

Boswell  
Boucher  
Boyd (KS)  
Brady (PA)  
Braley (IA)  
Brown, Corrine  
Butterfield  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson  
Castle  
Castor  
Chandler  
Cleaver  
Clyburn  
Cohen  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Cramer  
Crowley  
Cuellar  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis, Lincoln  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dent  
Dicks  
Dingell  
Doggett  
Donnelly  
Doyle  
Ehlers  
Ellison  
Ellsworth  
Emanuel  
Engel  
Eshoo  
Etheridge  
Farr  
Fattah  
Ferguson  
Filner  
Fortenberry  
Frank (MA)  
Frelinghuysen  
Gerlach  
Giffords  
Gilchrest  
Gillibrand  
Gillmor  
Gonzalez  
Gordon  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hall (NY)  
Hare  
Harman  
Hastings (FL)  
Herseth Sandlin  
Higgins  
Hill  
Hinchev  
Hirono

## NOES—172

Hodes  
Holden  
Holt  
Honda  
Hookey  
Hoyer  
Inglis (SC)  
Inslee  
Israel  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Jones (OH)  
Kagen  
Kanjorski  
Kaptur  
Kennedy  
Kildee  
Kilpatrick  
Kind  
Kirk  
Schiff  
Knollenberg  
Lampson  
Larsen (WA)  
Larson (CT)  
LaTourette  
Lee  
Levin  
Lewis (GA)  
Lipinski  
LoBiondo  
Loeb  
Lofgren, Zoe  
Lowey  
Lynch  
Mahoney (FL)  
Maloney (NY)  
Markey  
Matsui  
McCarthy (NY)  
McCollum (MN)  
McDermott  
McGovern  
McHugh  
McIntyre  
McNerney  
McNulty  
Meek (FL)  
Meeks (NY)  
Michaud  
Miller (NC)  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Murtha  
Nadler  
Napolitano  
Neal (MA)  
Oberstar  
Obey  
Olver  
Ortiz  
Pallone  
Pascrell  
Pastor  
Payne  
Pelosi

Perlmutter  
Peterson (MN)  
Petri  
Platts  
Pomeroy  
Price (NC)  
Rahall  
Ramstad  
Rangel  
Reichert  
Reyes  
Rodriguez  
Ross  
Rothman  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Salazar  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schwartz  
Lampson  
Scott (GA)  
Scott (VA)  
Serrano  
Sestak  
Shays  
Shea-Porter  
Sherman  
Shuler  
Sires  
Slaughter  
Smith (NJ)  
Smith (WA)  
Snyder  
Solis  
Space  
Spratt  
Stark  
Stupak  
Sutton  
Tauscher  
Taylor  
Thompson (CA)  
Thompson (MS)  
Tierney  
Towns  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walsh (NY)  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch (VT)  
Wexler  
Wilson (OH)  
Wolf  
Woolsey  
Wu  
Wynn  
Yarmuth

Franks (AZ)  
Gallegly  
Garrett (NJ)  
Gingrey  
Gohmert  
Goodlatte  
Granger  
Graves  
Hall (TX)  
Hastings (WA)  
Heller  
Hensarling  
Herger  
Hobson  
Hoekstra  
Hulshof  
Issa  
Jones (NC)  
Jordan  
Keller  
King (IA)  
King (NY)  
Kingston  
Kline (MN)  
Kuhl (NY)  
Lamborn  
Lampson  
Latham  
Lewis (CA)  
Lewis (KY)  
Linder  
Lucas  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marshall  
Matheson  
McCarthy (CA)  
McCaul (TX)  
McCotter  
McCreary  
McHenry  
McKeon  
McMorris  
Rodgers  
Melancon  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moran (KS)  
Murphy, Tim  
Muggrave  
Myrick  
Neugebauer  
Nunes  
Pearce  
Pence  
Peterson (PA)  
Pickering  
Pitts  
Poe  
Porter  
Price (GA)  
Pryce (OH)  
Putnam  
Radanovich  
Regula  
Rehberg  
Renzi  
Reynolds  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)

## NOT VOTING—20

Clarke  
Clay  
Coble  
Crenshaw  
Davis, Jo Ann  
Goode  
Hastert  
Hayes  
Hinojosa  
Hunter  
Jindal  
Johnson, Sam  
Klein (FL)  
Kucinich  
LaHood  
Lantos  
Paul  
Saxton  
Skelton  
Tancredo

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1740

Mr. PORTER changed his vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. BOEHNER. Mr. Speaker, I have a privileged resolution at the desk.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

## H. RES. 623

Whereas clause one of House rule XXIII (Code of Official Conduct) states, "A Member, Delegate, Resident Commissioner, officer or employee of the House shall conduct himself at all times in a manner that shall reflect creditably on the House,";

Whereas the House Ethics Manual states that, "The public has a right to expect Members, officers and employees to exercise impartial judgment in performing their duties" and "this Committee has cautioned all Members 'to avoid situations in which even an inference might be drawn suggesting improper action'";

Whereas clause eight of House rule XVII states, "The Congressional Record shall be a substantially verbatim account of remarks made during the proceedings of the House,

subject only to the technical, grammatical, and typographical corrections authorized by the Member, Delegate, or Resident Commissioner making the remarks";

Whereas during proceedings of the House on August 3, 2007, the gentleman from Ohio, Mr. Boehner, the Republican Leader, offered a privileged resolution, H. Res. 612;

Whereas after the clerk completed reading the resolution, the gentlewoman from California, Ms. Tauscher, who was in the chair, recognized the gentleman from Maryland, stating, "For what purpose does the gentleman from Maryland rise?";

Whereas the gentleman from Maryland, Mr. Hoyer, the Majority Leader, then proceeded to debate Representative Boehner's motion, stating, "Madam Speaker, enough is enough";

Whereas in response to the chair's query, "Does the gentleman have an amendment?" Majority Leader Hoyer stated, "I move to table the resolution";

Whereas the chair then recognized the Republican Leader who raised a point of order that the chair failed to acknowledge, which the chair declined to entertain;

Whereas as the chair was putting the question to the House, Republican Leader Boehner stated, "isn't it correct that the gentleman from Maryland engaged in debate, which allows the House to then proceed with up to one hour of debate on this resolution?";

Whereas the chair stated, "The chair did not yet rule that the question constitutes a question of privilege";

Whereas a video recording produced by the Office of the Chief Administrative Officer confirms that the chair, in fact, never ruled on whether the resolution offered by the Republican Leader constituted a question of privilege;

Whereas the Speaker, as the presiding officer, has a duty to be a fair and impartial arbiter of the proceedings of the House, held to the highest ethical standards in deciding the various questions as they arise with impartiality and courtesy toward all Members, regardless of party affiliation;

Whereas the Republican Leader, and any other Member of the House raising a point of order, is entitled to state a point of order and to receive a ruling on it from the chair;

Whereas statements made on the floor of the House during the aforementioned proceedings of August 3, 2007 do not appear in the Congressional Record for that day, and the same Congressional Record reports as having been spoken statements that were not made;

Whereas the House adopted H. Res. 611, establishing a Select Committee to investigate voting irregularities occurring in the House on August 2, 2007; and

Whereas H. Res. 612 was offered in response to the events stemming from the incident of August 2, 2007; Now, therefore, be it

*Resolved*, That—

(1) the Select Committee to Investigate the Voting Irregularities of August 2, 2007 is directed to investigate and include in the initial report its findings and resulting recommendations concerning the actions of the gentlewoman from California (Ms. Tauscher) while presiding over the House on August 3, 2007 at the time the Republican Leader offered H. Res. 612 and the actions which led to the differences between the statements in the Congressional Record and those actually spoken on that day; and,

(2) the Congressional Record for the legislative day of August 3, 2007 be corrected to reflect verbatim the words actually spoken during consideration of H. Res. 612.

The SPEAKER pro tempore. The resolution presents a question of privilege.

MOTION TO TABLE OFFERED BY MR. CLYBURN

Mr. CLYBURN. Mr. Speaker, I move that the resolution be laid on the table.

The SPEAKER pro tempore. The question is on the motion to table.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 216, nays 182, not voting 34, as follows:

[Roll No. 833]

YEAS—216

Abercrombie	Green, Gene	Neal (MA)
Ackerman	Grijalva	Oberstar
Allen	Gutierrez	Obey
Altmire	Hall (NY)	Olver
Andrews	Hare	Ortiz
Arcuri	Harman	Pallone
Baca	Hastings (FL)	Pascrell
Baird	Herseht Sandlin	Pastor
Baldwin	Higgins	Perlmutter
Barrow	Hill	Pomeroy
Bean	Hinchey	Price (NC)
Becerra	Hirono	Rahall
Berkley	Hodes	Rangel
Berman	Holden	Reyes
Berry	Holt	Rodriguez
Bishop (GA)	Honda	Ross
Bishop (NY)	Hookey	Rothman
Blumenauer	Hoyer	Roybal-Allard
Boren	Inslee	Ruppersberger
Boswell	Israel	Rush
Boucher	Jackson (IL)	Ryan (OH)
Boyd (FL)	Jackson-Lee	Salazar
Boyd (KS)	(TX)	Sanchez, Linda
Brady (PA)	Jefferson	T.
Braley (IA)	Johnson (GA)	Sanchez, Loretta
Brown, Corrine	Johnson, E. B.	Sarbanes
Butterfield	Jones (OH)	Schakowsky
Capps	Kagen	Schiff
Capuano	Kanjorski	Schwartz
Cardoza	Kaptur	Scott (GA)
Carnahan	Kennedy	Scott (VA)
Carney	Kildee	Serrano
Castor	Kind	Sestak
Chandler	Lampson	Shea-Porter
Cleaver	Langevin	Sherman
Clyburn	Larsen (WA)	Shuler
Cohen	Larson (CT)	Sires
Conyers	Lee	Slaughter
Cooper	Levin	Smith (WA)
Costa	Lewis (GA)	Snyder
Courtney	Loeb sack	Solis
Cramer	Lofgren, Zoe	Space
Crowley	Lowey	Spratt
Cuellar	Lynch	Stark
Cummings	Mahoney (FL)	Stupak
Davis (AL)	Maloney (NY)	Sutton
Davis (CA)	Markey	Tanner
Davis (IL)	Marshall	Tauscher
Davis, Lincoln	Matheson	Taylor
DeFazio	Matsui	Thompson (CA)
DeGette	McCarthy (NY)	Thompson (MS)
DeLauro	McCollum (MN)	Tierney
Dicks	McDermott	Towns
Dingell	McGovern	Udall (CO)
Doggett	McIntyre	Udall (NM)
Donnelly	McNerney	Van Hollen
Doyle	McNulty	Velázquez
Edwards	Meek (FL)	Visclosky
Ellison	Meeks (NY)	Walz (MN)
Ellsworth	Melancon	Wasserman
Emanuel	Michaud	Schultz
Engel	Miller (NC)	Waters
Eshoo	Miller, George	Watson
Etheridge	Mitchell	Watt
Farr	Mollohan	Waxman
Fattah	Moore (KS)	Weiner
Filner	Moore (WI)	Welch (VT)
Frank (MA)	Moran (VA)	Wexler
Giffords	Murphy (CT)	Wilson (OH)
Gillibrand	Murphy, Patrick	Woolsey
Gonzalez	Murtha	Wu
Gordon	Nadler	Wynn
Green, Al	Napolitano	Yarmuth

NAYS—182

Aderholt	Bachmann	Barrett (SC)
Akin	Bachus	Bartlett (MD)
Alexander	Baker	Barton (TX)

Biggert	Gilchrest	Pence
Bilbray	Gillmor	Peterson (PA)
Bilirakis	Gohmert	Petri
Bishop (UT)	Goodlatte	Pickering
Blackburn	Granger	Pitts
Blunt	Graves	Platts
Boehner	Hall (TX)	Poe
Bonner	Hastings (WA)	Porter
Bono	Heller	Price (GA)
Boozman	Hensarling	Pryce (OH)
Boustany	Herger	Putnam
Brady (TX)	Hobson	Radanovich
Broun (GA)	Hoekstra	Ramstad
Brown (SC)	Hulshof	Regula
Brown-Waite,	Inglis (SC)	Rehberg
Ginny	Issa	Reichert
Buchanan	Johnson (IL)	Renzi
Burgess	Jordan	Reynolds
Burton (IN)	Keller	Rogers (AL)
Buyer	King (IA)	Rogers (KY)
Calvert	King (NY)	Rogers (MI)
Camp (MI)	Kingston	Rohrabacher
Campbell (CA)	Kirk	Ros-Lehtinen
Cannon	Kline (MN)	Roskam
Cantor	Knollenberg	Royce
Capito	Kuhl (NY)	Ryan (WI)
Carter	Lamborn	Sali
Castle	Latham	Schmidt
Chabot	LaTourette	Shadegg
Cole (OK)	Lewis (CA)	Shays
Conaway	Lewis (KY)	Shimkus
Cubin	Linder	Shuster
Culberson	LoBiondo	Simpson
Davis (KY)	Lucas	Smith (NE)
Davis, David	Lucas	Smith (NJ)
Davis, Tom	E.	Smith (TX)
Deal (GA)	Mack	Souder
Dent	Manzullo	Stearns
Diaz-Balart, L.	Marchant	Sullivan
Diaz-Balart, M.	McCarthy (CA)	Terry
Doolittle	McCaul (TX)	Tiahrt
Drake	McCotter	Tiberti
Dreier	McCrary	Turner
Duncan	McHenry	Upton
Ehlers	McHugh	Walberg
Emerson	McKeon	Walden (OR)
English (PA)	McMorris	Walsh (NY)
Everett	Rodgers	Wamp
Fallin	Mica	Weldon (FL)
Ferguson	Miller (FL)	Weller
Flake	Miller (MI)	Westmoreland
Forbes	Miller, Gary	Whitfield
Fossella	Moran (KS)	Wicker
Fox	Murphy, Tim	Wilson (NM)
Franks (AZ)	Musgrave	Wilson (SC)
Frelinghuysen	Myrick	Wolf
Galleghy	Neugebauer	Young (AK)
Garrett (NJ)	Nunes	Young (FL)
Gerlach	Pearce	

NOT VOTING—34

Carson	Hastert	Lipinski
Clarke	Hayes	Paul
Clay	Hinojosa	Payne
Coble	Hunter	Peterson (MN)
Costello	Jindal	Saxton
Crenshaw	Johnson, Sam	Sensenbrenner
Davis, Jo Ann	Jones (NC)	Sessions
Delahunt	Kilpatrick	Skelton
Feeney	Klein (FL)	Tancredo
Fortenberry	Kucinich	Thornberry
Gingrey	LaHood	
Goode	Lantos	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes left in this vote.

□ 1802

So the motion to table 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. FEENEY. Mr. Speaker, I would ask on the last vote, myself from Florida, the gentleman from Illinois, and the gentleman from Georgia be permitted to cast their vote.

The gentleman from Georgia, Mr. GINGREY would vote “no.” I would vote

“no.” The gentleman from Illinois, Mr. LIPINSKI, would vote “aye.”

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.J. RES. 40

Mrs. MALONEY of New York. Mr. Speaker, Mr. JOE DONNELLY was mistakenly listed as a cosponsor of H.J. Res. 40, and I would like to remove him as a cosponsor of H.J. Res. 40.

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

There was no objection.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 1246

Mrs. TAUSCHER. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 1246, a bill originally introduced by Representative MARTY MEEHAN of Massachusetts, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

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

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN EN-GROSSMENT OF H.R. 3221, NEW DIRECTION FOR ENERGY INDEPENDENCE, NATIONAL SECURITY, AND CONSUMER PROTECTION ACT

Mr. RANGEL. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 3221, to include corrections in spelling, punctuation, section numbering and cross-referencing, and the insertion of appropriate headings.

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

There was no objection.

RENEWABLE ENERGY AND ENERGY CONSERVATION TAX ACT OF 2007

Mr. RANGEL. Mr. Speaker, pursuant to House Resolution 615, I call up the bill (H.R. 2776) to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2776

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

SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Renewable Energy and Energy Conservation Tax Act of 2007”.