

Bishop (GA) Holdren
 Bishop (NY) Holt
 Blumenauer Honda
 Boren Hooley
 Boswell Hoyer
 Boyd (FL) Inslee
 Boyda (KS) Israel
 Brady (PA) Jackson (IL)
 Braley (IA) Jackson-Lee
 Brown, Corrine (TX)
 Burton (IN) Jefferson
 Butterfield Johnson (GA)
 Capps Johnson, E. B.
 Capuano Jones (OH)
 Cardoza Kagen
 Carnahan Kanjorski
 Carney Kaptur
 Chandler Kennedy
 Clarke Kildee
 Clay Kilpatrick
 Cleaver Kind
 Clyburn Klein (FL)
 Cohen Kucinich
 Conyers Lampson
 Cooper Langevin
 Costello Lantos
 Courtney Larsen (WA)
 Cramer Larson (CT)
 Crowley Lee
 Cuellar Levin
 Cummings Lewis (GA)
 Davis (AL) Lipinski
 Davis (CA) Loebsock
 Davis (IL) Lofgren, Zoe
 Davis, Lincoln Lowey
 DeFazio Lynch
 DeGette Mahoney (FL)
 Delahunt Maloney (NY)
 DeLauro Markey
 Dicks Marshall
 Dingell Matheson
 Doggett Matsui
 Donnelly McCarthy (NY)
 Doyle McCollum (MN)
 Edwards McDermott
 Ellison McGovern
 Ellsworth McIntyre
 Emanuel McNeerney
 Engel McNulty
 Eshoo Meehan
 Etheridge Meek (FL)
 Farr Meeks (NY)
 Filner Melancon
 Giffords Michaud
 Gillibrand Millender
 Gonzalez McDonald
 Gordon Miller (NC)
 Green, Al Miller, George
 Green, Gene Mitchell
 Grijalva Mollohan
 Gutierrez Moore (KS)
 Hall (NY) Moore (WI)
 Hare Moran (VA)
 Harman Murphy (CT)
 Hastings (FL) Murphy, Patrick
 Herseith Murtha
 Higgins Nadler
 Hill Napolitano
 Hinchey Neal (MA)
 Hinojosa Oberstar
 Hirono Obey
 Hodes Oliver

Hall (TX) McHenry
 Hastert McHugh
 Hastings (WA) McKeon
 Hayes McMorris
 Heller Rodgers
 Hensarling Mica
 Hobson Miller (FL)
 Hoekstra Miller (MI)
 Hulshof Miller, Gary
 Hunter Moran (KS)
 Inglis (SC) Murphy, Tim
 Issa Musgrave
 Johnson, Sam Myrick
 Jones (NC) Neugebauer
 Jordan Nunes
 Keller Paul
 King (IA) Pearce
 King (NY) Pence
 Kingston Peterson (PA)
 Kirk Petri
 Kline (MN) Pitts
 Knollenberg Platts
 Kuhl (NY) Poe
 LaHood Porter
 Lamborn Price (GA)
 Latham Pryce (OH)
 LaTourette Putnam
 Lewis (CA) Ramstad
 Lewis (KY) Regula
 Linder Rehberg
 LoBiondo Reichert
 Lungren, Daniel Renzi
 E. Reynolds
 Mack Rogers (AL)
 Manzullo Rogers (KY)
 Marchant Rogers (MI)
 McCarthy (CA) Rohrabacher
 McCaul (TX) Ros-Lehtinen
 McCotter Roskam
 McCreery Royce

NOT VOTING—18
 Boucher Cubin
 Brady (TX) Everett
 Buyer Fattah
 Carson Frank (MA)
 Castor Herger
 Costa Jindal

□ 1507

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

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. FATAH. Madam Speaker, had I been present for the vote on H. Res. 78, I would have voted “yea.”

Stated against:

Mr. BRADY of Texas. Madam Speaker, on rollcall No. 57 on H. Res. 78, I am not recorded because I was absent due to illness. Had I been present, I would have voted “nay.”

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Madam Speaker, unfortunately I was unable to cast my votes on the following rollcall votes on January 24, 2007. Had I been present to vote, I would have voted as follows:

On rollcall 51—The Previous Question for the Rule to consider H. Res. 78—I would have voted “no.”

On rollcall 52—To Table the Motion to Reconsider—I would have voted “no.”

On rollcall 53—Final Passage of the Rule for H. Res. 78—I would have voted “no.”

On rollcall 54—The Motion to Table the Privileged Resolution—I would have voted “no.”

On rollcall 55—The Motion to Adjourn—I would have voted “yes.”

On rollcall 56—The Question of Consideration of H. Res. 78—I would have voted “no.”

On rollcall 57—To allow Delegates and the Resident Commissioner to vote in the Committee of the Whole—I would have voted “no.” Our Constitution clearly sets forth who is allowed to vote in Congress and I believe that this bill is in direct violation to that provision.

PERSONAL EXPLANATION

Mr. NORWOOD. Madam Speaker, had I been present on rollcall Vote No. 43, I would have voted “no.” Had I been present on rollcall Vote No. 44, I would have voted “yes.” Had I been present on rollcall Vote No. 45, I would have voted “yes.” Had I been present on rollcall Vote No. 46, I would have voted “yes.” Had I been present on rollcall Vote No. 47, I would have voted “yes.” Had I been present on rollcall Vote No. 48, I would have voted “yes.” Had I been present on rollcall Vote No. 49, I would have voted “yes.” Had I been present on rollcall Vote No. 50, I would have voted “yes.” Had I been present on rollcall Vote No. 51, I would have voted “no.” Had I been present on rollcall Vote No. 52, I would have voted “no.” Had I been present on rollcall Vote No. 53, I would have voted “no.” Had I been present on rollcall Vote No. 54, I would have voted “no.” Had I been present on rollcall Vote No. 55, I would have voted “yes.” Had I been present on rollcall Vote No. 56, I would have voted “no.” Had I been present on rollcall Vote No. 57, I would have voted “no.”

LEGISLATIVE PROGRAM

(Mr. BLUNT asked and was given permission to address the House for 1 minute.)

Mr. BLUNT. Madam Speaker, I rise to address the House for the purpose of inquiring about next week’s schedule, and I yield to my good friend, the majority leader, Mr. HOYER.

Mr. HOYER. Madam Speaker, I thank the gentleman for yielding, and I am glad that I am still his good friend. We are going to remain so.

On Monday, the House will meet at 2 p.m. for legislative business. We will consider several bills under suspension of the rules. There will be no votes before 6:30.

On Tuesday, the House will meet at 10:30 a.m. for morning hour debate and noon for legislative business. We will consider additional bills under suspension of the rules. A complete list of the suspension bills for the week will be announced later this week.

On Wednesday, the House will meet at 10 o’clock. We will consider a long-term continuing resolution. I want Members to hear that because on Wednesday we will consider the long-term continuing resolution. We have a continuing resolution which expires on February 15. The long-term will cover approximately nine appropriation bills that failed to pass in the last Congress and will fund most of government, other than the Defense Department and the Homeland Security Department.

The House will not meet on Thursday and Friday next week in order to accommodate the Democratic Members issues conference. I thank my friend for yielding.

NAYS—191

Aderholt Calvert
 Akin Camp (MI)
 Alexander Campbell (CA)
 Bachmann Cannon
 Bachus Cantor
 Baker Capito
 Barrett (SC) Carter
 Bartlett (MD) Castle
 Barton (TX) Chabot
 Biggert Coble
 Bilbray Cole (OK)
 Bilirakis Conaway
 Bishop (UT) Crenshaw
 Blackburn Culberson
 Blunt Davis (KY)
 Boehmer Davis, David
 Bonner Davis, Jo Ann
 Bono Davis, Tom
 Boozman Deal (GA)
 Boustany Dent
 Brown (SC) Diaz-Balart, L.
 Brown-Waite, Diaz-Balart, M.
 Ginny Doolittle
 Buchanan Drake
 Burgess Dreier

Duncan
 Ehlers
 Emerson
 English (PA)
 Fallin
 Feeney
 Ferguson
 Flake
 Forbes
 Fortenberry
 Fossella
 Fox
 Franks (AZ)
 Frelinghuysen
 Gallegly
 Garrett (NJ)
 Gerlach
 Gilchrest
 Gillmor
 Gingrey
 Gohmert
 Goode
 Goodlatte
 Granger
 Graves

Mr. BLUNT. I thank my friend for his response. I would like to inquire further on the topic of the continuing resolution.

I know the appropriations chairman has said that that would be a resolution that would not have earmarks in it. First of all, is that still the position of the majority that there would be no specific Member-oriented, district-oriented earmarks in this CR?

Mr. HOYER. I believe that that is essentially the case. The only reason that I do not answer that absolutely is there are some earmarks I think that are being looked at that have general application to the operations of certain departments; but beyond that, the answer is yes.

Mr. BLUNT. And with that caveat, otherwise should we anticipate this will be a CR that just extends the current CR? Would we expect to see either policy or additional funding language in the CR?

Mr. HOYER. Would the gentleman yield?

Mr. BLUNT. I yield.

Mr. HOYER. I thank the gentleman for yielding.

There are some problems that are raised because bills failed to pass, military construction being one, the veterans being another, which have put us in a position where if there is not additional language and funding in the bill, and they are, of course, both as a result of the earmarks not being funded and as a result of the caps not being met that was in the Republican budget that passed but did not pass the Congress, and the level of funding in the 2007 bills that did not pass, there need to be some things in there that Mr. LEWIS and Mr. OBEY are both aware of. As I understand, they are working together in a bipartisan fashion. The staffs are working together.

So I will tell my friend, although I cannot tell you specifically because they are still working on it, as you know from your past experience that these are works in progress, that my expectation is there will be additional funding for programs that will be very adversely affected if they were required to go forward at 2006 levels or the lower of the House- or Senate-passed bills.

Mr. BLUNT. I thank my friend for that response.

I would ask further, if there are additions like that, which the obvious place to determine the merits of those additions is the House floor, will there be the opportunity for amendments and the ideas of other Members to be advanced?

Mr. HOYER. Will the gentleman yield?

Mr. BLUNT. I yield.

Mr. HOYER. I thank the gentleman for yielding.

The answer to that question is we are working closely with the Senate. The CR expires, as you know, on February 15. The Senate has a very difficult challenge. I know that Mr. REID is trying to work with Mr. MCCONNELL to figure out how they can do it.

What we are really trying to do is trying to see if we can have a Senate and House agreement so that we can meet that February 15 deadline with this CR, which would not necessitate going back to a subsequent CR; in other words, making this a CR through September 30 of this year and take care of the 2007 funding cycle.

As Mr. OBEY has indicated, the reason for that is we are now proceeding on the 2008 cycle, and until we put the 2007 cycle behind us, it is difficult to focus on that.

So I frankly don't have the answer to that question at this point in time because those discussions are going on between the House and the Senate.

Mr. LEWIS and Mr. OBEY are involved in what we are doing here, and we are, after all, talking about nine bills, numerous departments and agencies and objects, and frankly, if that bill is open to amendment, CRs, as you know, generally come with closed rules, and they are clean CRs usually, but even some nonclean CRs, and that is for the public's sake, things that have additional items other than simply funding levels at a given level, have been closed rules.

Obviously to try to get through nine different bills on the House floor between now and February 25, much less February 15, if the bill is open to amendment, as appropriation bills generally are, as you know, would be something probably we would not be able to do. So that is being discussed, trying to figure it out.

I don't have a definitive answer for you here on Wednesday, but I want to tell you candidly that I believe there will not be a full opportunity in the sense that there has been, and I am not sure that I can represent to the gentleman that there will be an open rule.

Mr. BLUNT. I thank the gentleman for his response. In that regard, normally when we have had a closed rule on a continuing resolution, it has been a continuing resolution that did not include much or normally nothing in new policy, and we will have to watch these circumstances and hope that if there is a significant policy addition or significant financial addition, there is the normal process that goes on with appropriations bills to have a debate and a discussion about that. We are hopeful that whatever this bill is, it is as narrow as it can be and also that we get it out of the way as quickly as we can so that we can get on with the appropriations work for the next year.

I understand the challenge this creates for the appropriators, but the more we try to do the 2008 work in the 2007 bill, the harder that is, I think, to move that bill along quickly as well.

□ 1515

Let me ask one other question.

Mr. HOYER. Madam Speaker, if my friend would yield before he asks another question, as my friend knows well, having not passed appropriations bills, and, frankly, leaving in December

without passing appropriations bills was, of course, the other body's judgment, we passed the bills through here except for the Labor-Health bill, we are placed in an extraordinarily difficult position. We labored long and hard, and I was then a member of the Appropriations Committee, on our bills. We considered them here on the floor. There was debate. There were amendments offered. They passed.

Frankly, the ideal, as you well know, would have been to have them pass, go to conference and pass them through both Houses. But we are now confronted with a lot of work product over a year on all of these bills out of the Appropriations Committee now sitting, frankly, in limbo with a deadline of February 15 to have a short-term CR, which we are not for. We want to complete this business.

So we have a challenge that I think is relatively unique, given all of this work product, of just not having a simple CR which says we do '06 levels, because all that work product would be, A, down the drain, and B, was responding to needs that the administration wants, that our military wants, that our veterans want, that others need. So that is the challenge confronting Mr. OBEY and Mr. LEWIS.

I know you appreciate that. The failure was not on this side of the Capitol, but the fact of the matter is, wherever the failure was, we are now confronted with trying to solve the problem.

I thank the gentleman.

Mr. BLUNT. I appreciate my good friend's comments in that regard too. As my friend knows, I argued and he argued and others did in November and into December that it would be so much better for this Congress if we could have worked with the other body and get these bills done last year. I regret that we didn't. I wanted to. I wanted to at least get some of them done. I think all of our colleagues on this side were on that side of the debate, or virtually all of us, and now we are faced with this work.

One other topic I would like to bring up today, because we didn't get to discuss it during the privileged motion, but I know my good friend from Maryland cares about the House, cares about the procedures of the House.

The topic that was raised earlier by the minority leader of an amendment submitted to the Rules Committee and then the Member who submitted it asked that it be withdrawn before the meeting; there may have been a similar occasion in the past, we can't find one in our research. I am hoping that was the fits-and-starts of a new Congress, rather than a new standard.

Occasionally Members, and your Members did it often during the last Congress, submit an amendment, real-ize as the debate develops and the discussion goes on that that is not an amendment that is in their best interests, or anybody else's, to be offered, and then request it be withdrawn.

I think we honored on every occasion, I believe, and if we did not, that

is beside the point, my belief is on every occasion, if a Member wanted to withdraw an amendment, we allowed that Member to do that. I hope that will be the process from now on in this Congress as well. I would be pleased to have your reassurance that we are headed in that direction.

I yield to the gentleman.

Mr. HOYER. I thank the gentleman for yielding. I certainly reassure you we are moving in that direction, and I would hope that would be the case. I hope the gentleman will take this as a very friendly observation that in this case, the gentleman wouldn't take apparently yes for an answer. We were going to give him an amendment.

As you know, the day before we had been bitterly criticized for not giving amendments. I was not there and I did not participate in this decision, but the committee was confronted with wanting to be in a position to give an amendment. Then when they were told the gentleman didn't want the amendment, they in effect took yes for an answer. The gentleman did not.

I understand that. We want to accommodate that. You are absolutely right. If a Member doesn't want to offer the amendment, he didn't have to offer the amendment, he did not offer the amendment. Nobody has been forced to offer an amendment. He was given the opportunity to do so.

But we do understand that Members make decisions that maybe that is not what I want to do, and I would like to withdraw it. Certainly I hope we will accommodate Members in the future.

Mr. BLUNT. I thank you for that response. I would hope that would be the case. It has happened frequently. The gentleman has made no suggestion that this is unique or no one has ever thought about this before. It has happened frequently. When it has happened in the past, generally submitted by Members on your side to a Rules Committee at that time controlled by our side, when the Member said, wait a minute, I've changed my mind, that was always honored, with no sense of no, wait a minute; you put the piece of paper down, you now have to stick with it, even though we haven't acted yet.

Mr. HOYER. I want to say, Mr. Leader, we also wanted to give you a substitute, but you didn't want that either, and we didn't give you that substitute, then, I guess.

In any event, your point is well taken, and I don't want to be jocular about the fact. We really do want to make sure that you can come to this floor and think you are being treated fairly and openly and have an opportunity to make your legislative case. That is the way this body ought to work.

I know the first 2½ weeks now we have been moving on an agenda, rules changes and others, that we wanted to get done. As you know, some of these have involved rules changes, as this particular bill did.

As you know, although Mr. DREIER talked about having hearings on this,

rarely does either side have hearings on the rules it presents. The rules package is put together by the majority party and there aren't hearings on it. It is offered on the floor and it is voted up or down. In this case we offered your rules, as you know, as they were in being in the 109th Congress. There were some additions we wanted to make.

But your point is well taken. I share your view that we want to make sure, whether we disagree, that you feel you got the opportunity on your side of the aisle to make your case.

Mr. BLUNT. Well, I appreciate my friend's comments. We look forward to that happening. I think we all will benefit from more debate, more discussion. That has always been the desire here, and often the minority doesn't feel like they get quite their opportunity to do that, but we hope that we have an opportunity to do that and look forward to moving to a process to where all the Members are involved, the new Members.

Some of these issues, I will admit, that we have dealt with in the last 2 weeks, in fact in the last Congress, the Congress I was in the majority in, passed bills highly similar. But the 60 new Members didn't get to participate in committee.

But that is behind us. I am prepared to look forward. I hope that we have those opportunities. We will look carefully at the character of the CR and hope that it is as minimal in its changes as possible and that all the members of the Appropriations Committee are part of that discussion.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. HOYER. Madam Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

APPOINTMENT OF HON. STENY H. HOYER AND HON. CHRIS VAN HOLLEN TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH JANUARY 29, 2007

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 24, 2007.

I hereby appoint the Honorable STENY H. HOYER and the Honorable CHRIS VAN HOLLEN to act as Speaker pro tempore to sign enrolled bills and joint resolutions through January 29, 2007.

NANCY PELOSI,

Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

COMMUNICATION FROM HON. JOHN A. BOEHNER, REPUBLICAN LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN A. BOEHNER, Republican Leader:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 24, 2007.

Hon. NANCY PELOSI,
Speaker, U.S. Capitol,
Washington, DC.

DEAR SPEAKER PELOSI: Pursuant to 2 U.S.C. 88b-3, I am pleased to appoint the Honorable SHELLEY MOORE CAPITO of West Virginia to the Page Board. Ms. CAPITO has expressed her interest in serving in this capacity and I am pleased to fulfill her request.

Sincerely,

JOHN A. BOEHNER,
Republican Leader.

APPOINTMENT OF MEMBERS TO HOUSE OF REPRESENTATIVES PAGE BOARD

The SPEAKER pro tempore. Pursuant to 2 U.S.C. 88b-3 and the order of the House of January 4, 2007, the Chair announces the Speaker's appointment of the following Members of the House to the House of Representatives Page Board:

Mr. KILDEE, Michigan
Ms. DEGETTE, Colorado.

HONORING GLENN H. CURTISS, A TRUE TRANSPORTATION PIONEER

(Mr. KUHL of New York asked and was given permission to address the House for 1 minute.)

Mr. KUHL of New York. Madam Speaker, I rise today to remember and honor Glenn H. Curtiss from my hometown of Hammondsport, New York. Glenn Curtiss was a true transportation pioneer.

This week, I introduced House Resolution 84 to recognize Glenn Curtiss for setting the world's speed record on the first V-8 powered motorcycle exactly 100 years ago today. In honor of that ride in 1907, the Curtiss Museum and the City of Ormond Beach, Florida, which is the "birthplace of speed," hosted a Curtiss motorcycle run on the beach today, January 24, 2007.

In addition to his recordbreaking speed, which was 137 miles an hour, Mr. Curtiss was the founder of the Curtiss Aeroplane and Motor Company, now part of the Curtiss-Wright Corporation. Glenn Curtiss also developed the first successful sea plane and manufactured the famous World War I Jenny training plane.

Again, Madam Speaker, it is with great pride that I rise today to honor the memory of Mr. Glenn Curtiss, and I encourage all Members to join me in honoring the legacy of Mr. Curtiss and cosponsoring House Resolution 84.