

Title 1 of the bill addresses CAFE Standards. Section 102(a) would require that the fleet of new passenger and non-passenger vehicles made for sale in model year 2020 reach a fleet-wide fuel economy average of at least 35 miles per gallon, regardless of shifts in the market or any other consideration. While fuel economy standards for each of model years 2011–2019 are expected to be the maximum feasible standard, this section does not allow the Department of Transportation (DOT) to set a fleet-wide average of lower than 35 miles per gallon for model year 2020 under any circumstances. In addition, if the maximum feasible level for model year 2020 is higher than 35 miles per gallon due to technological progress and/or other factors, Congress intends to require DOT to set standards at the maximum feasible level.

It is also the intent of this section to require DOT to set interim standards between 2011 and 2019 to make rapid and consistent annual progress towards achieving the 35 mpg minimum by 2020. In asking for “ratable” progress, the intent of Congress is to seek relatively consistent proportional increases in fuel economy standards each year, such that no single year through 2020 should experience a significantly higher increase than the previous year.

Section 104 addresses credit trading among and within automakers’ vehicle fleets, and is intended to increase flexibility for automakers, but it is the intent of Congress that any trading not in any way reduce the oil savings achieved by the standards set for any year under this title.

Section 105 is intended to provide added information for consumers, but is not intended to in any way interfere with or diminish EPA labeling authority. Congress intends that DOT work closely with EPA in fulfilling the requirements of this section.

Section 106 is intended to clarify that Title I does not impact fuel economy standards or the standard-setting process for vehicles manufactured before model year 2011. This section is not intended to codify, or otherwise support or reject, any standards applying before model year 2011, and is not intended to reverse, supersede, overrule, or in any way limit the November 15, 2007 decision of the U.S. Court of Appeals for the Ninth Circuit in *Center for Biological Diversity v. National Highway Traffic Safety Administration* (No. 06–71891).

Section 109 makes modifications to the cap on the credits allowed to manufacturers making dual-fuel vehicles to ensure that the dual-fuel vehicle credit program is phased out and is fully and permanently eliminated by 2020 and thereafter.

I urge the Secretary to pay careful heed to the intent and spirit of these provisions in carrying out the provisions of this Title, so that we achieve the Bill’s goals of increasing the fuel efficiency of our cars, SUVs, and other vehicles.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 846, the previous question is ordered.

The question is on the motion offered by the gentleman from Michigan (Mr. DINGELL).

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to concur will be followed by a 5-minute vote on the motion to suspend the rules on H.R. 2085.

The vote was taken by electronic device, and there were—yeas 235, nays 181, not voting 16, as follows:

[Roll No. 1140]

YEAS—235

Abercrombie	Hastings (FL)	Pastor
Ackerman	Hayes	Payne
Allen	Herseth Sandlin	Pelosi
Altmire	Higgins	Perlmutter
Andrews	Hill	Peterson (MN)
Arcuri	Hinchev	Pomeroy
Baca	Hinojosa	Price (NC)
Baldwin	Hirono	Rahall
Bean	Hodes	Ramstad
Becerra	Holden	Rangel
Berkley	Holt	Reichert
Berman	Honda	Reyes
Berry	Hoyer	Richardson
Bishop (GA)	Inslee	Rodriguez
Bishop (NY)	Israel	Ros-Lehtinen
Blumenauer	Jackson (IL)	Ross
Bono	Jackson-Lee	Rothman
Boswell	(TX)	Roybal-Allard
Boucher	Jefferson	Ruppersberger
Boyda (KS)	Johnson (GA)	Rush
Brady (PA)	Johnson (IL)	Ryan (OH)
Braley (IA)	Johnson, E. B.	Salazar
Brown, Corrine	Jones (OH)	Sanchez, Linda
Butterfield	Kagen	T.
Capps	Kanjorski	Sanchez, Loretta
Capuano	Kaptur	Sarbanes
Cardoza	Kennedy	Schakowsky
Carnahan	Kildee	Schiff
Carney	Kilpatrick	Schwartz
Castle	Kind	Scott (GA)
Castor	Kirk	Scott (VA)
Chandler	Klein (FL)	Serrano
Clarke	Kucinich	Sestak
Clay	LaHood	Shays
Cleaver	Langevin	Shea-Porter
Clyburn	Lantos	Sherman
Cohen	Larsen (WA)	Shuler
Conyers	Larson (CT)	Sires
Cooper	Lee	Skelton
Costa	Levin	Slaughter
Costello	Lewis (GA)	Smith (NJ)
Courtney	Lipinski	Smith (WA)
Cramer	LoBiondo	Snyder
Crowley	Loeb sack	Lofgren, Zoe
Cuellar	Cuellar, Zoe	Lowey
Cummings	Lynch	Mahoney (FL)
Davis (AL)	Mahoney (NY)	Markey
Davis (CA)	Markey	Matheson
Davis (IL)	Matsui	McCarthy (NY)
Davis, Lincoln	McCarthy (NY)	McCollum (MN)
DeFazio	McDermott	McGovern
DeGette	McIntyre	McNulty
DeLauro	McNulty	Meeke (FL)
Dicks	Meeke (NY)	Michaud
Dingell	Michaud	Miller (NC)
Doggett	Miller (NC)	Miller, George
Donnelly	Miller (OR)	Mitchell
Doyle	Mollohan	Moore (KS)
Edwards	Moore (KS)	Moore (WI)
Ellison	Moore (WI)	Moran (VA)
Ellsworth	Moran (VA)	Murphy (CT)
Emanuel	Murphy (CT)	Murphy, Patrick
Engel	Murphy, Patrick	Murtha
Eshoo	Murtha	Nadler
Etheridge	Nadler	Napolitano
Farr	Napolitano	Neal (MA)
Fattah	Neal (MA)	Oberstar
Filner	Oberstar	Obey
Frank (MA)	Obey	Olver
Gerlach	Olver	Pallone
Giffords	Pallone	Pascrell
Gillibrand	Pascrell	
Gonzalez		
Gordon		
Green, Al		
Grijalva		
Hall (NY)		
Hare		
Harman		

NAYS—181

Aderholt	Fortenberry	Musgrave
Akin	Fossella	Myrick
Alexander	Fox	Neugebauer
Bachmann	Franks (AZ)	Pearce
Bachus	Frelinghuysen	Pence
Baker	Gallely	Peterson (PA)
Barrett (SC)	Garrett (NJ)	Petri
Barrow	Gingrey	Pickering
Bartlett (MD)	Gohmert	Pitts
Barton (TX)	Goode	Platts
Bigert	Goodlatte	Poe
Bilbray	Graves	Porter
Bilirakis	Green, Gene	Price (GA)
Bishop (UT)	Hall (TX)	Pryce (OH)
Blackburn	Hastings (WA)	Putnam
Blunt	Heller	Radanovich
Boehner	Hensarling	Regula
Bonner	Herger	Rohrabacher
Boozman	Hobson	Roskam
Boren	Hoekstra	Royce
Boustany	Hulshof	Ryan (WI)
Boyd (FL)	Hunter	Sali
Brady (TX)	Inglis (SC)	Saxton
Broun (GA)	Issa	Kingston
Brown (SC)	Johnson, Sam	Sensenbrenner
Brown-Waite,	Jones (NC)	Sessions
Ginny	Jordan	Shadegg
Buchanan	Keller	Shimkus
Burgess	King (IA)	Shuster
Burton (IN)	King (NY)	Simpson
Buyer	Kingston	Smith (NE)
Calvert	Kline (MN)	Smith (TX)
Camp (MI)	Knollenberg	Souder
Campbell (CA)	Kuhl (NY)	Stearns
Cannon	Lamborn	Sullivan
Cantor	Lampson	Tancredo
Capito	Latham	Terry
Carter	LaTourrette	Thornberry
Chabot	Lewis (CA)	Tiahrt
Coble	Lewis (KY)	Tiberi
Conaway	Linder	Turner
Crenshaw	Lungren, Daniel	Upton
Culberson	E.	Walberg
Davis (KY)	Mack	Walsh (NY)
Davis, David	Manzullo	Wamp
Davis, Tom	Marchant	Weldon (FL)
Deal (GA)	Marshall	Weller
Dent	McCarthy (CA)	Westmoreland
Diaz-Balart, L.	McCaul (TX)	Whitfield
Diaz-Balart, M.	McCotter	Wicker
Doolittle	McCrery	Wilson (NM)
Drake	McHenry	Wilson (SC)
Dreier	McHugh	Wolf
Duncan	McKeon	Young (FL)
Ehlers	McMorris	
Emerson	Rodgers	
English (PA)	Melancon	
Everett	Mica	
Fallin	Miller (FL)	
Ferguson	Miller (MI)	
Flake	Moran (KS)	
Forbes	Murphy, Tim	

NOT VOTING—16

Baird	Granger	Nunes
Carson	Gutierrez	Ortiz
Cole (OK)	Hookey	Paul
Cubin	Jindal	Young (AK)
Feeney	Lucas	
Gilchrest	Miller, Gary	

□ 1531

So the motion was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MC GEE CREEK PROJECT PIPELINE AND ASSOCIATED FACILITIES CONVEYANCE ACT

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2085, on which the yeas and nays were ordered.

The Clerk read the title of the bill. The SPEAKER. The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and pass the bill, H.R. 2085.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 373, nays 0, not voting 58, as follows:

[Roll No. 1141]

YEAS—373

Aderholt	Diaz-Balart, L.	Kirk
Akin	Diaz-Balart, M.	Klein (FL)
Alexander	Dicks	Kline (MN)
Allen	Dingell	Knollenberg
Altmire	Doggett	Kucinich
Andrews	Donnelly	Kuhl (NY)
Arcuri	Doolittle	LaHood
Baca	Drake	Lamborn
Bachmann	Dreier	Lampson
Bachus	Duncan	Langevin
Baker	Edwards	Lantos
Baldwin	Ehlers	Larsen (WA)
Barrett (SC)	Ellison	Latham
Barrow	Ellsworth	LaTourette
Bartlett (MD)	Emanuel	Lee
Barton (TX)	Emerson	Levin
Bean	Engel	Lewis (CA)
Becerra	English (PA)	Lewis (GA)
Berman	Eshoo	Lewis (KY)
Biggert	Etheridge	Linder
Bilbray	Fallin	Lipinski
Bilirakis	Farr	LoBiondo
Bishop (GA)	Fattah	Loebsack
Bishop (NY)	Ferguson	Lowe
Bishop (UT)	Filner	Lungren, Daniel
Blackburn	Flake	E.
Blumenauer	Forbes	Lynch
Blunt	Fortenberry	Mack
Boehner	Fossella	Mahoney (FL)
Bonner	Fox	Maloney (NY)
Bono	Frank (MA)	Manzullo
Boozman	Franks (AZ)	Markey
Boren	Frelinghuysen	Matheson
Boucher	Gallely	Matsui
Boustany	Garrett (NJ)	McCarthy (CA)
Boyd (FL)	Gerlach	McCarthy (NY)
Boyd (KS)	Giffords	McCaul (TX)
Brady (PA)	Gillibrand	McCollum (MN)
Brady (TX)	Gingrey	McCotter
Brown (GA)	Gohmert	McCreery
Brown, Corrine	Gonzalez	McDermott
Brown-Waite,	Goode	McGovern
Ginny	Goodlatte	McHenry
Buchanan	Gordon	McIntyre
Burgess	Graves	McMorris
Burton (IN)	Green, Al	Rodgers
Butterfield	Grijalva	McNerney
Buyer	Hall (NY)	Meek (FL)
Calvert	Hall (TX)	Meeks (NY)
Camp (MI)	Hare	Melancon
Cannon	Harman	Mica
Cantor	Hastings (FL)	Michaud
Capito	Hayes	Miller (FL)
Capps	Heller	Miller (MI)
Capuano	Hensarling	Miller (NC)
Cardoza	Hерger	Miller, George
Carnahan	Herseth Sandlin	Mitchell
Carney	Higgins	Mollohan
Carter	Hinche	Moore (KS)
Castle	Hinojosa	Moore (WI)
Castor	Hirono	Moran (KS)
Chabot	Hobson	Moran (VA)
Chandler	Hodes	Murphy (CT)
Clarke	Hoekstra	Murphy, Patrick
Clay	Holt	Murtha
Clyburn	Honda	Musgrave
Coble	Hoyer	Myrick
Cohen	Hulshof	Nadler
Conaway	Inglis (SC)	Napolitano
Conyers	Inslee	Neugebauer
Cooper	Israel	Oberstar
Costa	Jackson (IL)	Obey
Costello	Jackson-Lee	Oliver
Courtney	(TX)	Pallone
Crenshaw	Jefferson	Pastor
Crowley	Johnson (IL)	Payne
Cuellar	Johnson, E. B.	Pearce
Culberson	Jones (NC)	Pence
Cummings	Jones (OH)	Perlmutter
Davis (AL)	Jordan	Peterson (MN)
Davis (CA)	Kagen	Petri
Davis (IL)	Kanjorski	Pickering
Davis (KY)	Kaptur	Pitts
Davis, David	Keller	Platts
Davis, Tom	Kennedy	Poe
Deal (GA)	Kildee	Pomeroy
DeFazio	Kilpatrick	Porter
DeGette	Kind	Price (GA)
DeLahunt	King (IA)	Price (NC)
DeLauro	King (NY)	Pryce (OH)
Dent	Kingston	Putnam

Radanovich	Scott (GA)	Tiberi
Rahall	Sensenbrenner	Tierney
Ramstad	Serrano	Towns
Rangel	Sessions	Tsongas
Regula	Sestak	Turner
Rehberg	Shadegg	Udall (CO)
Reichert	Shays	Udall (NM)
Renzi	Shea-Porter	Upton
Reyes	Sherman	Van Hollen
Reynolds	Shimkus	Velázquez
Richardson	Shuler	Visclosky
Rodriguez	Shuster	Walberg
Rogers (AL)	Simpson	Walden (OR)
Rogers (KY)	Sires	Walsh (NY)
Rogers (MI)	Skelton	Walz (MN)
Ros-Lehtinen	Smith (NE)	Wamp
Roskam	Smith (NJ)	Wasserman
Ross	Snyder	Schultz
Rothman	Solis	Waters
Roybal-Allard	Souder	Watson
Royce	Space	Waxman
Ruppersberger	Spratt	Weiner
Rush	Stark	Westmoreland
Ryan (OH)	Stearns	Wexler
Ryan (WI)	Stupak	Whitfield
Salazar	Sullivan	Wicker
Sali	Sutton	Wilson (NM)
Sánchez, Linda	Tancredo	Wilson (OH)
T.	Tanner	Wilson (SC)
Sanchez, Loretta	Tauscher	Wolf
Sarbanes	Taylor	Wu
Saxton	Terry	Wynn
Schakowsky	Thompson (CA)	Yarmuth
Schiff	Thompson (MS)	Young (FL)
Schmidt	Thornberry	
Schwartz	Tiahrt	

NOT VOTING—58

Abercrombie	Green, Gene	Murphy, Tim
Ackerman	Gutierrez	Neal (MA)
Baird	Hastings (WA)	Nunes
Berkley	Hill	Ortiz
Berry	Holden	Pascrell
Boswell	Hooley	Paul
Bralley (IA)	Hunter	Peterson (PA)
Brown (SC)	Issa	Rohrabacher
Campbell (CA)	Jindal	Scott (VA)
Carson	Johnson (GA)	Slaughter
Cleaver	Johnson, Sam	Smith (TX)
Cole (OK)	Larson (CT)	Smith (WA)
Cramer	Lofgren, Zoe	Watt
Cubin	Lucas	Welch (VT)
Davis, Lincoln	Marchant	Weldon (FL)
Doyle	Marshall	Weller
Everett	McHugh	Woolsey
Feeney	McKeon	Young (AK)
Gilchrest	McNulty	
Granger	Miller, Gary	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1540

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ISSA. Mr. Speaker, I was unable to make the vote for H.R. 2085. Had I been present, I would have voted for H.R. 2085.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this chamber today. I would like the RECORD to show that, had I been present, I would have voted "yea" on rollcall votes 1140 and 1141.

PERSONAL EXPLANATION

Mr. ORTIZ. Mr. Speaker, due to important business in my district, I was unable to vote during the following rollcall votes. Had I been present, I would have voted as indicated below.

Rollcall No. 1131: "yea"; rollcall No. 1132: "yea"; rollcall No. 1133: "yea"; rollcall No. 1134: "yea"; rollcall No. 1135: "yea"; rollcall No. 1136: "nay"; rollcall No. 1137: "nay"; rollcall No. 1138: "yea"; rollcall No. 1139: "present"; rollcall No. 1140: "nay"; and rollcall No. 1141: "yea".

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 2761, TERRORISM RISK INSURANCE REVISION AND EXTENSION ACT OF 2007

Ms. CASTOR, from the Committee on Rules, submitted a privileged report (Rept. No. 110-475) on the resolution (H. Res. 849) providing for the consideration of the Senate amendment to the bill (H.R. 2761) to extend the Terrorism Insurance Program of the Department of the Treasury, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Ms. CASTOR, from the Committee on Rules, submitted a privileged report (Rept. No. 110-476) on the resolution (H. Res. 850) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

LEGISLATIVE PROGRAM

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

Mr. BLUNT. Mr. Speaker, I yield to my friend from Maryland, the majority leader, for information about next week's schedule.

Mr. HOYER. I thank my friend for yielding.

Mr. Speaker, on Monday the House will meet at 3 p.m. in a pro forma session. On Tuesday, the House will meet at 10:30 a.m. for morning-hour debate and noon for legislative business, with votes rolled until 6:30 p.m. On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business and at 9 a.m. on Friday.

We will consider several bills under suspension of the rules. A list of those bills will be announced before the close of business tomorrow.

Under a rule, we expect to consider a conference report on the Intelligence authorization bill and on the Department of Defense authorization bill and further action on appropriations and terrorism risk insurance. There may well be other legislation, if it comes from the Senate.

Mr. BLUNT. I thank the gentleman.

I am wondering, on the appropriations process, the remaining 11 bills, if