The form of the motion is as follows: Mr. PHELPS moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2646, an act to provide for the continuation of agricultural programs through fiscal year 2011, be instructed to agree to the provisions contained in section 1071 of the Senate amendment, relating to reenactment of the family farmer bankruptcy provisions contained in chapter 12 of Title 11, United States Code.

Madam Speaker, I plan to offer this motion with the gentleman from Pennsylvania (Mr. HOLDEN).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on motions to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

Journal vote, de novo;  
House Resolution 377, by the yeas and nays;

H.R. 3958, by the yeas and nays;  
House Resolution 363, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

THE JOURNAL

Pursuant to clause 8 of rule XX, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

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

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

Mr. LAHOOD. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 361, nays 43, answered "present" 1, not voting 29, as follows:

Abercrombie	Etheridge	Lee
Ackerman	Evans	Levin
Akin	Farr	Lewis (GA)
Allen	Fattah	Lewis (KY)
Andrews	Ferguson	Linder
Armey	Flake	Lipinski
Baca	Fletcher	Lofgren
Bachus	Foley	Lowe
Baird	Forbes	Lucas (KY)
Baker	Ford	Lucas (OK)
Baldacci	Frank	Luther
Baldwin	Frelinghuysen	Lynch
Ballenger	Frost	Maloney (CT)
Barcia	Gallegly	Maloney (NY)
Barr	Ganske	Manzullo
Barrett	Gekas	Markey
Bartlett	Gibbons	Mascara
Barton	Gilchrest	Matheson
Bass	Gillmor	Matsui
Bentsen	Gilman	McCarthy (MO)
Bereuter	Gonzalez	McCarthy (NY)
Berkley	Goode	McCollum
Berman	Goodlatte	McCrery
Berry	Gordon	McGovern
Biggert	Goss	McHugh
Bilirakis	Graham	McInnis
Bishop	Granger	McIntyre
Blumenauer	Graves	McKeon
Blunt	Green (WI)	Meehan
Boehlert	Greenwood	Meek (FL)
Boehner	Grucci	Meeks (NY)
Bonilla	Hall (OH)	Millender
Bonior	Hall (TX)	McDonald
Bono	Hansen	Miller, Dan
Boozman	Harman	Miller, Gary
Boswell	Hart	Miller, Jeff
Boucher	Hastings (FL)	Mink
Boyd	Hastings (WA)	Moran (KS)
Brady (TX)	Hayes	Moran (VA)
Brown (OH)	Hayworth	Morella
Brown (SC)	Herger	Murtha
Bryant	Hill	Myrick
Burr	Hilleary	Nadler
Callahan	Hinche	Napolitano
Camp	Hinojosa	Neal
Cantor	Hobson	Nethercutt
Capito	Hoeffel	Ney
Capps	Hoekstra	Northup
Cardin	Holden	Norwood
Carson (IN)	Holt	Nussle
Carson (OK)	Honda	Obey
Castle	Hooley	Ortiz
Chabot	Horn	Osborne
Chambliss	Hostettler	Ose
Clay	Houghton	Otter
Clayton	Hoyer	Owens
Clyburn	Hyde	Oxley
Coble	Inslee	Pallone
Combust	Isakson	Pascrell
Conyers	Israel	Pastor
Cooksey	Issa	Paul
Cox	Istook	Payne
Coyne	Jackson (IL)	Pelosi
Cramer	Jackson-Lee	Pence
Crenshaw	(TX)	Peterson (PA)
Crowley	Jefferson	Petri
Cubin	Jenkins	Phelps
Culberson	John	Pickering
Cummings	Johnson (CT)	Pitts
Cunningham	Johnson (IL)	Pomeroy
Davis (CA)	Johnson, E. B.	Portman
Davis (FL)	Johnson, Sam	Price (NC)
Davis (IL)	Jones (OH)	Putnam
Davis, Jo Ann	Kanjorski	Quinn
Davis, Tom	Kaptur	Rahall
Deal	Keller	Ramstad
DeGette	Kelly	Rangel
Delahunt	Kennedy (RI)	Regula
DeLauro	Kerns	Rehberg
DeLay	Kildee	Reyes
DeMint	Kilpatrick	Reynolds
Deutsch	Kind (WI)	Rivers
Diaz-Balart	King (NY)	Rodriguez
Dicks	Kingston	Roemer
Doggett	Kirk	Rogers (KY)
Dooley	Kleczka	Rogers (MI)
Doolittle	Knollenberg	Rohrabacher
Dreier	Kolbe	Ros-Lehtinen
Duncan	LaFalce	Ross
Dunn	LaHood	Rothman
Edwards	Lampson	Roukema
Ehlers	Langevin	Roybal-Allard
Ehrlich	Lantos	Royce
Emerson	Larson (CT)	Rush
Engel	LaTourette	Ryun (KS)
Eshoo	Leach	Sanchez

[Roll No. 80]  
YEAS—361