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House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Mr. PASTOR).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 6, 2008.

I hereby appoint the Honorable ED PASTOR to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

FEDERAL GAS TAX HOLIDAY A BAD IDEA

The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Thank you very much, Mr. Speaker.

One of the most disappointing turns in the current campaign has been the proposal of Senator CLINTON and Senator MCCAIN for the "gas tax holiday."

One doesn't want to be cynical, but thinking back to Senator MCCAIN's Straight Talk Express in the year 2000, it would be hard to imagine that he thought it was a good idea back then, that he wouldn't have stooped to this political trick. It wouldn't have been consistent with what he was saying and how he represented himself.

As far as Senator CLINTON is concerned, we don't have to guess about her position in 2000. We know because her opponent in 2000 when she was first

running for the Senate, our former colleague, Rick Lazio, called for suspending the 18.3 cent Federal gas tax and actually repealing the 4.3 cent per gallon surcharge that had been enacted. "What Mrs. CLINTON needs to do," he said, "is get out of the motorcade, get out of fantasyland and get in contact with the issues that are affecting real New Yorkers, the prices at the pump."

It's instructive what then candidate CLINTON had to say. She and her aides fired back immediately at Mr. Lazio for offering what they said was a shortsighted solution that could jeopardize money to fix highways. In fact, they handed out fliers that used quotes from Republican leaders to bolster her point that repealing the gas tax surcharge could be harmful. The Republicans discouraged such measures, the flier said, because they could diminish highway construction money.

Senator CLINTON said, in debating Mr. Lazio:

"We're totally reliant on the gas tax to do things like finishing I-86 in the Southern Tier, or the fast-ferry harbor works up in Rochester, as well as work we need to do here in the city. So you can count on me to support infrastructure," as she explained her opposition. And indeed she lashed out at the plan for the outright repeal of the 4.3 cent gas tax, calling it "a bad deal for New York and a potential bonanza for the oil companies."

Well, the facts that Senator CLINTON argued in 2000 are still true today. The timing, if anything, is worse, because for the first time in history, the Federal highway trust fund is going into deficit, and this would call for an additional reduction of \$9 billion to \$10 billion and 300,000 highway construction jobs. It actually is coming at a time when we should as a country be finding ways to invest more in infrastructure, not less. Virtually every independent expert acknowledges that as well as

most people in the House and the Senate.

And, of course, the irony as Senator CLINTON herself intimated is that this gas tax holiday is actually a holiday for the big producers, refiners and importers. They're the ones who pay the tax. The tax is charged to them. In order for any of the savings to trickle down to the pockets of motorists, the oil and gas interests would have to decide that they're going to pass their savings on to the rest of us. As Senator CLINTON pointed out in 2000, it's a potential bonanza for them. There's no indication that they're looking to share. Look at what they did with record profits of \$10.6 billion for ExxonMobil. Did they use that extra money to reduce prices at the pump?

The good news is that the American public is not buying this political trick. Even though they are aggravated at spiraling high gas prices and somebody is offering them, in a sense, free money, the American public sees through that. Fifty-one percent agree that it is a bad idea, even in the face of high gas prices. Even more tellingly, in the New York Times survey published yesterday, when the public was asked are politicians proposing this tax holiday because it's good for America or because it's good, they think, for the politicians, 70 percent said CLINTON and MCCAIN are doing this because it's good for the politicians, not for America.

Mr. Speaker, I hope that we can get past the campaign silly season, that people explain to Senator MCCAIN and Senator CLINTON that their earlier opposition is more important today. This is one area ought to be beyond sort of the partisan political warfare: It is time for us to rebuild and renew America, to deal with the first deficit in the trust fund, and not play political games.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H3053

NON ENERGY POLICY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE. Mr. Speaker, as gasoline prices soar, as our truckers are about to sit on the side of the road because they can't get enough money to buy fuel for those diesel trucks that they're driving up and down our highways to deliver goods, people are wondering, how did we get here?

Well, there are several reasons how we got in this mess, and Congress is partly to blame. First of all, we had this theory that ethanol is going to save us all, so we subsidized the production of ethanol. What that has done is drive food prices up around the world, because in the United States, instead of eating corn or letting it go to feed our beef, we're burning it in our vehicles, and that's caused world food prices to go up, not just in the United States but all over the world.

Costco and Sam's Club are now rationing rice. Who would have thought in this year, 2008, in America we can't buy rice because we're tilling up our soil and burning crops. We're also finding out that ethanol can't save us all because, promised to be a nonpollutant, that's wrong. Science Magazine has now reported that ethanol causes more pollution than that nasty old crude oil that we produce. There are a lot of reasons for that. One of those reasons is because it takes a lot of fertilizer to produce corn, and that fertilizer runs down the Mississippi River. And when it gets down in the Gulf of Mexico that nitrogen in the fertilizer kills everything, except algae, and that is called a dead zone. Dead, because nothing is there except algae.

So what we ought to do is quit the subsidies to ethanol. Let the world market handle whether we should use ethanol or not and stop those subsidies.

The second thing that's a problem but we don't talk much about is the value of the American dollar gets less and less on the world market. It's less this week than it was last week. Why? Because the Federal Reserve doesn't regulate the dollar. It regulates interest rates. Well, maybe that isn't just what the Constitution says. When in doubt, sometimes we ought to just read the Constitution. It says Congress has the responsibility "to coin money and regulate the value thereof." We have the responsibility to set the price on the dollar and we should do so. Stabilize the dollar so it doesn't cost us more to buy gasoline every week. That is our responsibility and we can't pass it off to someone else.

Third. The crude oil supply in the United States, which we still drive our cars based upon crude oil production, is getting less. It's an economic fact that third graders learn—the less supply you have, the higher rate of cost. And, of course, those oil companies that everybody wants to punish, the American oil companies only control 10 percent of the world market. Foreign coun-

tries, foreign dictators like Chavez down there in Venezuela and OPEC, they set the price on crude oil in the world, not American oil companies. So we need to take care of ourselves.

Now here's a map, Mr. Speaker. We drill off the coast of Texas, where I'm from, we drill off Louisiana and part of Mississippi and Alabama. But you see all these red zones here? Even off the sacred coast of California, there's crude oil out there and we can drill for crude oil but this Congress won't let us take care of ourselves. Why? Because the environmental lobby is so strong in this Congress that they have had fear tactics that prevent us from drilling here, off the east coast, and way up here in ANWR in Alaska. Open up the Outer Continental Shelf and start drilling.

You might be interested to know right here off of Florida, 47.5 miles, there's a new rig going out there and it's built by the Chinese and the Cubans because there's an oil field out there. But we won't drill there.

So we need to drill offshore. And we need to let our refineries produce more. They're producing all they can and because they can only produce so much, we're importing gasoline into this country for the first time, or one of the first times in our history.

We haven't built a new refinery in 30 years. Why? Silly environmental restrictions. Nobody wants pollution, but we need to get back to common sense and let our refineries refine.

Right here where I represent in southeast Texas, most of the refineries for this country are right there. Produces 22 percent of the Nation's jet fuel.

Now let's talk about jet fuel. This Congress passed a bill recently that says we cannot explore or take crude oil out of the tar sands in Canada. Canada is one of our biggest importers of crude oil.

Now what does that mean? That means because the crude oil is in the sand, we can't take it into the United States. Well, who uses that? The United States Air Force turns that into jet fuel. Doesn't anybody understand we're at war? Our airplanes need to be flying. But because of this Congress, they cannot import that. And now where are we going to get our jet fuel to fuel the Air Force? Silly restriction passed by this Congress. So let's remove that restriction as well.

Some people say, Well, let's tax those mean old oil companies. We'll show them. Also, we'll tax people to drive. Let me tell you something. That idea is to punish people who drive. Now where I live, down here in southeast Texas, we don't have any subways. Nobody rides a choo-choo train to work. The closest subway is in Dallas, 250 miles away. They drive pickup trucks because they work the land, they farm the land, and they can't buy the diesel fuel to run their trucks.

So here are some ideas, Mr. Speaker, that we ought to do and change the policy that this Congress has implemented.

And that's just the way it is.

ENERGY PLAN NOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. BARRETT) for 1 minute.

Mr. BARRETT of South Carolina. Thank you, Mr. Speaker.

This past week for the first time, some Americans paid \$4 a gallon for gas. The national average for regular unleaded gasoline now is \$3.61 a gallon. Americans have never paid such a tremendous amount of their hard-earned dollars on gasoline, Mr. Speaker, and the high gasoline prices are taking a toll on their pocketbooks.

Many issues are responsible for the higher gas prices, but in order to lessen America's dependency on foreign and unstable energy sources, we need to be looking right here at home. We're relying too much on foreign energy sources and our dependency on these sources is a risk for our national security. We have natural and technological resources to support domestic production and find oil sources here at home. We can increase our domestic energy exploration and production in the U.S. while also utilizing alternative energy sources such as hydrogen, wind and solar power.

Citizens can't afford the price of gas. For our people, for our country, the majority must bring an energy solution to the floor now so that American families are no longer paying an unprecedented \$4 a gallon for gas.

RECOGNIZING EAGLE SCOUT
CHARLES "ANDREW" WILKINS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. WITTMAN) for 1 minute.

Mr. WITTMAN. Mr. Speaker, I rise today to recognize Charles "Andrew" Wilkins, a great young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 250, and in earning the most prestigious award of Eagle Scout.

Andrew has been an active member of his Scout troop, participating in many activities. Over the many years Andrew has been involved with Scouting, he has earned 21 merit badges, spent 47 nights camping, and served as Senior Patrol Leader for 2 years. Andrew was also elected to be a member of the Order of the Arrow, scouting's national camping honor society.

For his Eagle Scout project, Andrew coordinated the construction of the Northumberland County Fallen Heroes Memorial located in front of the sheriff's office in Heathsville, Virginia. This monument is a memorial to Deputy Sheriff John Sanford who was killed in the line of duty in 2005.

Andrew is a senior at Northumberland High School, and plans to continue serving his community and our country in the United States Coast Guard.

Mr. Speaker, I proudly ask you to join me in commending Charles "Andrew" Wilkins for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

LET'S WORK TOGETHER ON THE SUPPLEMENTAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas (Mr. TIAHRT) for 5 minutes.

Mr. TIAHRT. I thank the Speaker.

Mr. Speaker, they say that in America all you need to do to be successful is to work a half a day, and you can choose whether it's the first 12 hours or the second 12 hours. The American people probably expect double from their government these days when we have serious challenges to our economic and national security. So what is Congress doing? Are we doing what it takes to be successful to solve these problems? No. We're not starting business today until noon. Congress is sleeping in. Maybe we're on California time, but I will wager we will not be here until midnight.

Any Third World dictator would be pleased at the way we are operating today. Our economy is in a precarious situation. We learned this morning that oil is at \$120, could go to \$200 per barrel, that gas is at \$4, easily could go to \$5. We're still denying our intelligence community the tools important to keep this country safe. And Congress is sleeping in.

Many of us came to Washington sacrificing a good, normal lifestyle in our respective States' districts to serve this nation and work hard to help make America stronger, but we're not being given a chance to do our job. Kansans have been asking me for months, "What is the government going to do about the rising cost of gas?" In April 2006, the Democrat house leadership assured Americans they "have a commonsense plan to help bring down skyrocketing gas prices." Well, Mr. Speaker, it is time for the Democrat leadership to unveil this plan. Since 2007 when the Democrats took control of the House, gas prices have risen 50 percent. We have \$4 a gallon, going to \$5.

Today we hear that the House Democrat leadership has intentions to bring a \$250 billion supplemental on the American people without proper input from Congress. I guess we don't have time. Congress is sleeping in till noon. As a body, Republicans and Democrats are very proud of our responsibility to oversee the power of the purse, but the Democrat leadership has completely undermined that power.

What is this defense supplemental appropriations bill about? We don't know. Nor does the chairman of the respective appropriations subcommittees. Why? Because the Speaker doesn't think it's important for Members of Congress to weigh in and oversee the appropriations process. We don't know

if this package will give our men and women in uniform the resources that they need to protect themselves. We don't know if this package will address price of gasoline or the price of food. We don't know if this package will ensure that our veterans are properly taken care of.

The experts, the men and women, Democrat and Republican, who serve in Congress on the committee could answer these questions. We spend time overseeing the process, the funding needs of our agencies, but we've been cut out of the process. In other words, the people's representatives have been cut out of the process. How do the American people feel about a \$250 billion monstrosity that has no input from their representatives? Unless you're from San Francisco, who will be represented in this bill?

Mr. Speaker, the chairman of the House Appropriations Committee, DAVID OBEY, and I are friends. Last year, as a part of overseeing the national park system, we went to Death Valley National Park in California. As fate would have it on that very hot day, we took a drive into Death Valley and the truck that we were in that the Park Service gave us had not one, not two, but three flat tires. With the capable assistance of Rob Nabors, the committee staff director, Chairman OBEY and I changed all the flat tires and got ourselves back on the road. By working together we got it back on the road.

In many respects, the development of the emergency supplemental reminds me of that day in Death Valley. The environment on the House floor is hot and getting hotter every minute. The Democrat leadership is having a very difficult time getting this legislation on the road. I believe Chairman OBEY would have better success if he enlisted the assistance of his fellow appropriators, Democrats and Republicans. Let us work together on this legislative vehicle, together through the normal process, as we did on that hot day in Death Valley last year.

This has been the most disappointing Congress in recent memory. The Democrat leadership shirks their duty to tackle the real issues facing American families. They've left Congress out of the workload. It's no wonder that we have the lowest approval ratings in history. A banana republic could not do it better. Mr. Speaker, don't slip on the banana peel.

HONORING THE LIFE OF SCOTT BURNS DURING NATIONAL POLICE WEEK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 5 minutes.

Mr. GOHMERT. Thank you, Mr. Speaker.

Mr. Speaker, next week is National Police Week, a time for us to recognize those who boldly serve in municipal, county, State and Federal law enforcement. Furthermore, on May 15, we will

observe National Peace Officers Memorial Day to honor those who have been disabled or killed in the line of duty. They have made the ultimate sacrifice for the safety of their fellow citizens.

The peace of mind we are afforded thanks to the dedicated service of our law officers is invaluable, but many times we aren't immediately aware at what price that security comes. However, this past weekend, my constituents and I were painfully reminded me of the very real danger that our law enforcement officers and agents battle daily. On Saturday, May 3, hundreds and hundreds of us mourned the loss of Texas State Trooper James Scott Burns at his funeral in Linden. Scott was killed by shotgun blasts from a killer who he chased and pulled over on April 29 while doing his job of service to his fellow citizens. He left a widow and a 6-month-old daughter, of whom he was extremely proud. He also left a huge family that was both related by blood and related by spirit who care deeply about him.

The overwhelming support shown by family, friends and fellow law enforcement officers was truly a testament to Trooper Burns' lovable nature, his sense of humor, his honorable character, but most important his sense of service for others. His loving family is now forced to carry on without him and the world is worse off without him unless we perpetuate the good that he did in his life through the things that we do in the future so that he will not have lived in vain. Though Scott's being killed by the possibly drug-crazed killer meant that others were not also killed, Scott's greatest contribution came not in the way that he died but in the way that he lived.

The extraordinary choice by Scott Burns and other law officers to protect our communities means that they go to work every day knowing and believing the words that came from Jesus himself when He said, "Greater love hath no one than this, that a person lay down his life for his friends."

Our law enforcement officers dedicate themselves to protecting citizens knowing that they may very well lay down their lives to protect others. No words can adequately express the gratitude that's due them. Scott's family will hopefully find solace from so many who showed their support in the past and will do so in the future. The fact that the funeral processional extended for so many, many miles down Highway 59 from Linden to the cemetery will hopefully provide some solace. It also shows that those who are affected by Scott and his life will not forget. Law officers from around east Texas, from the State of Texas at large as well as from all over the country came and were there.

As a former prosecutor, a former judge and chief justice and now as a member of the House Judiciary Committee and ranking member of the Subcommittee on Crime, Terrorism, and Homeland Security, it is both a sobering privilege and a priority to address

issues and legislation regarding the security of our law enforcement community and the American people. There is no greater function of the Federal Government than to provide for the common defense against all enemies, both foreign and domestic.

Therefore, it is imperative that we work to support our law enforcement officers and agents and their families by providing them with the training and resources they need to properly carry out their duties. Furthermore, there should be greater incentives in place to encourage harsher sentences for violent offenders who might otherwise be released to the streets and repeat dangerous offenses.

While law enforcement officers risk their own safety every day for the well-being of our Nation and local communities, Congress must do as much as possible to ensure the preparedness and security of our noble crime fighters. As we prepare next week to nationally honor the courage of police officers like our own Texas State Trooper Scott Burns, let us consider the well-being of our law enforcement officers and their families with the same persistence and selflessness with which they afford us.

WE NEED AN ENERGY PLAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Missouri (Mr. AKIN) for 1 minute.

Mr. AKIN. Thank you, Mr. Speaker.

In the last little more than a year, gasoline prices have gone up \$1.33 cents a gallon. That's a larger increase than what we've had over the previous 5 years before that. The Democrat leadership said that they had a plan at that time, this is a year ago, to keep the gas prices from going up. Yet the gas prices have gone up.

Now I don't think the American public wants us to bicker between parties. They want us to be solving problems. And I don't believe it's the Democrats' fault necessarily that the gas prices have gone up internationally. But what is a problem is that we're not dealing with the problem. What we should be talking about is how do we move off of our dependence on foreign oil to American energy? What we should be seeing would be movement in the direction, depending on which way people want to go, additional refinement capacity. There have been no new refineries built in over 30 years. Investment in new nuclear technology. Our nuclear technology is old, many, many years old. It's a good source of energy. The idea of getting liquid fuel from coal. We have tremendous coal resources. Shouldn't there be something being done in that area?

But nothing in any of these areas. A lack of a plan is unacceptable. It's not the Democrats' fault that gas prices go up, but it is a problem when we don't have a plan.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 58 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. TAUSCHER) at noon.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Eternal Father, drawing us ever closer to You, the spring rains make us mindful of Your presence in our lives.

Water comes down from the heavens as rain. Although it is always the same itself, it produces so many different effects. One in the tree, another in the rose bush, still another in the vine, and so in the whole of creation. Remaining essentially the same, the rain adapts itself to the needs of each creature that receives it with the openness of absorbing life.

In the same way, Your Spirit, Lord, remaining absolutely simple in its integrity, apports its grace upon each Member of Congress. Your Spirit makes one a teacher of honest facts; another a visionary of the future; to another, the ability to remove obstacles; and yet another the art of compromise. Still others respond with a depth of spirituality and service not easily recognized.

May all respond to this plenitude and accomplish great deeds for this Nation, revealing Your glory at work in the world now and forever.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. LATTA. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. 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.

Mr. LATTA. 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. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Virginia (Mr. MORAN) come forward and lead the House in the Pledge of Allegiance.

Mr. MORAN of Virginia led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

WHO'S THE "CHUMP" IN THE OIL GAME?

(Mr. MORAN of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN of Virginia. Madam Speaker, we have a situation today where Americans are paying almost \$4 a gallon for gasoline. This morning, Goldman Sachs announced that oil is going to go up to \$150 to \$200 a barrel, which means that it is not going to stop at \$4. It will be about \$5 or \$6.

Now, think about this: This is a tremendous boom to Iran and Iraq. Iran will gain enormous wealth and political influence. Iraq will get even more revenue than the \$72 billion they're anticipating this year. They got \$100 billion over the last couple of years, much of it our money.

And yet Americans have already contributed over half a trillion dollars to Iraq's economy. Within the next couple of weeks, we'll appropriate another \$170 billion. Iraqis are getting a surplus of oil revenue from us and yet we are paying to pick up their garbage and train their security forces when they've got surpluses they don't even know what to do with.

Who's the chump in this picture, Madam Speaker?

LET'S BE CAUTIOUS WITH MORTGAGE BAIL-OUT PROGRAMS

(Mr. NEUGEBAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEUGEBAUER. Madam Speaker, before I came to Congress, I had an opportunity to serve my constituents in a different way. I was a home builder, a land developer, and even a mortgage lender. I know firsthand some of the problems that the real estate industry and the housing industry is facing today.

Ninety-four percent of the American homeowners are paying their mortgage

payments on time and in full. Are some people having a hard time making these mortgage payments? Of course they are. Can the government help? Yes, in some cases. But I urge my colleagues to be very careful here. We do not need for the Federal Government to be the piggy bank for folks that made poor decisions or to bail out the lenders that made loans to people that really didn't have the capacity to pay it back. It is not fair to penalize those folks that made good decisions and played by the rules by taking their tax money and rewarding those who didn't.

For many of my constituents, they are having a hard time just making their own mortgage payment. What we shouldn't be doing is taking their tax money to pay their neighbor's payment.

Madam Speaker, I encourage folks to be very cautious about these bail-out programs.

STUDY REVEALS MIDDLE CLASS WORSE OFF THAN THEY WERE FIVE YEARS AGO

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

Mr. PERLMUTTER. Madam Speaker, 7 years of President Bush's economic policies have put a tremendous strain on middle-class families. Since 2001, health care premiums have gone up almost \$6,000, college tuition has increased by \$2,500, and gas prices have more than doubled. With these increases and paychecks that have, on the average, fallen, it's no wonder that the majority of Americans say their economic situation has not improved in the last 5 years.

While the Bush administration is eager to give tax breaks to the wealthiest of Americans and assist Wall Street firms like Bear Stearns, it does little to help middle-class families. Madam Speaker, the Democratic House recognizes the immediate need to help middle-class families, and that is why our budget prioritized middle-class tax relief and why we are proposing a second economic stimulus package.

It's time for President Bush to put the middle class ahead of the wealthiest few.

WHEN WILL THE DEMOCRAT LEADERSHIP KEEP ITS COMMITMENT TO RURAL COMMUNITIES

(Mr. WALDEN of Oregon asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALDEN of Oregon. Madam Speaker, by refusing to renew the county payments program, Congress has broken its pledge to rural areas all across this country like Grant County, Oregon, where Federal land covers 61 percent of the county. That's 300 square miles larger than the entire State of Delaware.

The school children of Grant County rely on the Federal Government to be a

good neighbor. During my most recent visit to Prairie City School and the eighth grade class of Andy Demko, I was told by the school superintendent, Newell Cleaver, that only the county payments funds through the Road Department have kept the schools going.

Our Speaker has said she would like this to be "The Children's Congress." So why won't the Democratic leadership bring a vote on H.R. 3058, which is a bipartisan, 4-year reauthorization timber program, keeping a 100-year-old commitment from this government to these counties?

It has been 112 days since H.R. 3058 was made eligible for a vote. It's here on the Union Calendar of the House. We have had 51 legislative days when it could have been brought up for a vote to help secure rural schools, and yet the leadership of this House refuses to even schedule it for a vote on the House floor.

When will the Democrat leadership of the House keep its commitment to rural communities?

URGING THE PRESIDENT TO STOP FILLING THE STRATEGIC PETROLEUM RESERVE

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

Mr. WILSON of Ohio. Madam Speaker, as gas prices have once again hit record highs, congressional Democrats are urging President Bush to take action. For 7 years he has sat on the sidelines, and even last week at a press conference in the Rose Garden, he concluded that the cost-benefit analysis of immediate action for consumers were not persuasive enough for him to act.

House Democrats are calling on President Bush to stop filling the Strategic Petroleum Reserve. This reserve is 97 percent full, which is more than enough to meet any emergency we would have. Experts believe that tapping the reserve could lower our gas prices by as much as 5 cents to 25 cents per gallon.

Right now, Americans need help. They're hurting. President Bush could take action today that would provide immediate relief to consumers at the pump, but he refuses to act. Once again, House Democrats urge the President to reconsider.

HOOSIERS VOTE WITH MORE CONFIDENCE TODAY

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Madam Speaker, today America's eyes are turning to Indiana and North Carolina as tens of thousands of Americans are making their decision in primary election days. And thanks to the United States Supreme Court decision in Crawford v. Marion County Election Board, et al., Hoosiers will be voting today with greater confidence than ever before.

The Supreme Court decided last week in a 6-3 decision that Indiana's laws requiring photo identification to vote is constitutional. In its opinion, the Supreme Court noted, "There is no question about the legitimacy or importance of a State's interest in counting only eligible voters' votes." It further stated, "Indiana's interest in protecting public confidence in elections, while closely related to its interest in preventing voter fraud, has independent significance, because such confidence encourages citizen participation in the democratic process."

Indiana's laws had its critics in this body, but I rise to extol the Supreme Court and all of those in Indiana and North Carolina who, with greater confidence today, will exercise their franchise and guide America's future integrity.

TIME FOR ACTION ON RECORD GAS PRICES

(Mr. WELCH of Vermont asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELCH of Vermont. Madam Speaker, for the past 7 years, President Bush has been delivering an energy policy that has resulted in the highest increase in the cost of energy in the history of this country. Last week, the President continued his call for more of the same when he touted an old plan for domestic drilling in the Arctic that would produce a 6-month supply of oil 10 years from now. It is not going to do anything about the price at the pump now, it is not going to do anything about the price at the pump later.

Instead, the President is blaming congressional Democrats for not addressing the problem, but it's the President who won't suspend purchases of the Strategic Petroleum Reserve which would bring down prices 25 cents immediately. It's the President who won't work with us to get rid of the Enron loophole which is enriching speculators and clobbering middle class families.

This year, in fact, the Democratic Congress has passed energy legislation that's getting nowhere because of being held hostage in the Senate and it has no support from the President of the United States.

The reality is that we have actions we can take in the short term, the Strategic Petroleum Reserve, the Enron loophole, and in the long term, to reduce our reliance on carbon.

INVEST IN AMERICAN ENERGY INDEPENDENCE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, Americans are paying the price at the pump for the inaction of this majority. Democrats promised

the American people 2 years ago last week that they had a plan to address rising gas prices. It appears that plan was nothing more than election year politics. That's a shame because right now, Americans are paying nearly \$4 a gallon for gas. The effect of these rising prices is felt not just when we fill up our tank. We see the rising prices at the grocery store because our food is shipped in trucks all across this country.

The American people do not expect a quick fix, but they do expect us to work toward energy independence rather than simply pointing fingers and blame. We live in a global market and many nations are competing for oil. Let's start by promoting American alternative energy. Let's invest in American oil. Let's advance American energy exploration. The co-ops of America, led by National President Jack Wolfe, are leading the way.

In conclusion, God bless our troops, and we will never forget September the 11th.

□ 1215

COMPREHENSIVE HOUSING REFORM

(Mr. HODES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HODES. Madam Speaker, there's no doubt that the housing crisis and the consumer credit crunch are getting worse. Last week, we learned that the number of homes facing foreclosure more than doubled from last year. In my home State of New Hampshire, foreclosures have increased nearly 96 percent.

That is why it is so important that Congress pass the comprehensive housing package that is coming to the floor this week. The legislation is the most innovative and comprehensive solution to the housing crisis yet. It will give relief to the millions of working families struggling to pay their mortgage with the rising price of gas and food. It would help nearly 1.5 million Americans in need. Our package would also offer assistance to State and localities to purchase and rehabilitate foreclosed properties.

Madam Speaker, our economy cannot rebound unless we act now to give relief to millions of Americans in need. We have a bold proposal to take this decisive action. I certainly hope that my colleagues on the other side of the aisle understand the urgent need and that we will receive bipartisan support for this proposal.

POLL RESULTS: MEDIA NOT OBJECTIVE

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Madam Speaker, during a telephone town meeting

last night, I asked my constituents, "Do you think the media are fair and objective in their news coverage?" Ninety-one percent of the almost 400 respondents said the media are not fair, and only 7 percent said that they are fair.

This is an amazing result but not a surprising one, since slanted coverage pervades much of the news Americans get every day.

One of the greatest threats America faces is a biased media. If the American people don't get the facts, they can't make good decisions. And if they can't make good decisions, we won't have a democracy.

The national media need to let the American people make up their own minds, not tell them what to think.

ISRAEL'S 60TH ANNIVERSARY CELEBRATION

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Madam Speaker, today we have an opportunity to signify an important milestone in Israel's history. We celebrate its 60th anniversary, a truly important time in Jewish history.

My district in the San Joaquin Valley is the bread basket of the Nation, but we have a unique relationship between California State University at Fresno and Ben Gurion University of the Negev. My constituents for years have been partnering with their counterparts in Israel to research water, irrigation technologies and agricultural solutions to problems that face our world.

Fresno State has a long history in working with many leading drip and micro-irrigation equipment manufacturers in Israel, and the university has a long history of exchange of information with the Agricultural Research Organization's Volcani Center in Israel, including exchange programs that have brought research scientists to work on water and salinity issues.

Fresno State continues today to have discussions with Israeli researchers and industry on how to extend a beneficial use of the world's ever shrinking supply of water for the important purpose of feeding our world.

For this and many other reasons, we recognize and celebrate the 60th anniversary of the Nation of Israel.

FAILURE TO PASS THE COLOMBIA TRADE AGREEMENT HAS INCREASED THE COST OF U.S. EXPORTS BY MORE THAN \$1 BILLION

(Mr. WELLER of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELLER of Illinois. Madam Speaker, I rise today to ask this House, why do we continue to punish Illinois and U.S. manufacturers and farmers?

In the 531 days since the U.S.-Colombia Trade Promotion Agreement was signed, U.S. products exported to Colombia have suffered over \$1 billion in taxes and tariffs because they were exported to the United States through Colombia. And during that period of time, Colombian products entering the United States come in duty free. That doesn't seem fair.

We have an agreement with Colombia to eliminate those tariffs, and every day we delay it costs almost \$190 million a week in higher tariffs on U.S.-made products.

The U.S.-Colombia Trade Promotion Agreement is good for States like Illinois. I represent a State that's dependent on exports. Our biggest product we produce in the district I represent, we have 8,000 union workers who produce yellow bulldozers and construction equipment, something that's common and in need in places like Colombia.

Let's be competitive. Let's eliminate those tariffs. Let's bring up for a vote the U.S.-Colombia Trade Promotion Agreement.

NATIONAL TEACHER DAY

(Mrs. CAPPAS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPAS. Madam Speaker, on this National Teacher Day, I rise to single out just one of the many talented teachers in my congressional district.

Libby Anderson teaches second grade at Grover Heights Elementary School in Grover Beach. It's a national blue ribbon school. She is one of those gifted teachers with a truly unique way of igniting the interest of her students.

A few years ago, she led a class project where each student picked a lighthouse to study from around the country. Through that project one student learned of the Federal efforts to restore the Piedras Blancas lighthouse in my district.

Under her guidance, the class embarked on a campaign called "Pennies for Piedras" to raise money toward this effort. By the end of that school year, the students had raised \$1,337.30 in pennies.

I'm happy to say that her students have gone on to lead support for continued restoration of this special place.

This is just one example of the many exceptional ways this teacher touched the lives of her students and expanded their awareness of their community.

Our country is blessed to have teachers like Ms. Anderson who spark students' passions, encouraging them to get involved in the world around them.

ENERGY PRICES

(Mr. LATTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LATTA. Madam Speaker, with no relief in sight for the American public as they continue to endure the costs

of skyrocketing energy costs, it's once again time to look at alternative sources to combat this problem.

China has plans to build 40 nuclear power plants in the next 15 years, investing approximately \$50 billion in these reactors.

The United States has not licensed a nuclear power plant in 30 years, while the current congressional leadership refuses to even consider the notion of nuclear power as a viable alternative energy source.

Of course we don't have to leave my home State of Ohio to find additional ways to increase domestic energy production. In northwest Ohio, alternative energy is abundant with the only wind turbines in the State, solar panel production, and coal liquefaction technology all adding to our energy production.

Whether we look at other countries, or in our own backyard, we must embrace alternative energy sources as one way to reduce our dependency on Middle Eastern oil and combat skyrocketing energy prices.

HOUSING FORECLOSURE CRISIS

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Madam Speaker, Federal Chairman Ben Bernanke says Congress should do more to address the housing foreclosure crisis. I agree.

However, let me respectfully suggest to the Fed Chairman that he, too, can do much more to help. Let him use his considerable power to bring to the table the very big banks that aren't coming to do foreclosure workouts at the local level. They just happen to be the firms the Fed has been rewarding handsomely by injecting billions and billions of dollars to rescue them. You know the names: Citigroup, J.P. Morgan Chase, Bank of America, Wachovia. Firms like Countrywide don't even show up when borrowers at the local level try to renegotiate their loans. Yet, the Federal Reserve has been rewarding them by putting them on their list of select primary dealers. Fancy that.

So, Mr. Bernanke, let me help you out. Here's a list of the firms you can invite right now. They're not responding to Ohioans witnessing foreclosure: Countrywide, Chase Mortgage, Citifinancial, GMAC, HSBC, Sovereign Bank, Indy Mac Bank, Popular Mortgage, Nova Star, Saxon Mortgage Services, Option One Mortgage, EMC Mortgage, ASC Servicing, HomeEq, Wilshire, Nationstar, Equifirst, Litton Loan, Flagstar.

Let's be honest. These mega firms are holding the levers of power over our homeowners. It's time the scales of justice had balance restored on behalf of our people.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

HOUSTON POLICE OFFICER RODNEY JOHNSON

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

Mr. POE. Madam Speaker, Houston Police Officer Rodney Johnson was the best of the best, but he was killed by the worst of the worst.

An illegal outlaw from Mexico, Juan Leonardo Quintero-Perez, shot Officer Johnson four times in the back of the head after a routine traffic stop. Officer Johnson would still be alive today, enjoying time with his five children and his wife, Joslyn, a fellow Houston police officer, if our border was protected.

This lawless trespasser had already been deported for indecency with a child in 1998, but he sneaked across the border again to continue his crime spree. After coming to Houston, Quintero finally confessed to murdering one of Houston's finest.

Today, Quintero is on trial for capital murder in Houston, but the Mexican government, rather than pay restitution to the Johnson family, is paying for the battery of defense lawyers representing this cold-blooded cop killer.

Mexico is meddling in the U.S. court system, but Juan Quintero cannot miss his judgment day and his day with his Maker, because justice is what we do in America, even if the Mexican government doesn't like it.

And that's just the way it is.

BUILDING A BETTER NATION

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

Mr. KAGEN. Madam Speaker, last week the Labor Department reported that for the fourth month in a row our jobs are going south. We are losing more jobs, even as the middle class is struggling just to keep their heads above water.

We're in this mess because the Bush administration and its followers have failed to establish a fiscally responsible budget policy and are continuing to borrow and spend our Nation into the poor house.

In response to this downturn, Democrats are taking action. Today, we're holding an economic summit to determine how best to restore our ailing economy. Also this week we're going to begin to put together a second economic recovery effort directed at rebuilding America's infrastructure, first by enacting a housing package to help establish the floor in the housing market, and then we intend to invest in higher wage construction jobs that will stimulate local economies nationwide.

I hope my colleagues in both parties will join us in this effort to build a better Nation here at home and that, furthermore, the President will understand how important this is and sign the bill we intend to enact.

WASTE TO ENERGY

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Madam Speaker, yesterday I visited a waste-to-energy facility in Lancaster County, Pennsylvania, and concluded, once again, Lancaster County gets it right.

This facility is a great example of the kind of ingenuity that we need to put America on a path toward energy independence, and it is disposing of waste at the same time. The plant burns solid waste at very hot temperatures, using the heat to turn water into steam which is used to turn a turbine and create electricity.

Ninety percent of that electricity is sold to the local electric utility. Metals, glass and plastics are recycled out in the process.

This process is saving pollution from ending up in the Chesapeake Bay. It's saving land by reducing the need for landfills, and it's creating clean energy in the process.

One ton of solid waste has the energy equivalent of 1 barrel of oil. Last year, over 342,000 tons of waste were processed at the facility, and I'm told that something like 30,000 tons of trash a day is trucked out of New York City to landfills.

Maybe our State and community leaders should take a cue from the people of Lancaster County as we search for more energy to meet our needs.

RECORD HIGH GAS PRICES REQUIRE ACTION, NOT BLAME

(Mr. BRALEY of Iowa asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRALEY of Iowa. Madam Speaker, the price of gasoline is now averaging over \$3.60 a gallon. House Democrats are working to provide some relief, but we face stiff opposition from the White House and congressional Republicans who have opposed every single energy bill that we have brought to the floor this year. When it comes to energy, the GOP doesn't want to work with us. They simply want to say "no."

When Democrats voted to repeal unnecessary subsidies to big oil companies so we could instead invest in clean, renewable energy, Republicans overwhelmingly voted "no." It didn't matter that the legislation would reduce our dependence on foreign oil, lower prices at the pump and create new, green jobs. They still preferred the status quo.

When Democrats passed the Energy Price Gouging Act to punish those who

take advantage of these record prices by increasing them even further, Republicans overwhelmingly voted “no.”

Madam Speaker, Democrats understand the hardship that families are facing every time they go to the gas station, and that is why we’ve passed six bills that would provide real relief to consumers.

It’s time Republicans realized that “no” is not an energy strategy.

□ 1230

KYLA BASS

(Mr. DAVIS of Kentucky asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Kentucky. Madam Speaker, I rise to recognize Ms. Kyla Bass of Florence, Kentucky. On February 13, 2008, Kyla distinguished herself when her father, Patrick Bass, a Desert Storm veteran, suffered a seizure.

In a display of courage, maturity and composure that far exceeded her 10 years of age, Kyla responded to the emergency quickly and effectively. She administered first aid and then called her mother and grandfather, while simultaneously caring for her younger brother and two cousins who were at home at the time of the emergency.

Kyla attributes her quick thinking and first aid proficiency to the skills she learned in American Heritage Girls Troop KY0727. American Heritage Girls is dedicated to developing young women through service to God, family, community and country.

In recognition of Kyla’s heroism, American Heritage Girls has created the Angel Among Us award, which Kyla will receive during the regional awards ceremony on May 16. Her self-control during this event is impressive. Kyla, we’re proud of you. Madam Speaker I ask you to join me in commending Kyla Bass for her outstanding actions and character.

“MISSION ACCOMPLISHED”?

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. May 1, just last Thursday, was the fifth anniversary of the famous words, “Mission Accomplished.” What a tragedy, when April was the most deadliest month in Iraq that we have seen in a number of months.

Madam Speaker, I rise today to ask the administration to recognize that this unending war must end. And in the backdrop of a newspaper article that suggests that the administration is looking at a \$500 million development of hotels and restaurants and amusement parks in Baghdad, I ask the administration, do they get it? That’s why it’s important for us to support an amendment in the emergency supple-

mental that says we will bring our troops home with honor. This will go into effect one month after this legislation is passed.

Seven months, deadliest, April, troops dying. This kind of war cannot be an unending war. And so we refuse to give more blank checks to Iraq. We thank our soldiers on the front lines of Iraq and Afghanistan, the war we should win. Bring our troops home with honor. Vote for this amendment. And let’s not focus on a \$500 million development of hotels and restaurants in Iraq—what are we thinking about?—Let’s bring the troops home!

AS JOB LOSSES CONTINUE IN APRIL, DEMOCRATS CONTINUE TO WORK TO STIMULATE THE ECONOMY

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

Mr. PALLONE. Madam Speaker, as the first quarter of 2008 ended, it was clear that things are not getting any better for American families struggling to make ends meet. Americans continue to face higher costs for basic necessities, millions of families have lost their homes due to the troubled real estate market, and several million more Americans are uninsured.

Last week, we also learned that April was the fourth month in a row that our economy lost jobs. With 20,000 jobs lost last month, our economy has now shed 260,000 jobs so far this year. That’s particularly troublesome considering that experts say the economy must create 150,000 jobs a month just to keep up with the number of Americans entering the job market.

All of these red flags show why it is so important that we worked together in a bipartisan fashion earlier this year to pass the economic stimulus package. As a result of that action, 150 million taxpayers began receiving rebate checks last week. That was a good start, but more needs to be done.

Madam Speaker, with so many Americans struggling and the bad economic news continuing to mount, we urge the President and the Republicans to join us to pass a second economic stimulus package.

MOTION TO ADJOURN

Mr. WALSH of New York. Madam Speaker, I move that the House do now adjourn.

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

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

Mr. WALSH of New York. Madam 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 adjourn will be followed by 5-minute votes on

approval of the Journal; and the motion to instruct on H.R. 2419 offered by the gentleman from Wisconsin (Mr. RYAN).

The vote was taken by electronic device, and there were—yeas 152, nays 255, not voting 24, as follows:

[Roll No. 245]

YEAS—152

Aderholt	Gilchrest	Petri
Akin	Gingrey	Pickering
Alexander	Goode	Pitts
Bachmann	Goodlatte	Porter
Bachus	Granger	Price (GA)
Barrett (SC)	Graves	Putnam
Bartlett (MD)	Hall (TX)	Regula
Barton (TX)	Hastings (WA)	Rehberg
Biggert	Hayes	Reichert
Bilbray	Heller	Renzi
Bilirakis	Hensarling	Reynolds
Bishop (UT)	Hergert	Rogers (AL)
Blackburn	Hobson	Rogers (KY)
Blunt	Hoekstra	Rogers (MI)
Boehner	Hunter	Rohrabacher
Bonner	Inglis (SC)	Ros-Lehtinen
Boozman	Issa	Roskam
Boustany	Johnson (IL)	Royce
Broun (GA)	Johnson, Sam	Ryan (WI)
Calvert	Keller	Schmidt
Cannon	King (IA)	Sensenbrenner
Cantor	King (NY)	Sessions
Capito	Kline (MN)	Shadegg
Carter	Knollenberg	Shays
Castle	LaHood	Shea-Porter
Chabot	Lamborn	Shimkus
Crenshaw	Latham	Shuster
Cubin	LaTourette	Simpson
Culberson	Latta	Smith (NE)
Davis (KY)	Lewis (CA)	Smith (TX)
Davis, David	Lewis (KY)	Souder
Davis, Tom	Lucas	Tancredo
Deal (GA)	Lungren, Daniel	Thornberry
Dent	E	Tiahrt
Diaz-Balart, L.	Marchant	Turner
Diaz-Balart, M.	McCarthy (CA)	Upton
Doolittle	McCaul (TX)	Walberg
Drake	McCrery	Walden (OR)
Duncan	McKeon	Walsh (NY)
Emerson	McMorris	Wamp
English (PA)	Rodgers	Weldon (FL)
Fallin	Mica	Weller
Feeney	Miller (FL)	Westmoreland
Flake	Miller (MI)	Whitfield (KY)
Forbes	Miller, Gary	Wilson (NM)
Fossella	Musgrave	Wilson (SC)
Fox	Myrick	Wittman (VA)
Franks (AZ)	Neugebauer	Wolf
Frelinghuysen	Nunes	Young (AK)
Gallely	Paul	Young (FL)
Garrett (NJ)	Pearce	
Gerlach	Pence	

NAYS—255

Abercrombie	Capuano	Doyle
Ackerman	Cardoza	Dreier
Allen	Carnahan	Edwards
Altmire	Carney	Ehlers
Arcuri	Castor	Ellison
Baca	Chandler	Ellsworth
Baldwin	Clarke	Emanuel
Barrow	Clay	Engel
Bean	Cleaver	Eshoo
Becerra	Clyburn	Etheridge
Berkley	Coble	Everett
Berman	Cohen	Farr
Berry	Cole (OK)	Fattah
Bishop (GA)	Conaway	Finer
Bishop (NY)	Conyers	Fortenberry
Blumenauer	Cooper	Foster
Bono	Costa	Frank (MA)
Boren	Costello	Giffords
Boswell	Courtney	Gillibrand
Boucher	Crowley	Gohmert
Boyd (FL)	Cuellar	Gonzalez
Boyd (KS)	Cummings	Gordon
Brady (PA)	Davis (AL)	Green, Al
Brady (TX)	Davis (CA)	Green, Gene
Brale	Davis (IL)	Grijalva
Brown (SC)	Davis, Lincoln	Gutierrez
Brown, Corrine	DeFazio	Hall (NY)
Brown-Waite,	DeGette	Hare
Ginny	DeLauro	Harman
Buchanan	DeLauro	Hastings (FL)
Burgess	Dicks	Herseth Sandlin
Buyer	Doggett	Higgins
Capps	Donnelly	Hill

Hinchey	McGovern	Saxton
Hinojosa	McHugh	Schakowsky
Hirono	McIntyre	Schiff
Hodes	McNerney	Schwartz
Holden	McNulty	Scott (GA)
Holt	Meek (FL)	Scott (VA)
Honda	Meeks (NY)	Serrano
Hooley	Melancon	Sestak
Hoyer	Michaud	Sherman
Inslee	Miller (NC)	Sires
Israel	Mitchell	Skelton
Jackson (IL)	Mollohan	Slaughter
Jackson-Lee	Moore (KS)	Smith (NJ)
(TX)	Moore (WI)	Smith (WA)
Jefferson	Moran (KS)	Snyder
Johnson (GA)	Moran (VA)	Solis
Johnson, E. B.	Murphy (CT)	Space
Jordan	Murphy, Patrick	Spratt
Kagen	Murphy, Tim	Stark
Kanjorski	Murtha	Stearns
Kaptur	Nadler	Stupak
Kennedy	Napolitano	Sullivan
Kildee	Neal (MA)	Sutton
Kilpatrick	Obey	Tanner
Kind	Oliver	Tauscher
Kingston	Ortiz	Taylor
Kirk	Pallone	Terry
Klein (FL)	Pascrell	Thompson (CA)
Kucinich	Pastor	Thompson (MS)
Lampson	Payne	Tiberi
Langevin	Perlmutter	Tierney
Larsen (WA)	Peterson (MN)	Towns
Larson (CT)	Platts	Tsongas
Lee	Poe	Udall (CO)
Levin	Pomeroy	Udall (NM)
Lewis (GA)	Price (NC)	Van Hollen
Linder	Radanovich	Velázquez
Lipinski	Rahall	Bishop (GA)
LoBiondo	Ramstad	Bishop (NY)
Loeb sack	Rangel	Hoyer
Lofgren, Zoe	Reyes	Inslee
Lowey	Richardson	Israel
Lynch	Rodriguez	Jackson (IL)
Mack	Ross	Jackson-Lee
Mahoney (FL)	Rothman	(TX)
Maloney (NY)	Roybal-Allard	Jefferson
Manzullo	Ruppersberger	Johnson (GA)
Markey	Ryan (OH)	Johnson (IL)
Matheson	Salazar	Johnson, E. B.
Matsui	Sali	Kagen
McCarthy (NY)	Sánchez, Linda	Kanjorski
McCollum (MN)	T.	Kaptur
McCotter	Sánchez, Loretta	Kennedy
McDermott	Sarbanes	Kildee
		Kilpatrick
		Castle
		Castor
		Chandler
		Clarke
		Klein (FL)
		Clay
		Cleaver
		Clyburn
		Cohen
		Langevin
		Larsen (WA)
		Larson (CT)
		Lee
		Costa
		Costello
		Courtney
		Crowley
		Cubin
		Cuellar
		Cummings
		Davis (AL)
		Davis (CA)
		Davis (IL)
		Davis, Lincoln
		DeFazio
		DeGette
		DeLauro
		Dent
		Doggett
		Doyle
		Dreier
		Edwards
		Ellison
		Emanuel
		Engel
		Eshoo
		Etheridge
		Farr
		Fattah
		Filner
		Foster
		Frank (MA)
		Gillibrand
		Gonzalez
		Graves
		Green, Al
		Green, Gene
		Grijalva
		Abercrombie
		Ackerman
		Allen
		Arcuri
		Baca
		Baird
		Baldwin
		Barrow
		Bean
		Becerra
		Berkley
		Berman
		Berry
		Honda
		Hooley
		Hoyer
		Inslee
		Israel
		Jackson (IL)
		Jackson-Lee
		(TX)
		Jefferson
		Johnson (GA)
		Johnson (IL)
		Johnson, E. B.
		Kagen
		Kanjorski
		Kaptur
		Kennedy
		Kildee
		Kilpatrick
		Kind
		King (NY)
		Kingston
		Kirk
		Klein (FL)
		Clay
		Cleaver
		Clyburn
		Cohen
		Langevin
		Larsen (WA)
		Larson (CT)
		Lee
		Costa
		Costello
		Courtney
		Crowley
		Cubin
		Cuellar
		Cummings
		Davis (AL)
		Davis (CA)
		Davis (IL)
		Davis, Lincoln
		DeFazio
		DeGette
		DeLauro
		Dent
		Doggett
		Doyle
		Dreier
		Edwards
		Ellison
		Emanuel
		Engel
		Eshoo
		Etheridge
		Farr
		Fattah
		Filner
		Foster
		Frank (MA)
		Gillibrand
		Gonzalez
		Graves
		Green, Al
		Green, Gene
		Grijalva

NOT VOTING—24

Andrews	Dingell	Miller, George
Baird	Ferguson	Oberstar
Burton (IN)	Hulshof	Peterson (PA)
Butterfield	Jones (NC)	Pryce (OH)
Camp (MI)	Jones (OH)	Rush
Campbell (CA)	Kuhl (NY)	Shuler
Carson	Marshall	Speier
Cramer	McHenry	Wynn

□ 1304

Messrs. GENE GREEN of Texas, STUPAK, MACK, TOWNS, CARNEY, PALLONE, HOYER and Ms. BOYDA of Kansas changed their vote from “yea” to “nay.”

Ms. FALLIN, Mr. ROGERS of Alabama and Mr. HAYES changed their vote from “nay” to “yea.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

THE JOURNAL

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. WAMP. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 220, noes 182, answered “present” 1, not voting 28, as follows:

[Roll No. 246]

AYES—220

Abercrombie	Gutierrez	Neal (MA)
Ackerman	Hall (NY)	Obey
Allen	Hare	Oliver
Arcuri	Harman	Ortiz
Baca	Hastings (FL)	Pallone
Baird	Herseth Sandlin	Pascrell
Baldwin	Higgins	Pastor
Barrow	Hinchey	Paul
Bean	Hinojosa	Perlmutter
Becerra	Hodes	Pomeroy
Berkley	Holden	Price (NC)
Berman	Holt	Rahall
Berry	Honda	Rangel
Bishop (GA)	Hooley	Reichert
Bishop (NY)	Hoyer	Reyes
Blumenauer	Inslee	Richardson
Boren	Israel	Rodriguez
Boswell	Jackson (IL)	Ross
Boucher	Jackson-Lee	Rothman
Boyd (FL)	(TX)	Roybal-Allard
Boyda (KS)	Jefferson	Ruppersberger
Brady (PA)	Johnson (GA)	Ryan (OH)
Braley (IA)	Johnson (IL)	Salazar
Brown, Corrine	Johnson, E. B.	Sánchez, Linda
Buchanan	Kagen	T.
Capito	Kanjorski	Sanchez, Loretta
Capps	Kaptur	Sarbanes
Capuano	Kennedy	Sarbanes
Cardoza	Kildee	Schakowsky
Carnahan	Kilpatrick	Schiff
Castle	Kind	Schwartz
Castor	King (NY)	Scott (GA)
Chandler	Kingston	Scott (VA)
Clarke	Kirk	Serrano
Klein (FL)	Klein (FL)	Sestak
Clay	Kucinich	Shea-Porter
Cleaver	Lampson	Sherman
Clyburn	Langevin	Sires
Cohen	Larsen (WA)	Skelton
Langevin	Larson (CT)	Slaughter
Larsen (WA)	Lee	Smith (WA)
Larson (CT)	Levin	Snyder
Cooper	Lewis (GA)	Solis
Costa	Lipinski	Space
Costello	Loeb sack	Spratt
Courtney	Lofgren, Zoe	Stark
Crowley	Lowey	Sutton
Cubin	Lynch	Tanner
Cuellar	Mahoney (FL)	Tauscher
Cummings	Maloney (NY)	Taylor
Davis (AL)	Markey	Thompson (MS)
Davis (CA)	Matheson	Tierney
Davis (IL)	Matsui	Towns
Davis, Lincoln	McCarthy (NY)	Tsongas
DeFazio	McCollum (MN)	Udall (NM)
DeGette	McDermott	Udall (NM)
DeLauro	McGovern	Van Hollen
Dent	McIntyre	Velázquez
Doggett	McNerney	Visclosky
Doyle	McNulty	Walberg
Dreier	Meek (FL)	Walz (MN)
Edwards	Meeke (NY)	Wasserman
Ellison	Melancon	Schultz
Emanuel	Michaud	Waters
Engel	Miller (NC)	Watson
Eshoo	Miller, George	Watt
Etheridge	Mollohan	Waxman
Farr	Moore (KS)	Weiner
Fattah	Moore (WI)	Welch (VT)
Filner	Moran (VA)	Wexler
Foster	Murphy (CT)	Whitfield (KY)
Frank (MA)	Murphy, Patrick	Wilson (OH)
Gillibrand	Murtha	Woolsey
Gonzalez	Nadler	Wu
Graves	Napolitano	Yarmuth
Green, Al		
Green, Gene		
Grijalva		

NOES—182

Aderholt	Gallely	Peterson (MN)
Akin	Garrett (NJ)	Petri
Alexander	Gerlach	Pickering
Altmire	Giffords	Pitts
Bachmann	Gilchrest	Platts
Bachus	Gingrey	Poe
Barrett (SC)	Goode	Porter
Bartlett (MD)	Goodlatte	Price (GA)
Barton (TX)	Gordon	Putnam
Biggart	Granger	Radanovich
Bilbray	Hall (TX)	Ramstad
Bilirakis	Hastings (WA)	Regula
Bishop (UT)	Hayes	Rehberg
Blackburn	Heller	Renzi
Blunt	Hensarling	Reynolds
Boehner	Herger	Rogers (AL)
Bonner	Hill	Rogers (KY)
Bono Mack	Hobson	Rogers (MI)
Boozman	Hoekstra	Rohrabacher
Boustany	Hunter	Rohrabacher
Brady (TX)	Inglis (SC)	Ros-Lehtinen
Broun (GA)	Issa	Roskam
Brown (SC)	Johnson, Sam	Royce
Brown-Waite,	Jordan	Ryan (WI)
Ginny	Keller	Sali
Burgess	King (IA)	Saxton
Buyer	Kline (MN)	Schmidt
Calvert	Knollenberg	Sensenbrenner
Camp (MI)	LaHood	Sessions
Cannon	Lamborn	Shadegg
Cantor	Latham	Shays
Carney	LaTourette	Shimkus
Carter	Latta	Shuster
Chabot	Lewis (CA)	Simpson
Coble	Lewis (KY)	Smith (NE)
Cole (OK)	Linder	Smith (NJ)
Conaway	LoBiondo	Smith (TX)
Crenshaw	Lucas	Souder
Culberson	Lungren, Daniel	Stearns
Davis (KY)	E.	Stupak
Davis, David	Mack	Sullivan
Davis, Tom	Manzullo	Tancredo
Deal (GA)	Marchant	Terry
Diaz-Balart, L.	McCarthy (CA)	Thompson (CA)
Diaz-Balart, M.	McCaul (TX)	Thornberry
Donnelly	McCotter	Tiahrt
Drake	McCrery	Tiberi
Duncan	McHugh	Turner
Ehlers	McKeon	Udall (CO)
Ellsworth	McMorris	Upton
Emerson	Rodgers	Walden (OR)
English (PA)	Mica	Walsh (NY)
Everett	Miller (MI)	Wamp
Fallin	Miller, Gary	Weldon (FL)
Feeney	Mitchell	Weller
Flake	Moran (KS)	Westmoreland
Forbes	Murphy, Tim	Wilson (NM)
Fortenberry	Musgrave	Wilson (SC)
Fossella	Myrick	Wittman (VA)
Fox	Neugebauer	Wolf
Franks (AZ)	Nunes	Young (AK)
Frelinghuysen	Pearce	Young (FL)

ANSWERED “PRESENT”—1

Gohmert

NOT VOTING—28

Andrews	Ferguson	Payne
Burton (IN)	Hirono	Pence
Butterfield	Hulshof	Peterson (PA)
Campbell (CA)	Jones (NC)	Pryce (OH)
Carson	Jones (OH)	Rush
Cramer	Kuhl (NY)	Shuler
Delahunt	Marshall	Speier
Dicks	McHenry	Wynn
Dingell	Miller (FL)	
Doolittle	Oberstar	

□ 1315

Messrs. HALL of Texas and FORTENBERRY changed their vote from “aye” to “no.”

So the Journal was approved.

The result of the vote was announced as above recorded.

Ms. HIRONO. Madam Speaker, on rollcall No. 246, had I been present, I would have voted “aye.”

COMMUNICATION FROM THE
CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 5, 2008.

Hon. NANCY PELOSI,
The Speaker, House of Representatives, Wash-
ington, DC.

DEAR MADAM SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from the Honorable Jay Dardenne, Secretary of State, State of Louisiana, indicating that, according to the unofficial returns of the Special Election held May 3, 2008, the Honorable Don Cazayoux was elected Representative to Congress for the Sixth Congressional District, State of Louisiana.

With best wishes, I am
Sincerely,

LORRAINE C. MILLER,
Clerk.

Enclosure.

STATE OF LOUISIANA,
Baton Rouge, LA, May 5, 2008.

Hon. LORRAINE C. MILLER,
Clerk, House of Representatives, The Capitol,
Washington, DC.

DEAR MS. MILLER: This is to advise you that the unofficial results of the Special Election held on Saturday, May 3, 2008, for Representative in Congress from the Sixth Congressional District of Louisiana, show that "Don" Cazayoux received 49,702 or 49.20% of the total number of votes cast for that office.

It would appear from these unofficial results that "Don" Cazayoux was elected as Representative in Congress from the Sixth Congressional District of Louisiana.

To the best of our knowledge and belief at this time, there is no contest to this election.

As soon as the official results are certified to this office by all Parishes involved, an official Certificate of Election will be prepared for transmittal as required by law.

If I can ever be of any assistance to you, please do not hesitate contacting me.

With best wishes,

JAY DARDENNE,
Secretary of State.

Enclosure.

ELECTION # 5/03/08 RESULTS FOR OFFICE

Office: U.S. Representative, 6th Congressional District (One to be Elected), Precincts reporting: 512 of 512, Total Votes: 101,011 100%.

SPECIAL ELECTION

Votes	Percent	Candidate name	Pty
448	0.44	Peter J. Aranyosi	N
3,718	3.68	Ashley Casey	N
49,702	49.20	"Don" Cazayoux	D
402	0.40	Randall T. Hayes	O
46,741	46.27	Louis "Woody" Jenkins	R

SWEARING IN OF THE HONORABLE
DON CAZAYOUX, OF LOUISIANA,
AS A MEMBER OF THE HOUSE

Mr. JEFFERSON. Madam Speaker, I ask unanimous consent that the gentleman from Louisiana, the Honorable DON CAZAYOUX, be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The SPEAKER. Will the Representative-elect and the members of the Louisiana delegation present themselves in the well.

Mr. CAZAYOUX appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations. You are now a Member of the 110th Congress.

WELCOMING THE HONORABLE DON
CAZAYOUX TO THE HOUSE OF
REPRESENTATIVES

The SPEAKER. Without objection, the gentleman from Louisiana (Mr. JEFFERSON) is recognized for 1 minute.

There was no objection.

Mr. JEFFERSON. Madam Speaker, on behalf of the Louisiana delegation, we are proud to welcome DON CAZAYOUX to this magnificent House.

He understands the values of faith, family and public service. He grew up in New Roads, Louisiana, has been married for 21 years to a retired school teacher, Cherie, and they have three children, Michael, Chavanne and Katie, who are all here today, I am sure. He has served in the State House since 1999, and he has, of course, been well qualified before that, having served in a number of public service offices, including as the District Attorney of Pointe Coupee Parish.

Now, I might say a lot of things about his former preparation for this, but let me say this, as we grow older, we get to know folks through our children. My daughter is the best representative I know of what we all know now about DON CAZAYOUX. When she first started in the Louisiana State House, DON CAZAYOUX was already there. She told me she met this wonderful young man who was helpful to her.

After she got to know him a bit better, she said he was a very thoughtful representative. As she got to know him even more, she said he was a very decent man.

On the recommendation of my daughter, he was helpful, he was thoughtful, and he is thoroughly decent. Through that description, I think we all will get to know him as well.

I am proud, on behalf of all of us here, to present this wonderful young man, who is a cousin of Lindy Boggs, who is here with us today.

For the last several years, Charlie Melancon and I have met in a phone booth over here as the total Democratic caucus of Louisiana. Now, Madam Speaker, we may need different accommodations because of this election.

May I ask Mr. CAZAYOUX to please come to the microphone. We welcome you.

Mr. CAZAYOUX. Thank you, Madam Speaker, Members, for the warm welcome. I am honored to be the newest Member of this body.

I want to thank my family, who is here; my wife, whose goodness inspires me, Cherie; my children, Michael, Chavanne and Katie, who remind me why we are here, why our decisions are so important for the future.

I want to introduce you to my parents, Donald and Ann Cazayoux; Ann, whose compassion taught me to be compassionate; my father, whose sense of humor taught me to have a sense of humor, especially about myself; my Uncle John Wayne Jewell, who has a small-town private practice of law and taught me all about public service. I want to thank him and my Aunt Martha for her commitment to justice; my mother-in-law, Bonnie, for her goodness; Lindy Boggs, my model of leadership. Thank you for being here, and for the rest of my family and friends, without whose help I could not be here, physically here, period.

I also want to thank the members and the constituents of my district for electing me and for challenging me to come here to work with you to meet the demands that they face every day to solve the problems in a commonsense, fiscally prudent manner in terms of health care, the price of gas or what have you.

Thank you so much for welcoming me, and I look forward to working with each of you.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from Louisiana, the whole number of the House is 433.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Mrs. TAUSCHER). Without objection, 5-minute voting will continue.

There was no objection.

MOTION TO INSTRUCT CONFEREES
ON H.R. 2419, FOOD AND ENERGY
SECURITY ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 2419 offered by the gentleman from Wisconsin (Mr. RYAN) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 172, nays 241, not voting 19, as follows:

[Roll No. 247]

YEAS—172

Aderholt Garrett (NJ) Pence
Akin Gerlach Petri
Alexander Gilchrest Pickering
Bachus Gingrey Pitts
Baird Goode Platts
Barrett (SC) Granger Porter
Bartlett (MD) Hall (TX) Price (GA)
Barton (TX) Harman Ramstad
Bean Hastings (WA) Regula
Berman Heller Rehberg
Biggert Hensarling Reichert
Billray Hinchey Renzi
Bilirakis Hobson Reynolds
Blumenauer Hoekstra Rogers (AL)
Blunt Holt Rogers (KY)
Boehner Hunter Rogers (MI)
Bonner Inglis (SC) Rohrabacher
Bono Mack Israel Ros-Lehtinen
Boucher Issa Roskam
Brady (TX) Johnson, Sam Royce
Broun (GA) Jordan Ryan (WI)
Brown (SC) Keller Saxton
Brown-Waite, Kind Schiff
Ginny King (NY) Schmidt
Burgess Kingston Scott (GA)
Buyer Kirk Sensenbrenner
Calvert Kirn Sessions
Camp (MI) Kuhl (NY) Sestak
Cannon Lamborn Shadegg
Cantor Lampson Shays
Capito Larson (CT) Sherman
Castle Latham Smith (NJ)
Chabot LaTourette Smith (TX)
Coble Latta Smith (WA)
Cooper Lewis (CA) Souder
Crenshaw Linder Stark
Crowley Lipinski Stearns
Culberson LoBiondo Sullivan
Davis, David Lungren, Daniel
Davis, Tom E. Terry
Deal (GA) Mack Tiberi
Dent Marchant Tierney
Diaz-Balart, L. Matheson Turner
Diaz-Balart, M. McCarthy (CA) Upton
Dreier McCaul (TX) Van Hollen
Duncan McCotter Walberg
Ehlers McCrery Wamp
English (PA) McHugh Weiner
Everett McKeon Weldon (FL)
Feeney Meeks (NY) Westmoreland
Ferguson Mica Whitfield (KY)
Flake Miller (FL) Wilson (NM)
Fossella Miller, Gary Wilson (SC)
Foster Mitchell Wolf
Foxy Murphy, Patrick Woolsey
Franks (AZ) Myrick Wu
Frelinghuysen Nunes Young (AK)
Gallegly Paul Young (FL)

NAYS—241

Abercrombie Buchanan Davis (AL)
Ackerman Capps Davis (CA)
Allen Capuano Davis (IL)
Altmire Cardoza Davis (KY)
Arcuri Carnahan Davis, Lincoln
Baca Carney DeFazio
Bachmann Carter DeGette
Baldwin Delahunt Delahunt
Barrow Cazayoux DeLauro
Becerra Chandler Dingell
Berkley Clarke Doggett
Berry Clay Donnelly
Bishop (GA) Cleaver Doolittle
Bishop (NY) Clyburn Doyle
Bishop (UT) Cohen Drake
Boozman Cole (OK) Edwards
Boren Conaway Ellison
Boswell Conyers Ellsworth
Boustany Costa Emanuel
Boyd (FL) Costello Emerson
Boyd (KS) Courtney Engel
Brady (PA) Cubin Eshoo
Brady (IA) Cuellar Etheridge
Brown, Corrine Cummings Fallon

Farr Lofgren, Zoe Rothman
Fattah Lowey Roybal-Allard
Finler Lucas Ruppersberger
Forbes Lynch Ryan (OH)
Fortenberry Mahoney (FL) Salazar
Frank (MA) Maloney (NY) Sali
Giffords Manzullo Sanchez, Linda
Gillibrand Markey T.
Gohmert Matsui Sanchez, Loretta
Gonzalez McCarthy (NY) Sarbanes
Goodlatte McCollum (MN) Schakowsky
Gordon McDermott Schwartz
Graves McGovern Scott (VA)
Green, Al McIntyre Serrano
Green, Gene McMorris Shea-Porter
Grijalva Rodgers Shimkus
Gutiérrez McNerney Shuler
Hall (NY) McNulty Shuster
Hare Meek (FL) Simpson
Hastings (FL) Melancon Skelton
Hayes Michaud Slaughter
Herger Miller (MI) Smith (NE)
Herseht Sandlin Miller (NC) Snyder
Higgins Miller, George Solis
Hill Molohan Space
Hinojosa Moore (KS) Spratt
Hirono Moore (WI) Stupak
Hodes Moran (KS) Sutton
Holden Moran (VA) Tanner
Honda Murphy (CT) Tauscher
Hoyer Murphy, Tim Taylor
Inslee Musgrave Thompson (CA)
Jackson (IL) Nadler Thompson (MS)
Jackson-Lee Napolitano Thornberry
(TX) Neal (MA) Tiahrt
Jefferson Neugebauer Towns
Johnson (GA) Obey Tsongas
Johnson (IL) Oliver Udall (CO)
Johnson, E. B. Ortiz Udall (NM)
Kagen Pallone Velázquez
Kanjorski Pascrell Visclosky
Kaptur Pastor Walden (OR)
Kennedy Payne Walsh (NY)
Kildee Pearce Walz (MN)
Kilpatrick Perlmutter Wasserman
King (IA) Peterson (MN) Schultz
Klein (FL) Poe Waters
Kline (MN) Pomeroy Price (NC) Watson
Kucinich Putnam Watt
LaHood Radanovich Waxman
Langevin Larsen (WA) Welch (VT)
Lee Rangel Weller
Levin Reyes Wexler
Lewis (GA) Richardson Wilson (OH)
Lewis (KY) Rodriguez Wittman (VA)
Loeb sack Ross Yarmuth

NOT VOTING—19

Andrews Dicks Peterson (PA)
Blackburn Hulshof Pryce (OH)
Burton (IN) Jones (NC) Rush
Butterfield Jones (OH) Speier
Campbell (CA) Marshall Wynn
Carson McHenry
Cramer Oberstar

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain on this vote.

□ 1337

Ms. BERKLEY, Messrs. DAVIS of Illinois, BECERRA, JACKSON of Illinois, JEFFERSON, Mrs. McMORRIS RODGERS, and Ms. BALDWIN changed their vote from "yea" to "nay."

Messrs. ISRAEL, NUNES and MCCARTHY of California changed their vote from "nay" to "yea."

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

Mr. WALSH of New York. Madam Speaker, I move to reconsider the vote.

MOTION TO TABLE OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Madam Speaker, I move to lay the motion to reconsider 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.

RECORDED VOTE

Mr. WALSH of New York. 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 203, noes 176, not voting 53, as follows:

[Roll No. 248]

AYES—203

Abercrombie Grien, Gene Oliver
Ackerman Grijalva Ortiz
Allen Gutierrez Pallone
Altmire Hall (NY) Pascrell
Baca Hare Pastor
Bachmann Harman Payne
Baird Hastings (FL) Perlmutter
Baldwin Herseht Sandlin Peterson (MN)
Barrow Higgins Pomeroy
Bean Hill Price (NC)
Becerra Hinchey Rahall
Berkley Hirono Rangel
Bishop (GA) Bishop (NY) Holt
Bishop (NY) Holden Reyes
Blumenauer Honda Rodriguez
Boswell Hooley Ross
Boucher Hoyer Rothman
Boyd (FL) Insee Roybal-Allard
Boyda (KS) Israel Ruppersberger
Brady (PA) Jackson (IL) Sanchez, Loretta
Braley (IA) Jackson-Lee Schakowsky
Brown, Corrine (TX) Schiff
Capps Jefferson Schwartz
Capuano Johnson (GA) Scott (GA)
Cardoza Johnson, E. B. Scott (VA)
Carnahan Kagen Serrano
Carney Kanjorski Sestak
Castor Kildee Shea-Porter
Cazayoux Kilpatrick Sherman
Clarke Kind Shuler
Clay Klein (FL) Skelton
Clever Kucinich Sires
Clyburn Lampson Skelton
Cohen Langevin Slaughter
Conyers Larsen (WA) Smith (WA)
Costa Lee Snyder
Costello Levin Space
Courtney Lewis (GA) Spratt
Crowley Lipinski Stark
Cuellar Loeb sack Stupak
Cummings Lofgren, Zoe Sutton
Davis (AL) Lowey Tanner
Davis (CA) Lynch Tauscher
Davis (IL) Mahoney (FL) Taylor
Davis, Lincoln Maloney (NY) Thompson (CA)
DeFazio Markey Thompson (MS)
DeGette Matheson Tierney
Delahunt Matsui Towns
DeLauro McCarthy (NY) Tsongas
Dicks McCollum (MN) Udall (CO)
Dingell McDermott Udall (NM)
Doggett McGovern Van Hollen
Donnelly McIntyre Velázquez
Edwards McNerney Visclosky
Ellison McNulty Walz (MN)
Ellsworth Meeks (NY) Wasserman
Emanuel Melancon Schultz
Engel Miller (NC) Waters
Eshoo Miller, George Watt
Etheridge Mitchell Waxman
Farr Moore (KS) Weiner
Fattah Moore (WI) Welch (VT)
Finler Moran (VA) Wexler
Foster Murphy (CT) Whitfield (KY)
Frank (MA) Murphy, Patrick Wilson (OH)
Giffords Nadler Woolsey
Gillibrand Napolitano Yarmuth
Gordon Neal (MA)
Green, Al Obey

NOES—176

Aderholt Biggert Bono Mack
Akin Bilbray Boozman
Alexander Billray Brady (TX)
Bachus Bilirakis Broun (GA)
Barrett (SC) Bishop (UT) Brown (SC)
Bartlett (MD) Blunt Brown (SA)
Barton (TX) Boehner Brown-Waite,
Bonner Bonner Ginny

Buchanan	Hobson	Pickering
Burgess	Hoekstra	Pitts
Buyer	Hunter	Platts
Calvert	Inglis (SC)	Poe
Camp (MI)	Issa	Porter
Cannon	Johnson (IL)	Price (GA)
Cantor	Johnson, Sam	Putnam
Capito	Jordan	Ramstad
Carter	Keller	Regula
Castle	King (IA)	Rehberg
Chabot	King (NY)	Reichert
Coble	Kingston	Renzi
Cole (OK)	Kirk	Rogers (KY)
Conaway	Kline (MN)	Rogers (MI)
Crenshaw	Knollenberg	Rohrabacher
Cubin	Kuhl (NY)	Ros-Lehtinen
Culberson	LaHood	Roskam
Davis (KY)	Lamborn	Royce
Davis, David	Latham	Ryan (WI)
Davis, Tom	LaTourette	Sali
Dent	Latta	Saxton
Diaz-Balart, L.	Lewis (CA)	Sensenbrenner
Diaz-Balart, M.	Lewis (KY)	Sessions
Doolittle	Linder	Shadegg
Drake	LoBiondo	Shays
Dreier	Lucas	Shimkus
Duncan	Lungren, Daniel	Shuster
Ehlers	E.	Simpson
Emerson	Mack	Smith (NE)
English (PA)	Manzullo	Smith (NJ)
Everett	Marchant	Smith (TX)
Fallin	McCarthy (CA)	Souder
Ferguson	McCaul (TX)	Stearns
Flake	McCotter	Sullivan
Forbes	McCrery	Tancredo
Fortenberry	McHugh	Terry
Fossella	McKeon	Thornberry
Fox	McMorris	Tiberi
Franks (AZ)	Rodgers	Turner
Frelinghuysen	Mica	Upton
Garrett (NJ)	Miller (FL)	Walberg
Gerlach	Miller (MI)	Walden (OR)
Gilchrest	Miller, Gary	Walsh (NY)
Gingrey	Moran (KS)	Weldon (FL)
Gohmert	Murphy, Tim	Weller
Goode	Musgrave	Westmoreland
Goodlatte	Myrick	Wilson (NM)
Granger	Neugebauer	Wilson (SC)
Graves	Nunes	Wittman (VA)
Hall (TX)	Paul	Wolf
Hastings (WA)	Pearce	Young (AK)
Hayes	Pence	Young (FL)
Hensarling	Petri	

NOT VOTING—53

Andrews	Gonzalez	Peterson (PA)
Arcuri	Heller	Pryce (OH)
Berman	Herger	Radanovich
Berry	Hinojosa	Reynolds
Blackburn	Hodes	Richardson
Boren	Hulshof	Rogers (AL)
Boustany	Jones (NC)	Rush
Burton (IN)	Jones (OH)	Ryan (OH)
Butterfield	Kaptur	Sánchez, Linda
Campbell (CA)	Kennedy	T.
Carson	Larson (CT)	Sarbanes
Chandler	Marshall	Schmidt
Cooper	McHenry	Solis
Cramer	Meek (FL)	Speier
Deal (GA)	Michaud	Tiahrt
Doyle	Mollohan	Wamp
Feeney	Murtha	Wu
Gallegly	Oberstar	Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes are remaining on this vote.

□ 1344

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 2419, FOOD AND ENERGY SECURITY ACT OF 2007

Mr. CANTOR. Madam Speaker, under rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 2419.

The form of the motion is as follows:

Mr. Cantor moves 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. 2419 be instructed not to agree to the provisions contained in section 12808 of the Senate amendment (relating to qualified forestry conservation bonds).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

NATIONAL NURSES WEEK

Mr. GENE GREEN of Texas. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1086) recognizing National Nurses Week on May 6 through May 12, 2008.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1086

Whereas, since 2003, National Nurses Week is celebrated annually from May 6, also known as National Nurses Day, through May 12, the birthday of Florence Nightingale, the founder of modern nursing;

Whereas National Nurses Week is the time each year when nurses are recognized for the critical role they play in providing safe, high-quality, and preventative health care;

Whereas nurses are the cornerstone of the Nation's complex health care system, representing the largest single component of the health care profession, with an estimated over 2,500,000 registered nurses in the United States;

Whereas, according to a study published in the New England Journal of Medicine in May 2002, a higher proportion of nursing care provided by registered nurses and a greater number of hours of care by registered nurses per day are associated with better outcomes for hospitalized patients;

Whereas nurses are experienced researchers and their work encompasses a wide scope of scientific inquiry including clinical research, health systems and outcomes research, and nursing education research;

Whereas nurses are currently serving the Nation admirably in the conflicts in Iraq and Afghanistan;

Whereas nurses help inform and educate the public to improve the practice of all nurses and, more importantly, the health and safety of the patients they care for;

Whereas the Nation continues to face a nursing shortage unprecedented in its depth and duration, with a projection of over 1,000,000 new and replacement nurses needed by 2016;

Whereas the nationwide nursing shortage has caused dedicated nurses to work longer hours and care for more acutely ill patients;

Whereas nurses are strong allies to Congress as they help inform, educate, and work closely with legislators to improve the education, retention, recruitment, and practice of all nurses and, more importantly, the health and safety of the patients they care for; and

Whereas nurses are an integral part of the health care delivery team and provide quality care, support, and education to patients and their families, conduct essential research, and serve as strong patient advocates: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the significant contributions of nurses to the health care system of the United States;

(2) supports the goals and ideals of National Nurses Week, as founded by the American Nurses Association; and

(3) encourages the people of the United States to observe National Nurses Week with appropriate recognition, ceremonies, activities, and programs to demonstrate the importance of nurses to the everyday lives of patients.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. GENE GREEN) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. GENE GREEN of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous material on the resolution under consideration.

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

There was no objection.

Mr. GENE GREEN of Texas. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, I rise today in support of H. Res. 1086 recognizing today, May 6, through May 12 as National Nurses Week. As a cosponsor of this resolution, I am proud to lend my voice in support of our Nation's nurses.

Continuing in the illustrious tradition of Florence Nightingale, the founder of modern nursing, nurses today continue to attend to our Armed Forces overseas. These brave men and women place themselves at risk in war zones, including the conflicts in Afghanistan and Iraq, to tend to our injured soldiers. Besides tending to the wounded abroad, nurses are also on the front lines of our health care system here at home. Whether their primary function is to care for our aging population or to provide immediate aid to the sick and injured, our nurses provide quality patient care and support to keep our health care system running.

As the Nation continues to face a nursing shortage, with a projected 1 million new nurses needed by 2016, it is especially important that everyone is aware of the sacrifices nurses make on a daily basis for our country. We must continue to encourage more young people and those seeking a change in career to join the nursing profession.

The resolution before us encourages all Americans to observe this week as National Nurses Week by showing appropriate recognition to nurses and creating programs and activities during the week to demonstrate the importance of nurses.

I would like to thank my colleagues and former nurses, Congresswoman EDDIE BERNICE JOHNSON, Congresswoman CAROLYN MCCARTHY, and Congresswoman LOIS CAPPS, for their leadership on this measure. Again, I reiterate, they are former nurses, although I don't know if you are ever a former nurse. I urge my colleagues on both sides of the aisle to join me in support of the resolution and its adoption.

Madam Speaker, I reserve the balance of my time.

Mr. TERRY. I yield myself as much time as I may consume.

I rise today in support of House Resolution 1086, acknowledging May 6 through May 12, 2008, as National Nurses Week. In addition to kicking off National Nurses Week today, we are also celebrating the comforts and care that nurses provide by recognizing May 6 as National Nurses Day. This tradition started in 1982 when President Ronald Reagan signed a proclamation making today National Recognition Day for Nurses.

This is a week to recognize nurses as being the largest single component of the health care profession with over 2.5 million registered nurses in the United States and the critical role they play in providing care to not only the citizens of America but are also serving our Nation in both Iraq and Afghanistan. In addition to the immediate care they provide to patients, they also have helped to educate, inform and improve education and retention of nurses.

I would like to thank the author of this resolution, Ms. EDDIE BERNICE JOHNSON of Texas, for her leadership in honoring nurses that have helped promote health, prevent disease and help other Americans cope with illness. I encourage all of my colleagues to vote in favor of this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. GENE GREEN of Texas. Madam Speaker, I yield 5 minutes to my good friend and colleague from Texas, Congresswoman EDDIE BERNICE JOHNSON, who literally I have served with since 1973 with just a little break in the service.

Ms. EDDIE BERNICE JOHNSON of Texas. Let me thank my colleague and friend of longstanding. I want to also thank the minority side for their assistance, and both Chairman DINGELL and Ranking Member BARTON.

As a registered nurse with a master's degree, it is a privilege and a delight to offer a resolution recognizing National Nurses Week which is May 6 through 12. I have two outstanding colleagues that we have found to have something in common, Congresswoman LOIS CAPPS and Congresswoman CAROLYN MCCARTHY, who are also nurses and champions of this resolution and of the profession, and I thank them for their efforts to encourage more than 110 congressional colleagues to cosponsor this bill honoring nurses.

The Congressional Nursing Caucus was also helpful in promoting the legis-

lation, and I appreciate Members' efforts to rally support for H. Res. 1086.

Nurses are a key component of our Nation's health care system. Whether on the battlefield or at sea, in a skilled nursing facility, in a hospital or even in a patient's own home, the care that a nurse provides is very valuable. Nurses are intelligent individuals who must often make quick decisions in an effort to save the life of a patient, even before the physician arrives. Nurses are recognized as the patient's primary advocate and every poll shows that nurses are always very trusted by the patients. They are tasked with closely monitoring even small changes in a patient's health. Nurses are tough, directed, decision-making people who work under stress and in difficult situations.

For 15 years I provided hands-on patient care as a psychiatric nurse at the Veterans Administration Hospital in Dallas. The work was challenging but fulfilling. That's why I still remain very interested in quality care for all of our veterans. Although more than 2.5 million nurses work in the United States, our Nation has suffered from a nursing shortage. Those currently in the profession are beginning to retire. There are fewer individuals entering the profession. The nursing shortage is unprecedented in its depth and duration, with a projection of over 1 million new and replacement nurses needed by 2016.

Nursing schools need help attracting well-prepared faculty to recruit the best and brightest into their educational programs. Loan forgiveness and educational incentive programs can help, but Congress must do more to encourage bright young minds toward nursing.

Nursing is a career that has been valued for a long time, and it is fitting to recognize the Navy Nurse Corps on its 100th anniversary this year. For nearly 100 years before Congress formally established the Navy Nurse Corps in 1908, women worked as nurses aboard Navy ships and in Navy hospitals. As early as the War of 1812, volunteers performed nursing duty in places that were often dangerous and required courage in the face of adversity. Members of the esteemed Navy Nurse Corps care for those brave men and women who fight for our freedoms. They contribute to relief efforts in all corners of the globe. They serve in lead roles as part of a unified health care team. The Navy Nurse Corps practices progressive patient care. It enjoys a rich heritage, accompanied by high-tech training. A registered nurse in the Navy is also a respected officer, serving in modern facilities at home, at sea, around the country and across the globe.

I am proud to especially recognize the Navy Nurse Corps for its centuries of outstanding service for our military men and women.

Today's resolution honors the good work that all nurses do.

(1) recognizes the significant contributions of nurses to the health care system of the United States;

(2) supports the goals and ideals of National Nurses Week as founded by the American Nurses Association; and

(3) encourages the people of this Nation to observe National Nurses Week with appropriate recognition, ceremonies, activities, and programs to demonstrate the importance of nurses to the everyday lives of patients.

Along with my many supportive colleagues, I want to thank the House leadership for bringing this important resolution to the floor. I urge its support.

Mr. TERRY. Madam Speaker, I would like to yield 2 minutes to one of our physicians in the House of Representatives, the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Madam Speaker, I rise today in strong support of House Resolution 1086, recognizing National Nurses Week, which is May 6 through May 12 of this year. I am proud to be a cosponsor of this bill. I would like to thank the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON)—Nurse JOHNSON—for advancing this legislation to help educate the American people about the critical role that nurses play in health care delivery.

With May 12 being the birthday of Florence Nightingale, the founder of modern nursing, there is not a more appropriate time to celebrate the work done by nurses. As an OB-GYN physician for almost 30 years, I was fortunate to work with intelligent, hard-working, compassionate nurses, and they were indeed a cornerstone of the high quality health care we provided.

Madam Speaker, nurses are on the front lines of health care delivery not only here at home but also in Iraq and Afghanistan. Therefore, because we are relying on our nurses so heavily and because we currently are experiencing a shortage of nurses, it is critical to support nurse training programs. That is why I recently joined with a number of my colleagues in supporting title VIII funding to provide loans and grants to our Nation's nursing students.

I urge all my colleagues to support the goals of National Nurses Week.

Mr. GENE GREEN of Texas. Madam Speaker, I yield 3 minutes to a colleague on the Energy and Commerce Committee and a good friend, Congresswoman LOIS CAPPS, and also a nurse.

Mrs. CAPPS. I thank my colleague for yielding.

Madam Speaker, I rise in support of House Resolution 1086 and in support of National Nurses Week. I commend my friend and fellow nurse, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), for introducing this resolution. As we observe National Nurses Week, I hope we can work together to raise awareness about important issues facing our nursing community and the important impact that nurses make to

the lives of patients and their role in the arena of public health. This is central to our delivery of health care.

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We know that nurses advocate for their patients and provide personal care at the bedside. Often, it is life-saving care. They are also community educators, primary care providers, and they serve in our military so often putting themselves in harm's way to carry out their duties.

But we are facing a terrible shortage of nurses. We are jeopardizing our ability to provide the best quality care which each individual and each family deserves in this country of ours. As a registered nurse currently serving in Congress, I feel it is my duty to advocate not only on behalf of my patients, but also on behalf of my fellow nurses.

I am co-Chair of our House Nursing Caucus, and I was honored to be joined by 155 of our colleagues in a letter to the Appropriations Committee requesting additional funding for nurse education programs. These programs have trained thousands of nurses, but we are in desperate need of so many more. And the very fact that we are funding title VIII nurse education at the same exact amount that we did over 30 years ago is, quite frankly, inexcusable.

In addition, nurses face difficult conditions in the workplace such as mandatory overtime, unsafe staffing numbers, hazardous lifting, and other workplace settings. These conditions are directly contributing to our inability to retain many qualified nurses in the hospital setting. As our Baby Boomers retire and our demand for nurses soars, let us use this week as an opportunity to reinforce our commitment to our current and our future nurses and thereby to a safer and healthier Nation.

Mr. TERRY. I continue to reserve. I have no further speakers.

Mr. GENE GREEN of Texas. I yield 3 minutes to our colleague from New York, CAROLYN MCCARTHY.

Mrs. MCCARTHY of New York. Mr. Speaker, I would like to thank LOIS CAPPs and EDDIE BERNICE JOHNSON for bringing this forward on H. Res. 1086, recognizing National Nurses Week.

I have spent over 30 years as a nurse, and it was mentioned earlier, someone said, Once a nurse. Well, let me say, Once a nurse, always a nurse. We carry our duties even here to the House of Representatives.

I sit on the Education Committee, and what I have been working on since I came here was making sure that our nurses get every opportunity to increase our numbers. As has been mentioned before by both of my colleagues, the nursing shortage in this country is of a crisis proportion. We see that our nurses today are a lot older; they're at the retirement age, and we must do everything that we can to make sure that we have our young people coming into a very, very rewarding career. Nursing can be demanding, it can be tiring, it

can be physically draining; but it couldn't be a better career.

When I first joined nursing over 30 years ago, I worked in the intensive care unit, and I spent most of my life there and just to be able to help a patient in their greatest need but also to work with their families to comfort them as they saw their loved one going through a traumatic injury.

We need to make sure that this country has a supply of nurses continuously. We have many young people that want to go to nursing school, but what we have found over the years is we don't have enough professors to be able to teach them to be nurses. So in the Higher Education Act, there is going to be funding in there to make sure that those that want to go into a higher education to be able to teach nursing, it can work out for us.

When we look at the future, we're seeing today in our hospitals such a shortage of nurses that a lot of the nurses are doing a lot of overtime. When they take a day off, they're always called to come back in. That is not acceptable, mainly because you have to be totally alert at all times. And I certainly tip my hat to my fellow nurses that go through this every single day.

They stay in the profession because they love the profession. They stay in the profession because it is a calling. Not everyone can be a nurse. It is a calling. I salute those men and women that go into nursing, and I also salute the women and men that are fighting in Iraq and Afghanistan and taking their nursing care to the soldiers and giving them comfort when they need it. There is no greater, in my opinion, profession than to be a nurse.

With that being said, I hope my colleagues will support H. Res. 1086 and recognize National Nurses Week.

Mr. TERRY. May I inquire how much time is remaining.

The SPEAKER pro tempore (Mr. SERRANO). The gentleman from Nebraska has 17 minutes remaining. The gentleman from Texas has 10½ minutes remaining.

Mr. TERRY. We have no further speakers. I continue to reserve.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield 3 minutes to our fellow Energy and Commerce member, Congressman TOWNS from New York.

Mr. TOWNS. Mr. Speaker, first of all, I rise to support my colleague for bringing this resolution forward. I want to congratulate him on that.

I rise today in support of H. Res. 1086, recognizing National Nurses Week on May 6 through May 12. As a cosponsor of this resolution, I'm proud to speak out in honor of our valiant, committed nurses who make our Nation and our loved ones safe and well. I pay special tribute to my esteemed colleagues in Congress who introduced this resolution and who are, themselves, nurses: The Honorable EDDIE BERNICE JOHNSON of Texas, the Honorable LOIS CAPPs of California, and the Honorable CAROLYN

MCCARTHY of my home State, New York.

Additionally, I want to pay special tribute to the nurses who are serving in Iraq and Afghanistan and the nurses who generally attend to those who suffer wounds from those conflicts.

Along with other health care professionals, a nurse is responsible for the treatment, safety, and recovery of acutely or chronically ill people. They also help to maintain a patient's health and provide treatment to those who are facing life-threatening emergencies like 9/11 and Hurricane Katrina. Nurses are also involved in medical and nursing research and provide a wide range of nonclinical functions.

Today, there are 2.4 million registered nurses in the United States; 92 percent of the registered nurses are women. There are 531,000 licensed vocational nurses; 1.8 million is the number of nursing psychiatric and home health aides. We cannot do without them.

I greatly commend the American Nurses Association and the American Academy of Nurse Practitioners, and all of the nursing associations and academic institutions who train nurses and promote the advancement of the profession. I look forward to working with members of the associations, academia, and others in making certain that we continue to increase the amount of nurses.

In closing, I wish to thank my colleagues again, Congresswoman JOHNSON, Congresswoman CAPPs, and Congresswoman MCCARTHY for their leadership on this issue, and I urge my colleagues to join me in supporting this resolution. And I want to thank very much my colleague from Texas (Mr. GREEN) and, of course, others who have been involved in this resolution.

Mr. TERRY. Mr. Speaker, in our closing, let me once again reiterate our appreciation to the authors of this bill, Ms. JOHNSON from Texas, Mrs. LOIS CAPPs from California, and Mrs. MCCARTHY from New York; and, once again, encourage our side of the aisle to vote "yes" on this measure.

We have no further requests for time.

Mr. Speaker, I yield back all of our time.

Mr. GENE GREEN of Texas. Mr. Speaker, in closing, I join my colleague from Nebraska in encouraging all of our Members to support this resolution in recognition of National Nurses Week.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. GENE GREEN) that the House suspend the rules and agree to the resolution, H. Res. 1086.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. FRELINGHUYSEN. Mr. 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. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

PRIORITIZING RESOURCES AND ORGANIZATION FOR INTELLECTUAL PROPERTY ACT OF 2008

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4279) to enhance remedies for violations of intellectual property laws, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4279

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Prioritizing Resources and Organization for Intellectual Property Act of 2008".

(b) TABLE OF CONTENTS.—The table of contents is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Reference.
- Sec. 3. Definition.

TITLE I—ENHANCEMENTS TO CIVIL INTELLECTUAL PROPERTY LAWS

- Sec. 101. Registration of claim.
- Sec. 102. Registration and infringement actions.
- Sec. 103. Civil remedies for infringement.
- Sec. 104. Treble damages in counterfeiting cases.
- Sec. 105. Statutory damages in counterfeiting cases.
- Sec. 106. Exportation of goods bearing infringing marks.
- Sec. 107. Importation and exportation.

TITLE II—ENHANCEMENTS TO CRIMINAL INTELLECTUAL PROPERTY LAWS

- Sec. 201. Criminal infringement of a copyright.
- Sec. 202. Harmonization of forfeiture procedures for intellectual property offenses.
- Sec. 203. Directive to United States Sentencing Commission.
- Sec. 204. Trafficking in counterfeit goods or services.

TITLE III—COORDINATION AND STRATEGIC PLANNING OF FEDERAL EFFORT AGAINST COUNTERFEITING AND PIRACY

Subtitle A—Office of the United States Intellectual Property Enforcement Representative

- Sec. 301. Office of the United States Intellectual Property Enforcement Representative.
- Sec. 302. Definition.

Subtitle B—Joint Strategic Plan

- Sec. 321. Joint Strategic Plan.
- Sec. 322. Reporting.
- Sec. 323. Savings and repeals.
- Sec. 324. Authorization of appropriations.

TITLE IV—INTERNATIONAL ENFORCEMENT AND COORDINATION

- Sec. 401. Intellectual property attachés.
- Sec. 402. Duties and responsibilities of intellectual property attachés.
- Sec. 403. Training and designation of assignment.

Sec. 404. Coordination.

Sec. 405. Authorization of appropriations.

TITLE V—DEPARTMENT OF JUSTICE PROGRAMS

Subtitle A—Coordination

Sec. 501. Intellectual Property Enforcement Officer.

Subtitle B—Law Enforcement Resources

- Sec. 511. Local law enforcement grants.
- Sec. 512. CHIP units, training, and additional resources.
- Sec. 513. Transparency of prosecutorial decisionmaking.

Sec. 514. Authorization of appropriations.

Subtitle C—International Activities

- Sec. 521. International intellectual property law enforcement coordinators.
- Sec. 522. International training activities of the computer crime and intellectual property section.

Subtitle D—Coordination, Implementation, and Reporting

- Sec. 531. Coordination.
- Sec. 532. Annual reports.

SEC. 2. REFERENCE.

Any reference in this Act to the "Trademark Act of 1946" refers to the Act entitled "An Act to provide for the registration of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes", approved July 5, 1946 (15 U.S.C. 1051 et seq.).

SEC. 3. DEFINITION.

In this Act, the term "United States person" means—

- (1) any United States resident or national,
- (2) any domestic concern (including any permanent domestic establishment of any foreign concern), and
- (3) any foreign subsidiary or affiliate (including any permanent foreign establishment) of any domestic concern that is controlled in fact by such domestic concern, except that such term does not include an individual who resides outside the United States and is employed by an individual or entity other than an individual or entity described in paragraph (1), (2), or (3).

TITLE I—ENHANCEMENTS TO CIVIL INTELLECTUAL PROPERTY LAWS

SEC. 101. REGISTRATION OF CLAIM.

Section 410 of title 17, United States Code, is amended—

- (1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and
- (2) by inserting after subsection (b) the following:

"(c)(1) A certificate of registration satisfies the requirements of section 411 and section 412 regardless of any inaccurate information contained in the certificate, unless—

"(A) the inaccurate information was included on the application for copyright registration with knowledge that it was inaccurate; and

"(B) the inaccuracy of the information, if known, would have caused the Register of Copyrights to refuse registration.

"(2) In any case in which inaccuracies described under paragraph (1) are alleged, the court shall request the Register of Copyrights to advise the court whether the inaccuracy of the information, if known, would have caused the Register of Copyrights to refuse registration. The Register shall respond to the court's request within 45 days after the request is made.

"(3) Nothing in this subsection shall affect any rights, obligations, or requirements of a person related to information contained in a registration certificate except for the institution of and remedies in infringement actions under sections 411 and 412."

SEC. 102. REGISTRATION AND INFRINGEMENT ACTIONS.

(a) REGISTRATION IN CIVIL INFRINGEMENT ACTIONS.—Section 411 of title 17, United States Code, is amended—

(1) in the section heading, by inserting "civil" after "and"; and

(2) in subsection (a), by striking "no action" and inserting "no civil action".

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 411(b) of title 17, United States Code, is amended by striking "506 and sections 509 and" and inserting "505 and section".

SEC. 103. CIVIL REMEDIES FOR INFRINGEMENT.

Section 503(a) of title 17, United States Code, is amended—

(1) by striking "and of all plates" and inserting "of all plates"; and

(2) by striking the period at the end and inserting the following: ", and records documenting the manufacture, sale, or receipt of things involved in such violation. The court shall enter an appropriate protective order with respect to discovery by the applicant of any records that have been seized. The protective order shall provide for appropriate procedures to assure that confidential information contained in such records is not improperly disclosed to the applicant."

SEC. 104. TREBLE DAMAGES IN COUNTERFEITING CASES.

Section 35(b) of the Trademark Act of 1946 (15 U.S.C. 1117(b)) is amended to read as follows:

"(b) In assessing damages under subsection (a) for any violation of section 32(1)(a) of this Act or section 220506 of title 36, United States Code, in a case involving use of a counterfeit mark or designation (as defined in section 34(d) of this Act), the court shall, unless the court finds extenuating circumstances, enter judgment for three times such profits or damages, whichever amount is greater, together with a reasonable attorney's fee, if the violation consists of—

"(1) intentionally using a mark or designation, knowing such mark or designation is a counterfeit mark (as defined in section 34(d) of this Act), in connection with the sale, offering for sale, or distribution of goods or services;

"(2) intentionally inducing another to engage in a violation specified in paragraph (1); or

"(3) providing goods or services necessary to the commission of a violation specified in paragraph (1), with the intent that the recipient of the goods or services would put the goods or services to use in committing the violation.

In such a case, the court may award prejudgment interest on such amount at an annual interest rate established under section 6621(a)(2) of the Internal Revenue Code of 1986, beginning on the date of the service of the claimant's pleadings setting forth the claim for such entry of judgment and ending on the date such entry is made, or for such shorter time as the court considers appropriate."

SEC. 105. STATUTORY DAMAGES IN COUNTERFEITING CASES.

Section 35(c) of the Trademark Act of 1946 (15 U.S.C. 1117) is amended—

(1) in paragraph (1)—

(A) by striking "\$500" and inserting "\$1,000"; and

(B) by striking "\$100,000" and inserting "\$200,000"; and

(2) in paragraph (2), by striking "\$1,000,000" and inserting "\$2,000,000".

SEC. 106. EXPORTATION OF GOODS BEARING INFRINGING MARKS.

Title VII of the Trademark Act of 1946 (15 U.S.C. 1124) is amended—

(1) in the title heading, by inserting after "IMPORTATION" the following: "OR EXPORTATION"; and

(2) in section 42—

(A) by striking the word “imported”; and

(B) by inserting after “customhouse of the United States” the following: “, nor shall any such article be exported from the United States”.

SEC. 107. IMPORTATION AND EXPORTATION.

(a) IN GENERAL.—The heading for chapter 6 of title 17, United States Code, is amended to read as follows:

“CHAPTER 6—MANUFACTURING REQUIREMENTS, IMPORTATION, AND EXPORTATION”.

(b) AMENDMENT ON EXPORTATION.—Section 602(a) of title 17, United States Code, is amended—

(1) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and moving such subparagraphs 2 ems to the right;

(2) by striking “(a)” and inserting “(a) INFRINGING IMPORTATION AND EXPORTATION.—

“(1) IMPORTATION.—”;

(3) by striking “This subsection does not apply to—” and inserting the following:

“(2) IMPORTATION OR EXPORTATION OF INFRINGING ITEMS.—Importation into the United States or exportation from the United States, without the authority of the owner of copyright under this title, of copies or phonorecords, the making of which either constituted an infringement of copyright or would have constituted an infringement of copyright if this title had been applicable, is an infringement of the exclusive right to distribute copies or phonorecords under section 106, actionable under sections 501 and 506.

“(3) EXCEPTIONS.—This subsection does not apply to—”;

(4) in paragraph (3)(A) (as redesignated by this subsection) by inserting “or exportation” after “importation”; and

(5) in paragraph (3)(B) (as redesignated by this subsection)—

(A) by striking “importation, for the private use of the importer” and inserting “importation or exportation, for the private use of the importer or exporter”; and

(B) by inserting “or departing from the United States” after “United States”.

(c) CONFORMING AMENDMENTS.—(1) Section 602 of title 17, United States Code, is further amended—

(A) in the section heading, by inserting “or exportation” after “importation”; and

(B) in subsection (b)—

(i) by striking “(b) In a case” and inserting

“(b) IMPORT PROHIBITION.—In a case”;

(ii) by striking “the United States Customs Service” and inserting “U.S. Customs and Border Protection”; and

(iii) by striking “the Customs Service” and inserting “U.S. Customs and Border Protection”.

(2) Section 601(b)(2) of title 17, United States Code, is amended by striking “the United States Customs Service” and inserting “U.S. Customs and Border Protection”.

(3) The item relating to chapter 6 in the table of chapters for title 17, United States Code, is amended to read as follows:

“6. MANUFACTURING REQUIREMENTS, IMPORTATION, AND EXPORTATION 601”.

TITLE II—ENHANCEMENTS TO CRIMINAL INTELLECTUAL PROPERTY LAWS

SEC. 201. CRIMINAL INFRINGEMENT OF A COPYRIGHT.

Section 2319 of title 18, United States Code, is amended—

(1) in subsection (b)(2)—

(A) by inserting “is a felony and” after “offense” the first place such term appears; and

(B) by striking “paragraph (1)” and inserting “subsection (a)”;

(2) in subsection (c)(2)—

(A) by inserting “is a felony and” after “offense” the first place such term appears; and

(B) by striking “paragraph (1)” and inserting “subsection (a)”;

(3) in subsection (d)(3)—

(A) by inserting “is a felony and” after “offense” the first place such term appears; and

(B) by inserting “under subsection (a)” before the semicolon; and

(4) in subsection (d)(4), by inserting “is a felony and” after “offense” the first place such term appears.

SEC. 202. HARMONIZATION OF FORFEITURE PROCEDURES FOR INTELLECTUAL PROPERTY OFFENSES.

(a) TRAFFICKING IN COUNTERFEIT LABELS.—Section 2318 of title 18, United States Code, is amended—

(1) by amending subsection (d) to read as follows:

“(d) FORFEITURE AND DESTRUCTION; RESTITUTION.—

“(1) CIVIL FORFEITURE PROCEEDINGS.—(A) The following property is subject to forfeiture to the United States:

“(i) Any counterfeit documentation or packaging, and any counterfeit label or illicit label and any article to which a counterfeit label or illicit label has been affixed, which a counterfeit label or illicit label encloses or accompanies, or which was intended to have had such label affixed, enclosing, or accompanying.

“(ii) Any property constituting or derived from any proceeds obtained directly or indirectly as a result of a violation of subsection (a).

“(iii) Any property used, or intended to be used, to commit or facilitate the commission of a violation of subsection (a) that is owned or predominantly controlled by the violator or by a person conspiring with or aiding and abetting the violator in committing the violation, except that property is subject to forfeiture under this clause only if the Government establishes that there was a substantial connection between the property and the violation of subsection (a).

“(B) The provisions of chapter 46 relating to civil forfeitures shall extend to any seizure or civil forfeiture under subparagraph (A). At the conclusion of the forfeiture proceedings, the court shall order that any forfeited counterfeit labels or illicit labels and any article to which a counterfeit label or illicit label has been affixed, which a counterfeit label or illicit label encloses or accompanies, or which was intended to have had such label affixed, enclosing, or accompanying, be destroyed or otherwise disposed of according to law.

“(C) In this paragraph, the term ‘aiding and abetting’ means knowingly providing aid to the violator with the intent to facilitate the violation.

“(2) CRIMINAL FORFEITURE PROCEEDINGS.—(A) The court, in imposing sentence on a person convicted of an offense under this section, shall order, in addition to any other sentence imposed, that the person forfeit to the United States the following property:

“(i) Any counterfeit documentation or packaging, and any counterfeit label or illicit label, that was used, intended for use, or possessed with intent to use in the commission of an offense under subsection (a), and any article to which such a counterfeit label or illicit label has been affixed, which such a counterfeit label or illicit label encloses or accompanies, or which was intended to have had such label affixed, enclosing, or accompanying.

“(ii) Any property constituting or derived from any proceeds obtained directly or indirectly as a result of an offense under subsection (a).

“(iii) Any property used, or intended to be used, to commit or substantially facilitate the commission of an offense under subsection (a).

“(B) The forfeiture of property under subparagraph (A), including any seizure and disposition of the property and any related judicial or administrative proceeding, shall be governed by the procedures set forth in section 413 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 853), other than subsection (d) of that section. At the conclusion of the forfeiture proceedings, the court shall order that any counterfeit label or illicit label and any article to which a counterfeit label or illicit label has been affixed, which a counterfeit label or illicit label encloses or accompanies, or which was intended to have had such label affixed, enclosing, or accompanying, be destroyed or otherwise disposed of according to law.

“(3) RESTITUTION.—When a person is convicted of an offense under this section, the court, pursuant to sections 3556, 3663A, and 3664, shall order the person to pay restitution to the owner of the marks or copyrighted works involved in the offense and any other victim of the offense as an offense against property referred to in section 3663A(c)(1)(A)(ii).”;

(2) by striking subsection (e); and

(3) by redesignating subsection (f) as subsection (e).

(b) CRIMINAL INFRINGEMENT OF A COPYRIGHT.—

(1) IN GENERAL.—Section 2319 of title 18, United States Code, is amended by adding at the end the following:

“(g) FORFEITURE AND DESTRUCTION; RESTITUTION.—

“(1) CIVIL FORFEITURE PROCEEDINGS.—(A) The following property is subject to forfeiture to the United States:

“(i) Any copies or phonorecords manufactured, reproduced, distributed, sold, or otherwise used, intended for use, or possessed with intent to use in violation of section 506(a) of title 17, any plates, molds, matrices, masters, tapes, film negatives, or other articles by means of which such copies or phonorecords may be made, and any electronic, mechanical, or other devices for manufacturing, reproducing, or assembling such copies or phonorecords.

“(ii) Any property constituting or derived from any proceeds obtained directly or indirectly as a result of a violation of section 506(a) of title 17.

“(iii) Any property used, or intended to be used, to commit or facilitate the commission of a violation of section 506(a) of title 17 that is owned or predominantly controlled by the violator or by a person conspiring with or aiding and abetting the violator in committing the violation, except that property is subject to forfeiture under this clause only if the Government establishes that there was a substantial connection between the property and the violation of section 506(a) of title 17.

“(B) The provisions of chapter 46 relating to civil forfeitures shall extend to any seizure or civil forfeiture under this section. At the conclusion of the forfeiture proceedings, the court shall order that any forfeited infringing copies or phonorecords, and any plates, molds, matrices, masters, tapes, and film negatives by means of which such unauthorized copies or phonorecords may be made, be destroyed or otherwise disposed of according to law.

“(C) In this paragraph, the term ‘aiding and abetting’ means knowingly providing aid to the violator with the intent to facilitate the violation.

“(2) CRIMINAL FORFEITURE PROCEEDINGS.—(A) The court, in imposing sentence on a person convicted of an offense under subsection

(a), shall order, in addition to any other sentence imposed, that the person forfeit to the United States the following property:

“(i) Any copies or phonorecords manufactured, reproduced, distributed, sold, or otherwise used, intended for use, or possessed with intent to use in the commission of an offense under subsection (a), any plates, molds, matrices, masters, tapes, film negatives, or other articles by means of which the copies or phonorecords may be reproduced, and any electronic, mechanical, or other devices for manufacturing, reproducing, or assembling such copies or phonorecords.

“(ii) Any property constituting or derived from any proceeds obtained directly or indirectly as a result of an offense under subsection (a).

“(iii) Any property used, or intended to be used, to commit or substantially facilitate the commission of an offense under subsection (a).

“(B) The forfeiture of property under subparagraph (A), including any seizure and disposition of the property and any related judicial or administrative proceeding, shall be governed by the procedures set forth in section 413 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 853), other than subsection (d) of that section. At the conclusion of the forfeiture proceedings, the court shall order that any forfeited infringing copies or phonorecords, and any plates, molds, matrices, masters, tapes, and film negatives by means of which such infringing copies or phonorecords may be made, be destroyed or otherwise disposed of according to law.

“(3) RESTITUTION.—When a person is convicted of an offense under this section, the court, pursuant to sections 3556, 3663A, and 3664, shall order the person to pay restitution to the copyright owner and any other victim of the offense as an offense against property referred to in section 3663A(c)(1)(A)(ii).”

(2) CONFORMING AMENDMENTS.—(A) Section 506(b) of title 17, United States Code, is amended by striking all that follows “destruction” and inserting the following: “of property as prescribed by section 2319(g) of title 18.”

(B) Section 509 of title 17, United States Code, relating to seizure and forfeiture, and the item relating to section 509 in the table of sections at the beginning of chapter 5 of title 17, United States Code, are repealed.

(C) UNAUTHORIZED FIXATION AND TRAFKICKING.—

(1) IN GENERAL.—Section 2319A of title 18, United States Code, is amended—

(A) by striking subsection (c) and redesignating subsections (d), (e), and (f) as subsections (c), (d), and (e), respectively; and

(B) by amending subsection (b) to read as follows:

“(b) FORFEITURE AND DESTRUCTION; RESTITUTION.—

“(1) CIVIL FORFEITURE PROCEEDINGS.—(A) The following property is subject to forfeiture to the United States:

“(i) Any copies or phonorecords of a live musical performance described in subsection (a)(1) that are made without the consent of the performer or performers involved, and any plates, molds, matrices, masters, tapes, and film negatives by means of which such copies or phonorecords may be made.

“(ii) Any property constituting or derived from any proceeds obtained directly or indirectly as a result of a violation of subsection (a).

“(iii) Any property used, or intended to be used, to commit or facilitate the commission of a violation of subsection (a) that is owned or predominantly controlled by the violator or by a person conspiring with or aiding and abetting the violator in committing the violation, except that property is subject to for-

feiture under this clause only if the Government establishes that there was a substantial connection between the property and the violation of subsection (a).

“(B) The provisions of chapter 46 relating to civil forfeitures shall extend to any seizure or civil forfeiture under paragraph (1). At the conclusion of the forfeiture proceedings, the court shall order that any forfeited unauthorized copies or phonorecords of live musical performances, and any plates, molds, matrices, masters, tapes, and film negatives by means of which such unauthorized copies or phonorecords may be made, be destroyed or otherwise disposed of according to law.

“(C) In this paragraph, the term ‘aiding and abetting’ means knowingly providing aid to the violator with the intent to facilitate the violation.

“(2) CRIMINAL FORFEITURE PROCEEDINGS.—(A) The court, in imposing sentence on a person convicted of an offense under this section, shall order, in addition to any other sentence imposed, that the person forfeit to the United States the following property:

“(i) Any unauthorized copies or phonorecords of a live musical performance that were used, intended for use, or possessed with intent to use in the commission of an offense under subsection (a), and any plates, molds, matrices, masters, tapes, and film negatives by means of which such copies or phonorecords may be made.

“(ii) Any property constituting or derived from any proceeds obtained directly or indirectly as a result of an offense under subsection (a).

“(iii) Any property used, or intended to be used, to commit or substantially facilitate the commission of an offense under subsection (a).

“(B) The forfeiture of property under subparagraph (A), including any seizure and disposition of the property and any related judicial or administrative proceeding, shall be governed by the procedures set forth in section 413 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 853), other than subsection (d) of that section. At the conclusion of the forfeiture proceedings, the court shall order that any forfeited unauthorized copies or phonorecords of live musical performances, and any plates, molds, matrices, masters, tapes, and film negatives by means of which such unauthorized copies or phonorecords may be made, be destroyed or otherwise disposed of according to law.

“(3) NOTIFICATION OF IMPORTATION.—The Secretary of Homeland Security shall issue regulations by which any performer may, upon payment of a specified fee, be entitled to notification by U.S. Customs and Border Protection of the importation of copies or phonorecords that appear to consist of unauthorized fixations of the sounds or sounds and images of a live musical performance prohibited by this section.

“(4) RESTITUTION.—When a person is convicted of an offense under this section, the court, pursuant to sections 3556, 3663A, and 3664, shall order the person to pay restitution to the performer or performers involved, and any other victim of the offense as an offense against property referred to in section 3663A(c)(1)(A)(ii).”

(2) APPLICABILITY.—Section 2319A(e), as designated by paragraph (1) of this subsection, is amended by inserting before the period the following: “, except that the forfeiture provisions under subsection (b)(2), as added by the Prioritizing Resources and Organization for Intellectual Property Act, shall apply only in a case in which the underlying act or acts occur on or after the date of the enactment of that Act”.

(d) UNAUTHORIZED RECORDING OF MOTION PICTURES.—Section 2319B(b) of title 18, United States Code, is amended to read as follows:

“(b) FORFEITURE AND DESTRUCTION; RESTITUTION.—

“(1) CIVIL FORFEITURE PROCEEDINGS.—(A) The following property is subject to forfeiture to the United States:

“(i) Any copies of a motion picture or other audiovisual work protected under title 17 that are made without the authorization of the copyright owner.

“(ii) Any property constituting or derived from any proceeds obtained directly or indirectly as a result of a violation of subsection (a).

“(iii) Any property used, or intended to be used, to commit or facilitate the commission of a violation of subsection (a) that is owned or predominantly controlled by the violator or by a person conspiring with or aiding and abetting the violator in committing the violation, except that property is subject to forfeiture under this clause only if the Government establishes that there was a substantial connection between the property and the violation of subsection (a).

“(B) The provisions of chapter 46 relating to civil forfeitures shall extend to any seizure or civil forfeiture under this section. At the conclusion of the forfeiture proceedings, the court shall order that any forfeited unauthorized copies or phonorecords of a motion picture or other audiovisual work, or part thereof, and any plates, molds, matrices, masters, tapes, and film negatives by means of which such unauthorized copies or phonorecords may be made, be destroyed or otherwise disposed of according to law.

“(C) In this paragraph, the term ‘aiding and abetting’ means knowingly providing aid to the violator with the intent to facilitate the violation.

“(2) CRIMINAL FORFEITURE PROCEEDINGS.—(A) The court, in imposing sentence on a person convicted of an offense under this section, shall order, in addition to any other sentence imposed, that the person forfeit to the United States the following property:

“(i) Any unauthorized copies of a motion picture or other audiovisual work protected under title 17, or part thereof, that were used, intended for use, or possessed with intent to use in the commission of an offense under subsection (a).

“(ii) Any property constituting or derived from any proceeds obtained directly or indirectly as a result of an offense under subsection (a).

“(iii) Any property used, or intended to be used, to commit or substantially facilitate the commission of an offense under subsection (a).

“(B) The forfeiture of property under subparagraph (A), including any seizure and disposition of the property and any related judicial or administrative proceeding, shall be governed by the procedures set forth in section 413 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 853), other than subsection (d) of that section. At the conclusion of the forfeiture proceedings, the court shall order that any forfeited unauthorized copies or phonorecords of a motion picture or other audiovisual work, or part thereof, and any plates, molds, matrices, masters, tapes, and film negatives by means of which such unauthorized copies or phonorecords may be made, be destroyed or otherwise disposed of according to law.

“(3) RESTITUTION.—When a person is convicted of an offense under this chapter, the court, pursuant to sections 3556, 3663A, and 3664, shall order the person to pay restitution to the owner of the copyright in the motion picture or other audiovisual work and any other victim of the offense as an offense

against property referred to in section 3663A(c)(1)(A)(ii)."

(e) **APPLICABILITY.**—The amendments made by this section shall apply only in a case in which the underlying act or acts occur on or after the date of the enactment of this Act.

SEC. 203. DIRECTIVE TO UNITED STATES SENTENCING COMMISSION.

(a) **REVIEW AND AMENDMENT.**—The United States Sentencing Commission, pursuant to its authority under section 994 of title 28, United States Code, shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements applicable in any case sentenced under section 2B5.3 of the Federal sentencing guidelines for exporting infringing items in violation of section 602(a)(2) of title 17, United States Code, to determine whether a defendant in such case should receive an upward adjustment in the offense level, on the grounds that exportation introduces infringing items into the stream of foreign commerce in a manner analogous to the manner in which manufacturing, importing, and uploading such items introduces them into the stream of commerce.

(b) **AUTHORIZATION.**—The United States Sentencing Commission may amend the Federal sentencing guidelines under subsection (a) in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note) as though the authority under that section had not expired.

SEC. 204. TRAFFICKING IN COUNTERFEIT GOODS OR SERVICES.

(a) **IN GENERAL.**—Section 2320 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "Whoever" and inserting "OFFENSE.—

"(1) **IN GENERAL.**—Whoever";

(B) by moving the remaining text 2 ems to the right; and

(C) by adding at the end the following:

"(2) **SERIOUS BODILY HARM OR DEATH.**—

"(A) **SERIOUS BODILY HARM.**—If the offender knowingly or recklessly causes or attempts to cause serious bodily injury from conduct in violation of paragraph (1), the penalty shall be a fine under this title or imprisonment for not more than 20 years, or both.

"(B) **DEATH.**—If the offender knowingly or recklessly causes or attempts to cause death from conduct in violation of paragraph (1), the penalty shall be a fine under this title or imprisonment for any term of years or for life, or both."; and

(2) in subsection (b)(1)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

(B) by inserting after subparagraph (A) the following:

"(B) Any property constituting or derived from any proceeds obtained directly or indirectly as a result of a violation of subsection (a)."

TITLE III—COORDINATION AND STRATEGIC PLANNING OF FEDERAL EFFORT AGAINST COUNTERFEITING AND PIRACY

Subtitle A—Office of the United States Intellectual Property Enforcement Representative

SEC. 301. OFFICE OF THE UNITED STATES INTELLECTUAL PROPERTY ENFORCEMENT REPRESENTATIVE.

(a) **ESTABLISHMENT WITHIN EXECUTIVE OFFICE OF THE PRESIDENT.**—There is established within the Executive Office of the President the Office of the United States Intellectual Property Enforcement Representative (in this title referred to as "the Office").

(b) **UNITED STATES INTELLECTUAL PROPERTY ENFORCEMENT REPRESENTATIVE.**—The head of the Office shall be the United States Intellectual Property Enforcement Rep-

resentative (in this title referred to as the "IP Enforcement Representative") who shall be appointed by the President, by and with the advice and consent of the Senate. As an exercise of the rulemaking power of the Senate, any nomination of the IP Enforcement Representative submitted to the Senate for confirmation, and referred to a committee, shall be referred to the Committee on the Judiciary.

(c) **DUTIES OF IP ENFORCEMENT REPRESENTATIVE.**—

(1) **IN GENERAL.**—The IP Enforcement Representative shall—

(A) have primary responsibility for developing the Joint Strategic Plan against counterfeiting and piracy under section 321 and facilitating the implementation of the Joint Strategic Plan by the departments and agencies listed in subsection (d)(2)(A);

(B) serve as a principal advisor to the President on domestic and international intellectual property enforcement policy;

(C) assist the United States Trade Representative—

(i) concerning negotiations on behalf of the United States relating to international intellectual property enforcement, including negotiations on any intellectual property enforcement matter considered under the auspices of the World Trade Organization or in the course of commodity or direct investment negotiations in which the United States participates; and

(ii) in the programs of the United States Trade Representative to monitor and enforce intellectual property enforcement obligations of other countries under trade agreements with the United States;

(D) coordinate the issuance of policy guidance to departments and agencies on basic issues of policy and interpretation that arise in the exercise of domestic and international intellectual property enforcement functions, to the extent necessary to assure the coordination of intellectual property enforcement policy and consistency with any other law;

(E) act as a principal spokesperson of the President on domestic and international intellectual property enforcement matters;

(F) report directly to the President and the Congress regarding domestic and international intellectual property enforcement programs;

(G) advise the President and the Congress with respect to domestic and international intellectual property enforcement challenges and priorities;

(H) report to the Congress, as provided in section 322, on the implementation of the Joint Strategic Plan, and make recommendations to the Congress for improvements in Federal intellectual property enforcement efforts;

(I) chair the interagency intellectual property enforcement advisory committee established under subsection (d)(2), and consult with such advisory committee in the performance of the functions of the IP Enforcement Representative; and

(J) carry out such other functions as the President may direct.

(2) **LIMITATION ON AUTHORITY.**—The IP Enforcement Representative may not control or direct any law enforcement agency in the exercise of its investigative or prosecutorial authority in particular cases.

(3) **SENSE OF CONGRESS.**—It is the sense of the Congress that the IP Enforcement Representative should—

(A) be a senior representative on any body that the President may establish for the purpose of providing to the President advice on overall policies in which intellectual property enforcement matters predominate; and

(B) be included as a participant in economic summit and other international meet-

ings at which international intellectual property enforcement is a significant topic.

(4) **DELEGATION.**—The IP Enforcement Representative may—

(A) delegate any of the IP Enforcement Representative's functions, powers, and duties to such officers and employees of the Office as the IP Enforcement Representative may designate; and

(B) authorize such successive redelegations of such functions, powers, and duties to such officers and employees of the Office as the IP Enforcement Representative considers appropriate.

(d) **COORDINATION OF INTELLECTUAL PROPERTY ENFORCEMENT ACTIONS.**—

(1) **IN GENERAL.**—In carrying out the functions of the IP Enforcement Representative, the IP Enforcement Representative shall develop recommendations on the allocation of Federal resources for intellectual property enforcement.

(2) **ADVISORY COMMITTEE.**—

(A) **ESTABLISHMENT.**—There is established an interagency intellectual property enforcement advisory committee composed of the IP Enforcement Representative, who shall chair the committee, and senior representatives of the following departments and agencies who are involved in intellectual property enforcement, and are appointed by the respective heads of those departments and agencies:

(i) The Department of Justice (including the Intellectual Property Enforcement Officer appointed under section 501).

(ii) The United States Patent and Trademark Office and other relevant units of the Department of Commerce.

(iii) The Office of the United States Trade Representative.

(iv) The Department of State (including the United States Agency for International Development and the Bureau of International Narcotics Law Enforcement).

(v) The Department of Homeland Security (including U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement).

(vi) The United States International Trade Commission.

(vii) The Food and Drug Administration of the Department of Health and Human Services.

(viii) The United States Copyright Office.

(ix) Such other agencies as the IP Enforcement Representative determines to be substantially involved in the efforts of the Federal Government to combat counterfeiting and piracy.

(B) **FUNCTIONS.**—The advisory committee established under subparagraph (A) shall, under the guidance of the IP Enforcement Representative, develop the Joint Strategic Plan against counterfeiting and piracy under section 321.

(3) **EXEMPTION FROM FEDERAL ADVISORY COMMITTEE ACT.**—The Federal Advisory Committee Act shall not apply to the interagency intellectual property enforcement advisory committee established under paragraph (2) or to any of the activities conducted by the IP Enforcement Representative in developing the Joint Strategic Plan under section 321.

(e) **IDENTIFICATION OF COUNTRIES THAT DENY ADEQUATE PROTECTION OF INTELLECTUAL PROPERTY RIGHTS.**—Section 182(b)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2242(b)(2)(A)) is amended by inserting "the United States Intellectual Property Enforcement Representative," after "consult with".

(f) **POWERS OF IP ENFORCEMENT REPRESENTATIVE.**—In carrying out the responsibilities under this title, the IP Enforcement Representative may—

(1) select, appoint, employ, and fix the compensation of such officers and employees

as may be necessary to carry out those responsibilities;

(2) request the head of a department, agency, or program of the Federal Government to place personnel of such department, agency, or program who are engaged in intellectual property enforcement activities on temporary detail to the Office of the IP Enforcement Representative to assist in carrying out those responsibilities;

(3) use, with the consent of the Federal, State, and local government agencies concerned, the available services, equipment, personnel, and facilities of such Federal, State, and local government agencies;

(4) procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, relating to the procurement of temporary and intermittent services, at rates of compensation for individuals not to exceed the daily equivalent of the rate of pay payable under level IV of the Executive Schedule under section 5315 of title 5, United States Code, and while such experts and consultants are so serving away from their homes or regular place of business, pay such employees travel expenses and per diem in lieu of subsistence at rates authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently;

(5) issue such regulations as may be necessary to carry out the functions vested in the IP Enforcement Representative;

(6) enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary in the conduct of the work of the Office and on such terms as the IP Enforcement Representative considers appropriate, with any department, agency, or instrumentality of the United States, or with any public or private person, firm, association, corporation, or institution;

(7) accept voluntary and uncompensated services, notwithstanding the provisions of section 1342 of title 31, United States Code;

(8) adopt an official seal, which shall be judicially noticed; and

(9) accept, hold, administer, and use gifts, devises, and bequests of property, both real and personal, for the purpose of aiding or facilitating the work of the Office.

(g) COMPENSATION.—Section 5312 of title 5, United States Code, is amended by adding at the end the following:

“United States Intellectual Property Enforcement Representative.”.

SEC. 302. DEFINITION.

For purposes of this title, the term “intellectual property enforcement” means matters relating to the enforcement of laws protecting copyrights, patents, trademarks, other forms of intellectual property, and trade secrets, both in the United States and abroad, including in particular matters relating to combating counterfeit and pirated goods.

Subtitle B—Joint Strategic Plan

SEC. 321. JOINT STRATEGIC PLAN.

(a) PURPOSE.—The objectives of the Joint Strategic Plan against counterfeiting and piracy that is referred to in section 301(c)(1)(A) (in this section referred to as the “joint strategic plan”) are the following:

(1) Reducing counterfeit and pirated goods in the domestic and international supply chain.

(2) Identifying and addressing structural weaknesses, systemic flaws, or other unjustified impediments to effective enforcement action against the financing, production, trafficking, or sale of counterfeit or pirated goods.

(3) Assuring that information is identified and shared among the relevant departments and agencies, to the extent permitted by law

and consistent with law enforcement protocols for handling information, to aid in the objective of arresting and prosecuting individuals and entities that are knowingly involved in the financing, production, trafficking, or sale of counterfeit or pirated goods.

(4) Disrupting and eliminating domestic and international counterfeiting and piracy networks.

(5) Strengthening the capacity of other countries to protect and enforce intellectual property rights, and reducing the number of countries that fail to enforce laws preventing the financing, production, trafficking, and sale of counterfeit and pirated goods.

(6) Working with other countries to establish international standards and policies for the effective protection and enforcement of intellectual property rights.

(7) Protecting intellectual property rights overseas by—

(A) working with other countries to ensure that such countries—

(i) have adequate and effective laws protecting copyrights, trademarks, patents, and other forms of intellectual property;

(ii) have legal regimes that enforce their own domestic intellectual property laws, eliminate counterfeit and piracy operations, and arrest and prosecute those who commit intellectual property crimes;

(iii) provide their law enforcement officials with the authority to seize, inspect, and destroy pirated and counterfeit goods, including at ports of entry; and

(iv) provide for the seizure of property used to produce pirated and counterfeit goods;

(B) exchanging information with appropriate law enforcement agencies in other countries relating to individuals and entities involved in the financing, production, trafficking, or sale of pirated or counterfeit goods;

(C) using the information described in subparagraph (B) to conduct enforcement activities in cooperation with appropriate law enforcement agencies in other countries; and

(D) building a formal process for consulting with companies, industry associations, labor unions, and other interested groups in other countries with respect to intellectual property enforcement.

(b) TIMING.—Not later than 12 months after the date of the enactment of this Act, and not later than December 31 of every third year thereafter, the IP Enforcement Representative shall submit the joint strategic plan to the President, to the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, and to the Committee on the Judiciary and the Committee on Appropriations of the Senate.

(c) RESPONSIBILITY OF THE IP ENFORCEMENT REPRESENTATIVE.—During the development of the joint strategic plan, the IP Enforcement Representative—

(1) shall consult and coordinate with the appropriate officers and employees of departments and agencies represented on the advisory committee appointed under section 301(d)(2) who are involved in intellectual property enforcement; and

(2) may consult with private sector experts in intellectual property enforcement.

(d) RESPONSIBILITIES OF OTHER DEPARTMENTS AND AGENCIES.—To assist in the development and implementation of the joint strategic plan, the heads of the departments and agencies identified under section 301(d)(2)(A) (including the heads of any other agencies identified by the IP Enforcement Representative under section 301(d)(2)(A)(ix)) shall—

(1) designate personnel with expertise and experience in intellectual property enforce-

ment matters to work with the IP Enforcement Representative; and

(2) share relevant department or agency information with the IP Enforcement Representative, including statistical information on the enforcement activities of the department or agency against counterfeiting or piracy, and plans for addressing the joint strategic plan.

(e) CONTENTS OF THE JOINT STRATEGIC PLAN.—Each joint strategic plan shall include the following:

(1) A detailed description of the priorities identified for carrying out the objectives in the joint strategic plan, including activities of the Federal Government relating to intellectual property enforcement.

(2) A detailed description of the means and methods to be employed to achieve the priorities, including the means and methods for improving the efficiency and effectiveness of the Federal Government's enforcement efforts against counterfeiting and piracy.

(3) Estimates of the resources necessary to fulfill the priorities identified under paragraph (1).

(4) The performance measures to be used to monitor results under the joint strategic plan during the following year.

(5) An analysis of the threat posed by violations of intellectual property rights, including targets, risks, and threats of intellectual property infringement, the costs to the economy of the United States resulting from violations of intellectual property laws, and the threats to public health and safety created by counterfeiting and piracy.

(6) An identification of the departments and agencies that will be involved in implementing each priority under paragraph (1).

(7) A strategy for ensuring coordination between the IP Enforcement Representative and the departments and agencies identified under paragraph (6), including a process for oversight by the executive branch of, and accountability among, the departments and agencies responsible for carrying out the strategy.

(8) Such other information as is necessary to convey the costs imposed on the United States economy by, and the threats to public health and safety created by, counterfeiting and piracy, and those steps that the Federal Government intends to take over the period covered by the succeeding joint strategic plan to reduce those costs and counter those threats.

(f) ENHANCING ENFORCEMENT EFFORTS OF FOREIGN GOVERNMENTS.—The joint strategic plan shall include programs to provide training and technical assistance to foreign governments for the purpose of enhancing the efforts of such governments to enforce laws against counterfeiting and piracy. With respect to such programs, the joint strategic plan shall—

(1) seek to enhance the efficiency and consistency with which Federal resources are expended, and seek to minimize duplication, overlap, or inconsistency of efforts;

(2) identify and give priority to those countries where programs of training and technical assistance can be carried out most effectively and with the greatest benefit to reducing counterfeit and pirated products in the United States market, to protecting the intellectual property rights of United States persons and their licensees, and to protecting the interests of United States persons otherwise harmed by violations of intellectual property rights in those countries;

(3) in identifying the priorities under paragraph (2), be guided by the list of countries identified by the United States Trade Representative under section 182(a) of the Trade Act of 1974 (19 U.S.C. 2242(a)); and

(4) develop metrics to measure the effectiveness of the Federal Government's efforts

to improve the laws and enforcement practices of foreign governments against counterfeiting and piracy.

(g) **DISSEMINATION OF THE JOINT STRATEGIC PLAN.**—The joint strategic plan shall be posted for public access on the website of the White House, and shall be disseminated to the public through such other means as the IP Enforcement Representative may identify.

SEC. 322. REPORTING.

(a) **ANNUAL REPORT.**—Not later than December 31 of each calendar year beginning in 2009, the IP Enforcement Representative shall submit a report on the activities of the Office during the preceding fiscal year. The annual report shall be submitted to the President and the Congress, and disseminated to the people of the United States, in the manner specified in subsections (b) and (g) of section 321.

(b) **CONTENTS.**—The report required by this section shall include the following:

(1) The progress made on implementing the strategic plan and on the progress toward fulfillment of the priorities identified under section 321(e), including an analysis of the performance measures used to monitor results described in section 321(e)(4).

(2) The progress made in efforts to encourage Federal, State, and local government departments and agencies to accord higher priority to intellectual property enforcement.

(3) The progress made in working with foreign countries to investigate, arrest, and prosecute entities and individuals involved in the financing, production, trafficking, and sale of counterfeit and pirated goods.

(4) The manner in which the relevant departments and agencies are working together and sharing information to strengthen intellectual property enforcement.

(5) An assessment of the successes and shortcomings of the efforts of the Federal Government, including departments and agencies represented on the committee established under section 301(d)(2)(A), in fulfilling the priorities identified in the applicable joint strategic plan during the preceding fiscal year and in implementing the recommendations developed under section 301(d)(1).

(6) Recommendations for any changes in enforcement statutes, regulations, or funding levels that the IP Representative considers would significantly improve the effectiveness or efficiency of the effort of the Federal Government to combat counterfeiting and piracy and otherwise strengthen intellectual property enforcement, including through the elimination or consolidation of duplicative programs or initiatives.

(7) The progress made in strengthening the capacity of countries to protect and enforce intellectual property rights.

(8) The successes and challenges in sharing with other countries information relating to intellectual property enforcement.

(9) The progress of the United States Trade Representative in taking the appropriate action under any trade agreement or treaty to protect intellectual property rights of United States persons and their licensees.

SEC. 323. SAVINGS AND REPEALS.

(a) **REPEAL OF COORDINATION COUNCIL.**—Section 653 of the Treasury and General Government Appropriations Act, 2000 (15 U.S.C. 1128) is repealed.

(b) **CURRENT AUTHORITIES NOT AFFECTED.**—Except as provided in subsection (a), nothing in this title shall alter the authority of any department or agency of the United States (including any independent agency) that relates to—

(1) the investigation and prosecution of violations of laws that protect intellectual property rights;

(2) the administrative enforcement, at the borders of the United States, of laws that protect intellectual property rights; or

(3) the United States trade agreements program or international trade.

(c) **REGISTER OF COPYRIGHTS.**—Nothing in this title shall derogate from the duties and functions of the Register of Copyrights.

SEC. 324. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out this title.

(b) **SUBMISSION OF PROJECTED BUDGET.**—By not later than the date on which the President submits to the Congress the budget of the United States Government for a fiscal year, the IP Representative shall submit to the Committees on the Judiciary of the House of Representatives and the Senate the projected amount of funds for the succeeding fiscal year that will be necessary for the Office to carry out its functions.

TITLE IV—INTERNATIONAL ENFORCEMENT AND COORDINATION

SEC. 401. INTELLECTUAL PROPERTY ATTACHÉS.

The Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office (in this title referred to as the “Director”), in consultation with the Director General of the United States and Foreign Commercial Service, shall, within 2 years after the date of the enactment of this Act, appoint at least 10 intellectual property attachés to serve in United States embassies or other diplomatic missions. The appointments under this section shall be in addition to those individuals serving in the capacity of intellectual property attachés at United States embassies or other diplomatic missions on the date of the enactment of this Act. The Director shall provide such managerial, administrative, research, and other services as the Secretary of Commerce considers necessary to assist the intellectual property attachés in carrying out their responsibilities.

SEC. 402. DUTIES AND RESPONSIBILITIES OF INTELLECTUAL PROPERTY ATTACHÉS.

The intellectual property attachés appointed under section 401, as well as others serving as intellectual property attachés of the Department of Commerce, shall have the following responsibilities:

(1) To promote cooperation with foreign governments in the enforcement of intellectual property laws generally, and in the enforcement of laws against counterfeiting and piracy in particular.

(2) To assist United States persons holding intellectual property rights, and the licensees of such United States persons, in their efforts to combat counterfeiting and piracy of their products or works within the host country, including counterfeit or pirated goods exported from or transshipped through that country.

(3) To chair an intellectual property protection task force consisting of representatives from all other relevant sections or bureaus of the embassy or other mission.

(4) To coordinate with representatives of the embassies or missions of other countries in information sharing, private or public communications with the government of the host country, and other forms of cooperation for the purpose of improving enforcement against counterfeiting and piracy.

(5) As appropriate and in accordance with applicable laws and the diplomatic status of the attachés, to engage in public education efforts against counterfeiting and piracy in the host country.

(6) To coordinate training and technical assistance programs of the United States Government within the host country that are

aimed at improving the enforcement of laws against counterfeiting and piracy.

(7) To assist in the coordination of the efforts of the United States Intellectual Property Enforcement Representative, Federal agencies, and private organizations engaged in the promotion of United States intellectual property interests abroad so as to maximize their effectiveness and minimize duplicative efforts.

(8) To identify and promote other means to more effectively combat counterfeiting and piracy activities under the jurisdiction of the host country.

SEC. 403. TRAINING AND DESIGNATION OF ASSIGNMENT.

(a) **TRAINING OF ATTACHÉS.**—The Director shall ensure that each attaché appointed under section 401 is fully trained for the responsibilities of the position before assuming duties at the United States embassy or other mission in question.

(b) **PRIORITY ASSIGNMENTS.**—In designating the embassies or other missions to which attachés are assigned, the Director shall give priority to those countries where the activities of an attaché can be carried out most effectively and with the greatest benefit to reducing counterfeit and pirated products in the United States market, to protecting the intellectual property rights of United States persons and their licensees, or to protecting the interests of United States persons otherwise harmed by violations of intellectual property rights in those countries.

SEC. 404. COORDINATION.

(a) **IN GENERAL.**—The activities authorized by this title shall be carried out in coordination with the United States Intellectual Property Enforcement Representative appointed under section 301.

(b) **REPORT ON ATTACHÉS.**—The Inspector General of the Department of Commerce shall perform yearly audits of the intellectual property attachés of the Department, and shall report to the Committees on the Judiciary of the House of Representatives and the Senate the results of each such audit. In addition to an overview of the activities and effectiveness of the intellectual property attaché operations, the audit shall include—

(1) an evaluation of the current placement of foreign-based personnel and recommendations for transferring such personnel in response to newly emerging intellectual property issues abroad; and

(2) an evaluation of the personnel system and its management, including the recruitment, assignment, promotion, and performance appraisal of personnel, and the use of limited appointees.

SEC. 405. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for each fiscal year such sums as may be necessary for the training and support of the intellectual property attachés appointed under section 401 and of other individuals serving as intellectual property attachés of the Department of Commerce.

TITLE V—DEPARTMENT OF JUSTICE PROGRAMS

Subtitle A—Coordination

SEC. 501. INTELLECTUAL PROPERTY ENFORCEMENT OFFICER.

(a) **ESTABLISHMENT.**—There is established within the Office of the Deputy Attorney General in the Department of Justice the “Intellectual Property Enforcement Division”. The head of the Intellectual Property Enforcement Division shall be the Intellectual Property Enforcement Officer (in this title referred to as the “IP Officer”). The IP Officer shall be appointed by the Attorney General and shall report directly to the Deputy Attorney General.

(b) DUTIES.—The IP Officer shall—

(1) coordinate all efforts of the Department of Justice relating to the enforcement of intellectual property rights and to combating counterfeiting and piracy;

(2) serve as the lead representative of the Department of Justice on the advisory committee provided for in section 301(d)(2) and as the liaison of the Department of Justice with foreign governments with respect to training conducted under section 522; and

(3) carry out such other related duties that may be assigned by the Deputy Attorney General.

(c) TRANSFER OF FUNCTIONS.—

(1) CRIMINAL INTELLECTUAL PROPERTY ENFORCEMENT.—There are transferred to the Intellectual Property Enforcement Division those functions of the Computer Crime and Intellectual Property Section of the Criminal Division of the Department of Justice that relate to the enforcement of criminal laws relating to the protection of intellectual property rights and trade secrets, including the following:

(A) Sections 506 and 1204 of title 17, United States Code.

(B) Sections 2318 through 2320 of title 18, United States Code.

(C) Sections 1831 and 1832 of title 18, United States Code.

(D) Any other provision of law, including the following, to the extent such provision involves the enforcement of any provision of law referred to in subparagraphs (A) through (C) or comparable provision of law:

(i) Section 1341 of title 18, United States Code, relating to frauds and swindles.

(ii) Section 1343 of title 18, United States Code, relating to fraud by wire, radio, or television.

(iii) Section 2512 of title 18, United States Code, relating to trafficking in interception devices.

(iv) Section 633 of the Communications Act of 1934 (47 U.S.C. 553), relating to the unauthorized reception of cable service.

(v) Section 705 of the Communications Act of 1934 (47 U.S.C. 605), relating to the unauthorized publication or use of communications.

(2) INTELLECTUAL PROPERTY ENFORCEMENT COORDINATORS.—The Intellectual Property Law Enforcement Coordinators of the Department of Justice to whom section 521 applies shall also be in the Intellectual Property Enforcement Division.

Subtitle B—Law Enforcement Resources

SEC. 511. LOCAL LAW ENFORCEMENT GRANTS.

(a) AUTHORIZATION.—Section 2 of the Computer Crime Enforcement Act (42 U.S.C. 3713) is amended—

(1) in subsection (b), by inserting after “computer crime” each place it appears the following: “, including infringement of copyrighted works over the Internet”; and

(2) in subsection (e)(1), relating to authorization of appropriations, by striking “fiscal years 2001 through 2004” and inserting “fiscal years 2009 through 2013”.

(b) GRANTS.—The Office of Justice Programs of the Department of Justice shall make grants to eligible State or local law enforcement entities, including law enforcement agencies of municipal governments and public educational institutions, for training, prevention, enforcement, and prosecution of intellectual property theft and infringement crimes (in this subsection referred to as “IP-TIC grants”), in accordance with the following:

(1) USE OF IP-TIC GRANT AMOUNTS.—IP-TIC grants may be used to establish and develop programs to do the following with respect to the enforcement of State and local true name and address laws and State and local criminal laws on anti-piracy, anti-counter-

feiting, and unlawful acts with respect to goods by reason of their protection by a patent, trademark, service mark, trade secret, or other intellectual property right under State or Federal law:

(A) Assist State and local law enforcement agencies in enforcing those laws, including by reimbursing State and local entities for expenses incurred in performing enforcement operations, such as overtime payments and storage fees for seized evidence.

(B) Assist State and local law enforcement agencies in educating the public to prevent, deter, and identify violations of those laws.

(C) Educate and train State and local law enforcement officers and prosecutors to conduct investigations and forensic analyses of evidence and prosecutions in matters involving those laws.

(D) Establish task forces that include personnel from State or local law enforcement entities, or both, exclusively to conduct investigations and forensic analyses of evidence and prosecutions in matters involving those laws.

(E) Assist State and local law enforcement officers and prosecutors in acquiring computer and other equipment to conduct investigations and forensic analyses of evidence in matters involving those laws.

(F) Facilitate and promote the sharing, with State and local law enforcement officers and prosecutors, of the expertise and information of Federal law enforcement agencies about the investigation, analysis, and prosecution of matters involving those laws and criminal infringement of copyrighted works, including the use of multi-jurisdictional task forces.

(2) ELIGIBILITY.—To be eligible to receive an IP-TIC grant, a State or local government entity must provide to the Attorney General—

(A) assurances that the State in which the government entity is located has in effect laws described in paragraph (1);

(B) an assessment of the resource needs of the State or local government entity applying for the grant, including information on the need for reimbursements of base salaries and overtime costs, storage fees, and other expenditures to improve the investigation, prevention, or enforcement of laws described in paragraph (1); and

(C) a plan for coordinating the programs funded under this section with other federally funded technical assistance and training programs, including directly funded local programs such as the Edward Byrne Memorial Justice Assistance Grant Program authorized by subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.).

(3) MATCHING FUNDS.—The Federal share of an IP-TIC grant may not exceed 90 percent of the costs of the program or proposal funded by the IP-TIC grant, unless the Attorney General waives, in whole or in part, the 90 percent requirement.

(4) AUTHORIZATION OF APPROPRIATIONS.—

(A) AUTHORIZATION.—There is authorized to be appropriated to carry out this subsection the sum of \$25,000,000 for each of fiscal years 2008 through 2012.

(B) LIMITATION.—Of the amount made available to carry out this subsection in any fiscal year, not more than 3 percent may be used by the Attorney General for salaries and administrative expenses.

SEC. 512. CHIP UNITS, TRAINING, AND ADDITIONAL RESOURCES.

(a) EVALUATION OF CHIP UNITS.—The Attorney General shall review the allocation and activities of the Computer Hacking and Intellectual Property (in this section referred to as “CHIP”) units that have been established in various Federal judicial districts, with the goals of—

(1) improving the effectiveness of CHIP units in investigating and prosecuting criminal offenses arising from counterfeiting or piracy activities;

(2) ensuring that CHIP units are established and funded in every judicial district in which they can be effectively deployed;

(3) upgrading the training and expertise of Department of Justice personnel participating in CHIP units; and

(4) improving the coordination of the activities of CHIP units with corresponding efforts of State and local law enforcement agencies operating within the Federal judicial district in question.

(b) REQUIREMENTS.—In addition to any initiatives undertaken as a result of the review conducted under subsection (a), the Attorney General, in consultation with the Director of the Federal Bureau of Investigation, shall ensure that—

(1) each CHIP unit is supported by at least 2 additional agents of the Federal Bureau of Investigation for the purpose of investigating intellectual property crimes;

(2) each CHIP unit is assigned at least 1 additional assistant United States attorney to support such unit for the purpose of prosecuting intellectual property crimes or other crimes involved in counterfeiting or piracy activities;

(3) CHIP units are established and staffed in at least 10 Federal judicial districts in addition to those districts in which CHIP units exist on the date of the enactment of this Act; and

(4) an operational unit is created consisting of not less than 5 agents of the Federal Bureau of Investigation, attached to the headquarters of the Federal Bureau of Investigation in Washington, D.C., and dedicated to working with the Intellectual Property Enforcement Division established by section 501 on the development, investigation, and coordination of complex, multi-district, and international criminal intellectual property cases.

(c) COORDINATION WITH STATE AND LOCAL AUTHORITIES.—The United States attorney for each Federal judicial district in which a CHIP unit is in operation shall ensure that the activities of that unit are coordinated with the corresponding activities of State and local law enforcement agencies operating within that Federal judicial district in the investigation of intellectual property crimes and other crimes involved in counterfeiting or piracy, including by coordinating Federal, State, and local operations and intelligence sharing to the extent appropriate.

(d) ADDITIONAL RESPONSIBILITIES OF THE ATTORNEY GENERAL.—The Attorney General, in consultation with the Director of the Federal Bureau of Investigation as appropriate, shall ensure the following:

(1) All assistant United States attorneys who are assigned to CHIP units, and all agents of the Federal Bureau of Investigation who support those units, have received advanced training, on an annual basis, in the investigation and prosecution of intellectual property crimes and other crimes involved in counterfeiting and piracy.

(2) All relevant units of the Department of Justice are allocated sufficient funding and other resources as may be necessary to provide expert computer forensic assistance, including from nongovernmental entities, in investigating and prosecuting intellectual property crimes in a timely manner. For purposes of this paragraph, the term “all relevant units” includes those officers and employees assigned to carry out the functions transferred by section 501(c)(1), CHIP units, offices of the United States attorneys, and units of the Federal Bureau of Investigation that are engaged in the investigation of intellectual property crimes.

SEC. 513. TRANSPARENCY OF PROSECUTORIAL DECISIONMAKING.

(a) IN GENERAL.—The Attorney General shall direct each United States attorney—

(1) to review the formal or informal standards currently in effect in that Federal judicial district for accepting or declining prosecution of cases involving criminal violations of intellectual property laws;

(2) to consider whether the standards should be modified or applied more flexibly—

(A) to ensure that significant violations are not being declined for prosecution inappropriately; or

(B) in light of the broader impact of individual cases on the overall strategy to combat counterfeiting and piracy; and

(3) to review the practices and procedures currently in place for providing information to complainants and victims in cases and investigations involving criminal violations of intellectual property laws regarding the status of such cases and investigations, including the practices and procedures for apprising interested parties of the decision to decline prosecution of such cases.

(b) CONSTRUCTION.—

(1) PROSECUTORIAL MATTERS.—Nothing in this section shall be construed to impinge on the appropriate exercise of prosecutorial discretion with respect to cases involving criminal violations of intellectual property laws or to require the promulgation of formal standards or thresholds regarding prosecution of any cases.

(2) NO CLAIMS, ETC., MAY BE ASSERTED.—Nothing in the section shall give rise to any claim, cause of action, defense, privilege, or immunity that may be asserted by any party to Federal litigation.

SEC. 514. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out this subtitle.

Subtitle C—International Activities**SEC. 521. INTERNATIONAL INTELLECTUAL PROPERTY LAW ENFORCEMENT COORDINATORS.**

(a) DEPLOYMENT OF ADDITIONAL COORDINATORS.—The Attorney General shall, within 180 days after the date of the enactment of this Act, deploy 5 Intellectual Property Law Enforcement Coordinators, in addition to those serving in such capacity on such date of enactment. Such deployments shall be made to those countries and regions where the activities of such a coordinator can be carried out most effectively and with the greatest benefit to reducing counterfeit and pirated products in the United States market, to protecting the intellectual property rights of United States persons and their licensees, and to protecting the interests of United States persons otherwise harmed by violations of intellectual property rights in those countries. The mission of all International Intellectual Property Law Enforcement Coordinators shall include the following:

(1) Acting as liaison with foreign law enforcement agencies and other foreign officials in criminal matters involving intellectual property rights.

(2) Performing outreach and training to build the enforcement capacity of foreign governments against intellectual property-related crime in the regions in which the coordinators serve.

(3) Coordinating United States law enforcement activities against intellectual property-related crimes in the regions in which the coordinators serve.

(4) Coordinating with the activities of the intellectual property attachés appointed under title IV in the countries or regions to which the coordinators are deployed.

(5) Coordinating the activities of the coordinators with the IP Officer.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each fiscal year such sums as may be necessary for the deployment and support of all International Intellectual Property Enforcement Coordinators of the Department of Justice, including those deployed under subsection (a).

SEC. 522. INTERNATIONAL TRAINING ACTIVITIES OF THE COMPUTER CRIME AND INTELLECTUAL PROPERTY SECTION.

(a) INCREASED TRAINING AND TECHNICAL ASSISTANCE TO FOREIGN GOVERNMENTS.—The Attorney General shall increase the efforts of the Department of Justice to provide training and technical assistance to foreign governments, including foreign law enforcement agencies and foreign courts, to more effectively combat counterfeiting and piracy activities falling within the jurisdiction of such governments.

(b) CONDUCT OF PROGRAMS.—The increased training and technical assistance programs under subsection (a) shall be carried out by the Intellectual Property Enforcement Division established by section 501, as well as through such other divisions, sections, or agencies of the Department of Justice as the Attorney General may direct.

(c) PRIORITY COUNTRIES.—The Attorney General, in providing increased training and technical assistance programs under this section, shall give priority to those countries where such programs can be carried out most effectively and with the greatest likelihood of reducing counterfeit and pirated products in the United States market, of protecting the intellectual property rights of United States persons, or of protecting the interests of United States persons otherwise harmed by violations of intellectual property rights in those countries.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out this section.

Subtitle D—Coordination, Implementation, and Reporting**SEC. 531. COORDINATION.**

The IP officer shall ensure that activities undertaken under this title are carried out in a manner consistent with the joint strategic plan developed under section 321.

SEC. 532. ANNUAL REPORTS.

Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Attorney General shall submit to the Committees on the Judiciary of the Senate and the House of Representatives a report on actions taken to carry out this title, including a report on the activities of the IP Officer.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material.

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

There was no objection.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we move to dramatically step up our Nation's intellectual property laws and enforcement ef-

forts. With so much unpleasant economic news in the headlines, the measure before us, H.R. 4279, puts resources towards aiding a sector of the economy that employs an estimated 18 million workers. That is 13 percent of our labor force and accounts for half of all of the United States exports driving 40 percent of the country's growth.

As a result of less-than-effective enforcement, however, counterfeiting and piracy cost the United States' economy somewhere in the neighborhood of \$250 billion a year and creates the loss of about 750,000 American jobs.

And so H.R. 4279 will do these important things: It will prioritize intellectual property protection to the highest level of our government by creating an office in the White House that will be responsible for coordinating the intellectual property efforts of eight diverse agencies and producing a national Joint Strategic Plan for IP enforcement. It will elevate IP enforcement within the Department of Justice and provide more resources for investigating and prosecuting IP crimes.

It will make changes to both civil and criminal IP laws to enhance the ability of intellectual property owners to effectively protect their rights, and it will increase penalties for IP violations that endanger public health and safety.

Throughout the process of developing this bill, we heard many expressions of support as well as a number of expressions of concern. But we've been able to work out these issues on a bipartisan basis at every step of the process.

I congratulate the distinguished members of the Judiciary Committee, both Republicans and Democrats, for their cooperation in this process. And so now as a result, the measure is supported by the Consumer Electronics Association, the Digital Media Association, the Net Coalition, the Internet Commerce Coalition, the Coalition for Consumers' Picture Rights, the Printing Industries Association and more.

That is in addition to the support we've already had from the Teamsters, the Directors Guild of America, SEIU, AFTRA, Unite Here, AFM, OPEIU, the Coalition Against Counterfeiting in Piracy, the Motor Equipment Manufacturing Association, the Motion Picture Association of America, PHARMA, and NBC Universal.

Intellectual property protection is among the key issues that will determine American competitiveness in the 21st century. The ability to create, innovate, and generate the best artistic, technological, and knowledge-based intellectual property is the formula for continued growth in the global economy and is fundamental to the promotion of human progress.

This committee of ours, the Judiciary Committee, has given these items involved in the measure extensive consideration, lots of compromise back and forth, and we feel that this bill will make important contributions to the fight against counterfeiting and piracy.

It was reported by voice with strong bipartisan statements of support, and I urge my colleagues to vote for its passage.

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

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Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, at the outset I want to recognize Chairman CONYERS, Subcommittee Chairman BERMAN and Ranking Member HOWARD COBLE of the subcommittee, each of whom I have enjoyed working with in developing and advancing this legislation.

Mr. Speaker, at a time when many Americans are facing a slowing economy and increasing costs of food and fuel, it is imperative that Congress put aside any differences we may have and work together to promote the interests of U.S. entrepreneurs and industry.

Over the past 25 years, perhaps no group of industries has contributed more to the tremendous and sustained growth in our economy than those who rely on strong patent, trademark and copyright protections.

American intellectual property industries, including entertainment, high-tech and pharmaceutical industries, account for over half of all U.S. exports, represent 40 percent of the country's economic growth and employ 18 million American workers.

American technology, entertainment and productivity-based enterprises serve as the cornerstone of our economic and export strength.

Because of the important role IP industries play in our economy, we cannot take these innovations, or their creativity and investment required to bring them to life, for granted.

Unfortunately, the tremendous success of these innovators, creators and rights-holders has made them prime targets for thieves who seek out items protected by patent, copyright, trademark or trade secret designation. These thieves not only steal the creations of others, but also reap the monetary benefits by reproducing and distributing the products themselves.

And the losses attributed to counterfeiting and piracy affect more than the inventor. According to the U.S. Government, American businesses lose approximately \$250 billion each year to pirated and counterfeited goods.

The theft of intellectual property has also cost nearly 750,000 Americans their jobs. Given the current state of the economy, preventing these crimes and enforcing IP laws must be a top priority for the Federal Government.

H.R. 4279, the Prioritizing Resources and Organization for Intellectual Property Act of 2008, which is also known as PRO-IP, is a measure designed to respond directly to these challenges.

Specifically, the bill strengthens our laws against counterfeiting and piracy; provides new resources to key agencies involved in the enforcement of IP

rights; and mandates a new and unprecedented level of coordination and leadership on IP enforcement issues from the White House.

Mr. Speaker, the incentive to innovate and the ability to profit from the creation of new intellectual property cannot be sustained without enforcing the rights that protect the ownership of such valuable, intangible property.

And while our government agencies are doing more today to protect intellectual property than ever before, the reality is that we must do much more. We must make it increasingly difficult, and costly, for counterfeiters and traffickers, some of whom are connected to organized crime, to steal and profit from American innovations.

Because intellectual property is such an important asset for both the inventor and the economy as a whole, Congress has a responsibility to ensure that IP enforcement is made a permanent priority of every administration.

By supporting the PRO-IP bill, the House will send a clear message that there is a bipartisan commitment to ensure the next President and succeeding administrations have the resources, organizations and strategies required to protect our vital national and economic interests.

Mr. Speaker, I urge my colleagues to support this bill, H.R. 4279.

I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I rise now to yield to my dear friend and chairman of the Intellectual Property Subcommittee who's worked on this subject matter for so many years. HOWARD BERMAN has been a bellwether in bringing together the groups, and I'm happy to yield him as much time as he may consume.

Mr. BERMAN. Thank you, Chairman CONYERS, for those kind words.

I rise today in support of H.R. 4279. American inventors, artists and businesses rely on intellectual property rights to protect the value of their creative works. These works, unfortunately, are being ripped off around the world. The rampant counterfeiting and piracy of U.S. products is having a devastating impact on our economy.

Counterfeit and pirated products may account for up to 8 percent of world trade, and a significant portion of this illicit trade are knock-offs of American products. Latest estimates indicate that U.S. businesses lose up to \$250 billion a year due to intellectual property theft. This level of counterfeiting and piracy of U.S. intellectual property rights translates to job losses, lower tax receipts, and a greater trade deficit. It has also led to public health and safety threats ranging from exploding batteries to toxic pharmaceuticals to sawdust brake pads.

The economic threat and safety problems that counterfeit and pirated products pose for U.S. businesses and consumers must be dealt with. Given the difficult economic times we find ourselves in, it is that much more important that we address these problems quickly and effectively.

I am aware of the recent efforts the administration has taken to stem the tide of counterfeit and pirated products. The Department of Homeland Security has seized record numbers of counterfeit and pirated goods coming through the border. The Department of Justice is prosecuting and convicting more intellectual property thieves. The Patent and Trademark Office has stationed representatives in foreign countries to advocate for better enforcement. However, despite these efforts, intellectual property theft is on the rise. More must be done. H.R. 4279 is more.

The Act strengthens our civil and criminal laws in ways that attack the organizational structures intellectual property thieves are using and reduce the economic incentives that thieves have to engage in commercial scale counterfeiting and piracy. The Act devotes more resources to investigate and prosecute intellectual property crimes. The Act also provides more resources for the U.S. Government to work with other governments to improve intellectual property enforcement abroad.

And probably most importantly, H.R. 4279 provides a permanent and effective means of coordinating intellectual property enforcement activities. This includes the creation of an intellectual property enforcement representative in the Executive Office of the President and requiring that a national strategic plan to counter intellectual property theft be created, complete with clear goals and benchmarks that will facilitate accountability.

I'd like very much to thank Chairman CONYERS, Ranking Member SMITH, and Subcommittee Ranking Member COBLE and all of their staffs, as well as mine, for the hard work they've put into crafting this bill. The hard work shows in both the scope of the reforms and in the strong support for the bill by U.S. businesses and labor groups, and Chairman CONYERS outlined a number of those organizations and the broad sweep that they cover and their strong endorsement.

I'm also pleased to say that the amendments adopted in the bill before us go a long way in alleviating concerns raised over the operational independence of agencies like the USTR and the Department of Justice, without compromising the underlying reforms.

H.R. 4279 will bolster U.S. efforts to combat counterfeiting and piracy, and I urge support of the bill.

Mr. SMITH of Texas. Mr. Speaker, I yield to the gentleman from North Carolina (Mr. COBLE), the ranking member of the Intellectual Property Subcommittee and the former chairman of the Intellectual Property Subcommittee, as much time as he may consume.

Mr. COBLE. I thank the gentleman from Texas and, Mr. Speaker, at the outset I, too, want to recognize and express thanks to Judiciary Chairman

JOHN CONYERS, Ranking Member LAMAR SMITH, and Subcommittee Chairman HOWARD BERMAN for having made every effort to address all concerns raised during the development of this legislation.

Mr. Speaker, the Prioritizing Resources and Organization for Intellectual Property Act of 2008 reflects a bipartisan recognition and shared commitment to the strengthening of our Nation's intellectual property laws.

A comprehensive measure, it is not confined to making marginal improvements in the available civil and criminal authorities. Instead, it incorporates bold and urgently needed provisions that will permanently elevate the importance of intellectual property, IP, enforcement in future administrations.

This is accomplished by providing focused and accountable strategic leadership in the Executive Office of the President and at key enforcement agencies.

Mr. Speaker, in considering why we should take steps to improve the enforcement of U.S. IP rights, Members should be aware that U.S. losses from global copyright piracy and counterfeiting cost our innovators and entrepreneurs from \$200 to \$250 billion each and every year.

The impact in America has been widespread. More than 750,000 Americans in communities across our land have lost their jobs due to counterfeiting and piracy. Counterfeit goods lack proper quality control and can be dangerous. Toothpaste, medicines, cigarettes, and fake auto parts are but a small sample of the virtually unlimited supply of goods that have been counterfeited.

The United States Chamber of Commerce has done an excellent job of documenting the extent of this problem. I encourage anyone interested in learning about these issues to visit the Chamber's Web site for additional information or to take the time to watch the documentary *Illicit* which was produced by National Geographic and the Chamber.

Mr. Speaker, fighting piracy and counterfeiting, as you all know, is easier said than done because most of this illicit activity occurs outside our borders. In recent years, the Federal Government has made progress in improving both our domestic and global enforcement efforts, but it is also clear that achieving success in the fight against piracy and counterfeiting requires government-wide coordination and cooperation.

In addition to authorizing the Office of the United States Intellectual Property Enforcement Representative, H.R. 4279 also raises the profile of IP enforcement within the Department of Justice through the creation of a new IP enforcement division. This is absolutely necessary in my opinion.

The bill creates an additional 10 attaches at the United States Patent and Trademark Office who will be assigned

to work with foreign countries to better coordinate our international enforcement efforts.

And the bill enhances existing anti-piracy and counterfeiting criminal statutes, authorizes grants to assist local anti-piracy and counterfeiting efforts, and directs the Justice Department to refine its policies for investigating and prosecuting piracy and counterfeiting operations.

Before closing, Mr. Speaker, I'd like to note for the record three final amendments the managers agreed to incorporate into the bill. The first is designed to harmonize the cooperative provisions in title II of the bill.

The second, in section 301, places an affirmative limitation on the authority of the new IP enforcement representative that makes clear the official has no authority to control or direct law enforcement agencies in the exercise of their respective investigative or prosecutorial discretion in particular cases.

And the third, which amends section 323 of the bill, simply contains technical and conforming changes to make the text of the bill clearer.

Finally, Mr. Speaker, I want to recognize some of the stakeholders who have worked so diligently on this effort. Specifically, I'd like to note the efforts of the Coalition Against Counterfeiting and Piracy, which has been so ably led by Mr. Rick Cotton; and the U.S. Chamber of Commerce, which, of course, is led by President Tom Donohue; and the Congressional International Anti-Piracy Caucus, which is led by Representatives ADAM SCHIFF of California and BOB GOODLATTE of Virginia.

In closing, I urge my colleagues to support H.R. 4279, and I thank the distinguished gentleman from Texas for having yielded to me.

Mr. CONYERS. Mr. Speaker, I think I have only one speaker left, but might I say a word about the distinguished ranking member, LAMAR SMITH of Texas, who's worked with us incredibly, with deliberation. He's brought parties together. There has been an enormous amount of work behind the scenes for which nobody knows how much he's done to make this possible. I thank him publicly.

I now yield the rest of our time to the gentleman from Tennessee (Mr. COHEN).

□ 1430

Mr. COHEN. I want to thank the chairman and the chairmen for the work they've done, and for the ranking member, on this bill.

I rise in support of H.R. 4279, the Prioritizing Resources and Organization for Intellectual Property Act of 2008, or the PRO-IP Act.

Our Nation's intellectual property is the basis for our economic success and security. That is something that can't be undermined by cheap labor prices overseas. It's an American product. Therefore, protecting our intellectual property must be among our highest priorities.

In addition to undermining our global economic primacy, counterfeit and pirated products can threaten the health and safety of American consumers, American pet owners, steal income from legitimate businesses, deprive American workers of good jobs, and undermine the necessary incentive for innovation and creativity which has made America the great country that it is. It is for these reasons I'm an original cosponsor of the PRO-IP Act.

The PRO-IP Act will help strengthen enforcement of intellectual property rights domestically and internationally through enhanced criminal and civil penalties for intellectual property crimes, better high-level coordination among Federal Government agencies, and increased resources to domestic and foreign law enforcement authorities.

This bill, Mr. Speaker, rightfully enjoys broad support from a wide range of industries, including the entertainment, pharmaceutical, food, automobile parts and software industries. It has such diverse partners as the Chamber of Commerce and the Teamsters. When the Chamber of Commerce and the Teamsters come together it's like E.F. Hutton—we listen. We've listened well and need to pass this bill.

This coalition that supports PRO-IP is indicative of the broad support and the need for passage of such legislation. I urge my colleagues to heed the words and vote in favor of this important legislation.

Mr. SMITH of Texas. Mr. Speaker, first of all, I'd like to thank the chairman of the Judiciary Committee, Mr. CONYERS, for his earlier very generous comments.

Mr. Speaker, I submit the following extraneous material for the RECORD:

CONGRESS OF THE UNITED STATES,
Washington, DC, May 5, 2008.

Re support H.R. 4279, the PRO-IP Act.

DEAR COLLEAGUE: We want to alert all Congressional Caucus on Intellectual Property Promotion and Piracy Prevention Members that tomorrow the House will consider H.R. 4279, the Prioritizing Resources and Organization for Intellectual Property Act of 2007 (PRO IP Act) under suspension of the rules. As a caucus dedicated to enforcing IP rights, it is not only critical that our Members support this legislation, but also make an effort to educate other Members about the value of protecting American IP.

It has become increasingly clear that IP-based industries are the key to the future competitiveness and economic prosperity of the United States. They currently account for between \$5-5.5 trillion of the U.S. gross domestic product and this sector is responsible for 40% of the nation's economic growth. It is therefore imperative that our government protect IP industries from criminal networks that engage in counterfeiting and piracy, which cost U.S. businesses \$250 billion annually and have caused the loss of 750,000 American jobs.

Unfortunately, the counterfeiting and piracy problem will continue to worsen without strong, resolute action by Congress. The PRO IP Act addresses this disturbing trend by strengthening civil and criminal IP laws

to deter offenders and also provides increased government resources and coordination to enforce Americans' IP rights in the U.S. and around the world.

Given the extent of the counterfeiting and piracy problem and its impact on U.S. economic security, jobs, and consumer health and safety, it is not surprising that H.R. 4279 is supported by an array of businesses, trade associations and organized labor groups.

We urge you to support this legislation.

If you have any questions about the Congressional Caucus on Intellectual Property Promotion and Piracy Prevention please feel free to contact the following Member Offices Rep. Robert Wexler (Ellen McLaren, 202-225-3001), Rep. Mary Bono Mack (Paul Cancienne, 202-225-5330), Rep. Tom Feeney (D. Cameron Smith, 202-225-2706), or Rep. Adam Smith (Jonathan Pawlow, 202-225-8901).

Sincerely,

ROBERT WEXLER,
Member of Congress.
TOM FEENEY,
Member of Congress.
MARY BONO MACK,
Member of Congress.
ADAM SMITH,
Member of Congress.

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
Washington, DC, April 29, 2008.

Hon. JOHN CONYERS, JR.,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

Hon. LAMAR SMITH,
Ranking Member, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN CONYERS AND RANKING MEMBER SMITH: The U.S. Chamber of Commerce, the world's largest business federation representing more than three million businesses and organizations of every size, sector, and region, would like to thank you for scheduling a full committee markup of H.R. 4279, the "Prioritizing Resources and Organization for Intellectual Property Act of 2007." (PRO-IP Act).

Protection of intellectual property (IP) is critical to America's continued competitiveness and future economic security. Counterfeiting and piracy of IP costs the United States an estimated 750,000 jobs and U.S. companies close to \$250 billion in annual revenue. Moreover, counterfeit products such as auto and aviation parts, toothpaste, prescription drugs, and many others pose a severe health and safety risk to American consumers.

Unfortunately, the incidence of counterfeiting and piracy has increased faster than the government resources necessary to stop this problem and current legal penalties are insufficient to deter criminals. H.R. 4279 addresses these concerns by providing increased resources and coordination within the executive branch for IP enforcement and enhancing civil and criminal IP laws.

The Chamber appreciates your leadership on this important issue and supports expeditious approval of the PRO-IP Act by the Judiciary Committee and the full House of Representatives.

Sincerely,

R. BRUCE JOSTEN,
*Executive Vice President,
Government Affairs.*

APRIL 29, 2008.

Hon. JOHN CONYERS, JR.,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

Hon. LAMAR SMITH,
Ranking Member, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN CONYERS AND RANKING MEMBER SMITH: The Coalition Against Coun-

terfeiting and Piracy (CACP), which includes more than 500 businesses and associations, thanks you for scheduling a markup of H.R. 4279, the "Prioritizing Resources and Organization for Intellectual Property Act of 2007." (PRO-IP Act).

As you know, intellectual property (IP) accounts for more than \$5 trillion of the U.S. gross domestic product, comprises more than half of all U.S. exports, and represents 40 percent of U.S. economic growth. Counterfeiting and piracy of IP are growing problems that threaten the ability of businesses to remain competitive and continue providing quality jobs to Americans. Additionally, unsafe counterfeit products pose a severe risk to U.S. consumer health and safety.

CACP members strongly support passage of the PRO-IP Act because it will help the U.S. government significantly improve IP protection and enforcement both internationally and domestically. It is crucial that Congress address counterfeiting and piracy before the end of this session. CACP therefore urges the Committee on the Judiciary not to adopt any controversial amendments that might jeopardize swift enactment of this legislation.

The CACP thanks you again for sponsoring the PRO-IP Act and for your continued leadership in moving this critical bill through the legislative process.

Sincerely,

RICK COTTON,
*Chairman, The Coalition Against
Counterfeiting and Piracy.*

INTERNATIONAL TRADEMARK
ASSOCIATION,
Washington, DC, May 5, 2008.

DEAR MEMBER, The International Trademark Association (INTA) would like to express its full support for the legislation, "Prioritizing Resources and Organization for Intellectual Property Act of 2007" (H.R. 4279). INTA is a not-for-profit membership association of more than 5,500 trademark owners and professionals dedicated to the support and advancement of trademarks and related intellectual property ("IP") as elements of fair and effective national and international commerce. We urge you to vote "YES" on H.R. 4279.

We commend the House of Representatives for this bill, which seeks to improve the protection of IP and enhances the capacity for enforcement and coordination activities. The protection of intellectual property is a global challenge and requires a focus on strengthening and streamlining U.S. law and policy as well as a mechanism for creating new opportunities for enforcement and collaboration on a global level. H.R. 4279 succeeds in achieving these objectives.

Counterfeiting is a growing problem that is affecting the health and well-being of consumers throughout the world. It steals the identity of trademark owners and robs consumers of a safe and reliable marketplace. For the U.S. economy, it translates into lost jobs and lost tax revenues. Specifically, the cost to the U.S. economy is estimated at \$200 to \$250 billion per year. Passage of H.R. 4279 is a crucial step to counteract the challenges and burdens presented by counterfeiting.

INTA is pleased to see a united effort by Congress to address this growing problem and INTA looks forward to passage of this legislation in the House of Representatives.

Thank you.

Sincerely,

ALAN C. DREWSEN,
Executive Director.

MOTION PICTURE ASSOCIATION
OF AMERICA, INC.,
Washington, DC, May 6, 2008.

Hon. NANCY PELOSI,
*House of Representatives,
Washington, DC.*

Hon. JOHN BOEHNER,
*House of Representatives,
Washington, DC.*

DEAR SPEAKER PELOSI AND LEADER BOEHNER: On behalf of the Motion Picture Association of America, I write to convey our strong support for House passage of H.R. 4279, the Prioritizing Resources and Organization for Intellectual Property Act of 2007. H.R. 4279 is a comprehensive bi-partisan measure that will strength protections for intellectual property and thereby strengthen our nation's economy and generate more jobs for American workers.

Theft of intellectual property by counterfeiting and copyright piracy have a profoundly detrimental impact on our nation's economy. Theft of intellectual property costs American industry more than \$250 billion annually, as well as an estimated 750,000 jobs. Piracy costs the motion picture and television production industries alone over 140,000 U.S. jobs each year. Absent piracy, workers employed by the motion picture and television production industries would earn an additional \$5.5 billion per year, and cities, towns and states would receive \$837 million in additional tax revenue annually. Protecting intellectual property is vital to our nation's continuing economic strength and H.R. 4279 includes important and much needed provisions that will help do so.

H.R. 4279 will ensure that federal authorities have the resources necessary to investigate and prosecute criminal intellectual property crimes. It will also ensure that intellectual property protection remains a federal priority by creating a new office within the White House dedicated to this important goal. Finally, H.R. 4279 increases the protection of American intellectual property abroad by enhancing critically important international enforcement resources.

Intellectual property is among America's most precious commodities. Protecting intellectual property is good for America's economy, will produce more jobs for U.S. workers and more and better products for consumers. H.R. 4279 is a measured, reasonable and much-needed piece of legislation that will ensure that the American intellectual property system remains the world leader. This important legislation has strong bipartisan support and enjoys broad support from both the American business community, and labor unions. Accordingly, we urge House Members to vote in favor of H.R. 4279.

Sincerely,

DAN GLICKMAN,
*Chairman and
Chief Executive Officer.*

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of H.R. 4279, the "Prioritizing Resources and Organization for Intellectual Property (PRO-IP) Act of 2007." I urge my colleagues to join me in voting for this legislation. I am confident that working together we can address and strengthen criminal and civil enforcement of United States intellectual property law.

The purpose of H.R. 4279 is to strengthen criminal and civil enforcement of United States intellectual property law focusing, in particular, on copyright violations (piracy) and trademark violations (counterfeiting). In addition, the PRO-IP Act seeks to modernize and improve U.S. government efforts for coordination and enforcement of our nation's IP laws.

The knowledge and innovation of American citizens contributes significantly to the economic strength of our nation. Intellectual property law provides the principal incentives that are calculated to lead to the creation and production of new works. This bill is needed because the effect of piracy and counterfeiting on the economy is devastating. Total global losses to United States companies from counterfeiting and copyright piracy amount to \$250 billion per year. Every company in every industry is vulnerable.

Because these illegal activities represent a growing public health, safety and law enforcement problem, H.R. 4279 provides additional targeted resources for investigation, enforcement and prosecution; requires the development and promulgation of a national Joint Strategic Plan to combat counterfeiting and piracy; and provides for enhanced Presidential level leadership and coordination among federal agencies involved with preserving and protecting intellectual property rights.

Title I of H.R. 4279 provides enhancements to civil intellectual property laws. Specifically, Title I makes it clear that a certificate of registration will satisfy registration requirements regardless of whether there is any inaccurate information on the registration application, unless the inaccurate information was included with knowledge that it was inaccurate.

Title I also broadens the civil remedies for infringement by broadening the scope of articles that may be ordered impounded by the court upon a finding that the article was made or used in violation of a copyright. This Title also directs the court to enter a protective order to ensure that confidential information is not improperly disclosed.

Title II provides enhancements to criminal intellectual property laws by addressing repeat offender penalties for criminal acts contained within the criminal copyright statute. Title II clarifies that a repeat offender is a person that commits the same criminal act twice. The bill clarifies that any property subject to forfeiture must be owned or predominantly controlled by the violator in order to be seized and directs the United States Sentencing Commission to consider whether the sentencing guidelines should be expanded to include the export of infringing items. There are enhanced maximum statutory penalties for counterfeit offenses that endanger public health and safety.

Title III of H.R. 4279 provides greater coordination and strategic planning of federal efforts against counterfeiting and piracy. Specifically, this Title establishes within the Executive Office of the President, the Office of the United States Intellectual Property Enforcement Representative and, within that Office, the United

States Intellectual Property Enforcement Representative, appointed by the President of the United States. Lastly, Titles IV and V provide international, national, and local enforcement.

The bill has several important enforcement provisions that are worthy to discuss. First, it places a 45-day time limit on the Register of Copyrights' response to a court. Second, it strikes the section allowing for multiple statutory damages for compilation infringement. Third, it clarifies that there must be a substantial nexus between the property and the crime to institute civil forfeiture proceedings. Lastly, it removes the requirements for Federal Bureau of Investigation agents to receive IP related crime training.

While I support the bill, I would have liked to consider ways to ensure diversity in the Computer Hacking and Intellectual Property (CHIPs) units that are established by this bill. I would have liked to work to ensure that minorities be represented in hiring and that special recruitment initiatives be launched at historically black colleges and universities and other minority serving institutions. We should do all within our efforts to guarantee that minorities receive the necessary training and be recruited to help in the IP enforcement at the Executive, State, and local levels.

Mr. Speaker, H.R. 4279 is a first step toward the promotion of the American economy. It ensures that American innovation will remain crucial to the United States economy and that American innovation will allow the United States to remain a global economic power. Indeed, this bill ensures that the United States IP laws are enforced and that the American intellectual property system remains one of the best in the world.

Mr. Speaker, I urge all members to support this much needed and thoughtful legislation.

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise in opposition to H.R. 4279.

While this administration can and should do more to protect intellectual property rights, I do not think that the answer lies in this bill's creation of new forfeiture provisions, a new "IP Czar," or a new IP-only division within the Department of Justice.

In recent civil actions pursued by some within the content industry, we have seen unduly aggressive tactics that occasionally target innocent individuals. I am concerned that given the bill's thrust toward more aggressive enforcement of copyright infringement, enhanced forfeiture provisions similarly may sweep up wholly innocent students, parents, and consumers in larger enforcement actions.

I regret that more was not done to strike the appropriate balance between protecting copyright owners from those who unlawfully benefit from infringement and ensuring that we do not inadvertently punish innocent bystanders.

I also have concerns with Title III's creation of a new office of the U.S. IP Enforcement Representative. I appreciate the work that has been done to refine the scope of Title III. Nonetheless, Title III still creates a position that is a coequal of the U.S. Trade Representative in the Department of Commerce. There is a strong possibility that the USTR and the "IP Czar" will come to conflicting policy decisions in matters affecting both IP enforcement and international trade.

The bill offers little guidance with respect to how those conflicts will be resolved. Nor does it contain adequate safeguards to ensure that the IP Czar does not target legitimate innovation out of overstated concerns about contributory infringement.

Finally, I share the authors' frustration with this administration's failure to engage in a more constructive dialogue about how best to focus the DOJ's resources on IP enforcement without harming and disrupting equally important law enforcement priorities. Nonetheless, that potential harm and disruption cannot be ignored and has not been addressed adequately.

I share the goals of the authors of this legislation but not the means by which they sought to achieve them. I thank the authors for their work to improve this bill, but regret that it was not improved further.

Mr. SMITH of Texas. I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, I follow suit and yield back any time remaining on this side.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 4279, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. FRELINGHUYSEN. Mr. 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. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

AFRICAN NATIONAL CONGRESS EXEMPTION

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5690) to exempt the African National Congress from treatment as a terrorist organization for certain acts or events, provide relief for certain members of the African National Congress regarding admissibility, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5690

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

SECTION 1. EXEMPTION OF AFRICAN NATIONAL CONGRESS FROM TREATMENT AS TERRORIST ORGANIZATION FOR CERTAIN ACTS OR EVENTS.

Section 691(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (division J of Public Law 110-161; 121 Stat. 2365) is amended by inserting "the African National Congress (ANC)," after "the Karenni National Progressive Party,".

SEC. 2. RELIEF FOR CERTAIN MEMBERS OF THE AFRICAN NATIONAL CONGRESS REGARDING ADMISSIBILITY.

(a) EXEMPTION AUTHORITY.—The Secretary of State, after consultation with the Attorney General and the Secretary of Homeland Security, or the Secretary of Homeland Security, after consultation with the Secretary of State and the Attorney General, may determine in such Secretary's sole unreviewable discretion that paragraphs (2)(A), (2)(B), and (3)(B) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) shall not apply to an alien with respect to activities undertaken in opposition to apartheid rule in South Africa.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Secretary of State and the Secretary of Homeland Security should immediately exercise in appropriate instances the authority in subsection (a) to exempt the anti-apartheid activities of aliens who are current or former officials of the Government of the Republic of South Africa.

SEC. 3. REMOVAL OF CERTAIN AFFECTED INDIVIDUALS FROM CERTAIN UNITED STATES GOVERNMENT DATABASES.

The Secretary of State, in coordination with the Attorney General, the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence, shall take all necessary steps to ensure that databases used to determine admissibility to the United States are updated so that they are consistent with the exemptions provided under section 2.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and incorporate extraneous material on the bill under consideration.

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

There was no objection.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

Members of the House, the African National Congress is a rare example of an oppressed people fighting for their freedom and then leading a successful and peaceful transition to a modern nation. The fight went on for years, underground and in exile, against the morally bankrupt apartheid system in South Africa. And once they prevailed, their response to gaining political power was not retribution and reprisals, but truth and reconciliation.

Notwithstanding this peaceful transition, the United States had not gotten around to giving ANC leaders the opportunity to enter this country because certain provisions in the Immigration and Nationality Act currently require us to consider them still as terrorists.

After the attacks on 9/11, Congress sought to exclude and remove terrorists from the United States by strengthening the terrorism bars in our immigration laws. In doing so, however, we inadvertently covered groups and individuals whom we did not intend to, including allies and even victims of terrorism. These bars have been used against the brave men and women who fought side by side with United States forces in Southeast Asia. They've been used against those who used armed resistance to defend themselves against brutal and repressive regimes, such as those in Cuba and Burma. They've even been used against women who were raped and enslaved by armed militia in Liberia. And as we recognize today, they've been used against members of the African National Congress, including the great leader, Nelson Mandela. This has had profound effects, preventing us from protecting vulnerable refugees and asylum seekers and resulting in embarrassing denials of visas for Nelson

Mandela himself and other foreign heads of state.

We all know how Mr. Mandela and other ANC leaders suffered unjust incarceration for decades at the hands of the apartheid regime. We know how the apartheid regime labeled its opponents as terrorists, as communists, and anything else they could invent to accuse them of that was negative in an attempt to deflect criticism of their own institutions of repression and racial separation. And yet these people who steadfastly fought for freedom and chose a path for peace once they came to power are now blocked from entry to the United States. And so that's where this measure comes in.

Congress has begun to take corrective action, and last year were removed a number of freedom-fighting groups from treatment as terrorist organizations. Today, we do the same for the ANC and its members. In addition to specifying that the ANC is not on the list of terrorist organizations under the Immigration and Nationality Act, the bill would also give discretionary authority to Secretaries of State and Homeland Security to admit individuals regardless of activities undertaken in opposition to apartheid rule in South Africa.

Finally, the bill would require the Secretary of State, in coordination with other agencies, to ensure that government databases are updated so that they are consistent with the exemptions provided in the bill.

I'd like to thank committee chairman of the Judiciary, HOWARD BERMAN, but also in his capacity as the Chair of the Foreign Relations Committee, and in memoriam, I'd like to remember the chairman that preceded Mr. BERMAN, Tom Lantos, for their work on this bill. I would like to insert into the RECORD at this point an exchange of letters between our two committees.

And thanks again to the ranking member from Texas, LAMAR SMITH, whose bipartisan discussions have enabled us to reach this point. This is a noncontroversial bill that repairs something that should have been taken care of earlier. It closes the books on the evils of apartheid. And so I'm very proud to bring this to the floor with the Members that I have mentioned.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,

Washington, DC, May 5, 2008.

Hon. JOHN CONYERS, Jr.,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning the bill, H.R. 5690, legislation to exempt the African National Congress from treatment as a terrorist organization for certain acts or events, provide relief for certain members of the African National Congress regarding admissibility, and for other purposes, which I introduced earlier this year. The bill contains provisions within the Rule X jurisdiction of the Committee on Foreign Affairs, and was referred to the Committee when introduced.

In the interest of permitting your Committee to proceed expeditiously to floor consideration of this important legislation and

clear it for the President, I am willing to waive this Committee's right mark up this bill. I do so with the understanding that by waiving consideration of the bill, the Committee on Foreign Affairs does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction.

I would ask that you place this letter into the Congressional Record when the Committee has H.R. 5690 under consideration.

Sincerely,

HOWARD L. BERMAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, May 6, 2008.

Hon. HOWARD BERMAN,
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding your committee's jurisdictional interest in H.R. 5690, a bill to exempt the African National Congress from treatment as a terrorist organization for certain acts or events, provide relief for certain members of the African National Congress regarding admissibility, and for other purposes.

I appreciate your willingness to support expediting floor consideration of this important legislation today. I understand and agree that this is without prejudice to your Committee's jurisdictional interests in this or similar legislation in the future. In the event a House-Senate conference on this or similar legislation is convened, I would support your request for an appropriate number of conferees.

I will place a copy of your letter and this response in the Congressional Record during consideration of H.R. 5690. Thank you for your cooperation as we work towards enactment of this legislation.

Sincerely,

JOHN CONYERS, Jr.,
Chairman.

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

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the African National Congress has played a significant role in history. Nelson Mandela and the ANC for many years fought against the unjust apartheid system in South Africa.

Through a largely peaceful transfer of power, apartheid is a thing of the past and South Africa now has a representative democratic government. Many ANC officials are now, in fact, officials of South Africa's government.

South Africa provides hope that genuine reconciliation between historically opposed groups can, in fact, be achieved. However, real terrorist acts were committed as part of the struggle against apartheid. There were deadly bombings of civilians. There were so-called "necklacings" in which car tires were put around persons' necks and set on fire.

I am pleased that the bill's sponsors, Mr. BERMAN, Ms. LOFGREN and Chairman CONYERS, were willing to ensure that this bill will provide appropriate relief for the African National Congress without excusing the perpetrators of terrorist or criminal acts.

First, the ANC is added to the list of organizations not considered terrorist

organizations for immigration purposes. Such a list was created to shield certain organizations from the broad reach of the Immigration Act of 1990.

Under the 1990 legislation, any guerrilla group would find itself under the definition of a terrorist organization. The groups currently on the exempt list include the Hmong, who fought alongside U.S. soldiers in the Vietnam War, and groups that are fighting against the repressive Burmese Government today. It is understandable that the ANC be added to that list.

Second, the administration is granted the authority to waive the criminal grounds of inadmissibility with respect to aliens for activities undertaken in opposition to apartheid rule in South Africa. Congress already granted the administration waiver authority for the terrorism-related grounds in last year's omnibus spending bill.

Third, the bill contains a sense of Congress that the administration should immediately exercise "in appropriate instances" the authority granted under the bill to waive grounds of inadmissibility for the anti-apartheid activities of aliens who are current or former officials of the Government of South Africa. I am confident that any administration will use this power wisely.

Finally, the bill directs the administration to ensure that government databases used to determine admissibility to the U.S. be updated to reflect any waivers granted.

Mr. Speaker, I urge my colleagues to support this bill. Again, I want to thank Chairman BERMAN and Chairman CONYERS and Chairman LOFGREN for working in good faith to address concerns with the bill as it was introduced.

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

Mr. CONYERS. Mr. Speaker, I am proud now to recognize the subcommittee chairman from whence this bill came, and the chairman of the Foreign Affairs Committee, HOWARD BERMAN, for as much time as he may consume.

Mr. BERMAN. Mr. Speaker, it's an honor to be part of the debate on a bill being managed by the chairman of the Judiciary Committee, who perhaps is one of the first Members of Congress to speak out and lead the effort against the old apartheid regime, going way back into the late sixties and early 1970s, and who, along with Congressman Ron Dellums and many others, led the effort in 1986, I believe it was, to override the veto and provide the first really tough sanctions against investment that helped play a part in the ultimate downfall of that apartheid regime.

Mr. Speaker, this bill is a long overdue one, and it's the direct result of a stunning and, frankly, embarrassing story for the United States. The United States, throughout the 1970s and 1980s, had a much too cozy relationship with the apartheid Government of South Af-

rica which had labeled the ANC as a terrorist organization. The apartheid government banned membership and political activity in the ANC and forced its leaders underground or into exile. A direct result of that ban was that under U.S. law individuals convicted of crimes, including the Nobel Laureate and former President of South Africa, Nelson Mandela, were deemed inadmissible for entry to the United States, along with individuals labeled as terrorists by the former South African government.

Much has changed for South Africa since those dark times. President de Klerk and Nelson Mandela negotiated an end to the conflict and an end to the apartheid system on behalf of the National Party and the African National Congress. In 1994, the country held its first democratic elections in which full enfranchisement was granted.

Today, the ANC serves as the majority party in a diverse ruling coalition. Yet, astonishingly, while South Africa completed its monumental political transition, the U.S. position regarding entry for ANC's leaders remained frozen in time. Leaders such as Nelson Mandela, Walter Sisulu and Govan Mbeki, the father of President Thabo Mbeki, were continually barred from entry to the U.S. and had to apply for special waivers to gain entry.

Even more embarrassing than the original U.S. embrace of apartheid policies was the fact that few of those who opposed apartheid in the United States Government, including many of us in Congress, were even aware of the residual terrorist designations against ANC members.

□ 1445

Despite recognizing two decades ago that America's place was on the side of those oppressed by apartheid, Congress has never resolved the inconsistency in our immigration code that treats many of those who actively opposed apartheid in South Africa as terrorists and criminals, in part because the apartheid regime labeled them as such.

Increasingly, stringent security measures passed by Congress since 2001 have further ensnared ANC members. Because the ANC used armed force as part of its campaign against the repressive apartheid regime in South Africa, current law continues to regard the ANC as a terrorist organization and to deny entry to members based on their affiliation with the ANC.

The intent of H.R. 5690 is to purge the United States of any residual effect of its former policies with regard to the South African Government and to update U.S. law with regard to the ANC. The bill, as amended, specifically removes the ANC from treatment as a terrorist organization and grants the Secretary of State and the Secretary of Homeland Security the discretionary authority to determine that certain criminal- and security-related grounds of inadmissibility do not apply to an alien with respect to activities under-

taken in opposition to apartheid rule in South Africa.

I want to take a moment just to compliment again the ranking member of the Judiciary Committee, who has very strong and passionate views on the issues of immigration and, obviously, also, as we all do in this Chamber, on the issue of terrorist organizations and inadmissibility for those organizations. He has truly understood and internalized the historic transition here and the unfairness of the present situation.

And I do want to affirm one point that he raised. This bill does not have anyone close their eyes to acts committed by the ANC or by the apartheid government, and nothing here would preclude the Secretary, as she exercises her discretion, from considering whether or not civilians were targeted by an individual actor, civilians. We should, also, I think, take into account, as we decide what to do on this, the very powerful and legally binding truth and reconciliation process in South Africa which provided a restorative justice process that salved many of the wounds of the apartheid era.

Once enacted, the ANC will be removed from terrorist watch lists, and the ANC will receive treatment befitting its status as a leading party and a close ally of the United States. I encourage my colleagues to support the legislation.

Mr. SMITH of Texas. Mr. Speaker, first of all, I would like to say that it's always nice when the gentleman from California (Mr. BERMAN) and I can agree on immigration issues, as we did in this particular instance.

Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. KING), the ranking member of the Immigration Subcommittee of the Judiciary Committee.

Mr. KING of Iowa. I thank Mr. SMITH, the ranking member of the Judiciary Committee, for yielding, and I appreciate the privilege to address this issue before this Congress.

First, I want to point out that I believe there has been a constructive compromise that has been reached across this aisle that has not necessarily closed loopholes but made some clarifications that help protect this country from kind of a blanket waiver, so to speak, with any of those formerly potentially violent members of the ANC.

And for me, I come to this debate with more concern than many because I still maintain vivid memories of what went on in the streets of South Africa during those anti-apartheid riots and demonstrations and strategic actions that took place, black against white, white against black. I also have vivid memories, Mr. Speaker, of actions taken in this country and positions taken politically and the divesting of investments within South Africa by many American companies as an incentive to end apartheid, which was, I believe, a sin against humanity to have a policy that identified some people as

being more equal than others, and I believe it's a sin against humanity to maintain those policies, whether they are in the United States or South Africa or anywhere else.

I offered an amendment to the Judiciary Committee before this bill, and the purpose of it was to send a message because I have traveled to South Africa and I have met with people there who expressed to me some concerns, and because of that, I've also dug a little deeper into the readings in the current events. It will not be a surprise to the members of the committee that I'm concerned about the land transfer that is part of the federal policy of South Africa, to transfer a significant portion of land from, right now, under the deeds held by white South Africans into the deeds of black South Africans. I made it clear in the committee that I do not compare this to the things we see going on in Zimbabwe. That is far different and that is without benefit of the rule of law. But there still remains a concern.

I also want to point out, and I promised Ambassador Welile Nhlapo, who is the Ambassador to the United States from South Africa, that I would make this statement. And he came to my office yesterday. We sat down in my office for a good, strong hour and discussed these issues. And he assured me that there are constitutional protections that exist and statutory protections that exist to protect all property owners in South Africa and that there will not be a transfer of real estate property into the hands of black South Africans at the expense of white South Africans without due process of law and constitutional protections. I voiced my concern about that. He reassured me that that would be the case.

And I pointed out to him that it's difficult for us in this country to reach an objective position on these issues that are racially charged because it's so much wrapped up in who we are. And I would point out, Mr. Speaker, for the observation of the body, to listen to an analysis of the political campaigns that are going on now and, in fact, today to listen to an analysis of the predictions of those going to the polls in the Democrat primary in places like Indiana and North Carolina, which are taking place right now, you cannot hear a political pundit/talking-head analysis without race and gender coming into that debate.

So I challenged Ambassador Nhlapo that that's a very difficult standard, that we can't meet it here in this country. As old as our traditions are for freedom, as much sweat and toil and blood has been spilled to make people free and keep them free, we still can't extricate ourselves from being wrapped up in that debate and have our public policy identified by whom we might side with rather than how we might analyze the Constitution or the law. It's difficult here in the United States with our traditions; it's far more difficult in South Africa. We had that dis-

ussion. It was a constructive discussion.

And I rise today, Mr. Speaker, to support this bill and to encourage open dialogue globally and continuing communication and interchange with the people of South Africa and people of all nations on the Earth.

I would remind, also, the body that the record of post-colonial Africa is not a stellar record. There are many problems in the continent, many of those in the southern part of the continent of Africa. And as I travel and visit there and go into the AIDS orphanages in particular and can step into the villages where there isn't a single adult of reproductive age unless they are a missionary, it has been devastating to the continent. We need to have an open dialogue and be frank about our problems and be open in our discussion. Hiding our dialogue because we're afraid we might hurt someone's feelings only pushes the problem further downward instead of letting it surface so that we can all address it together with open eyes, open ears, and open dialogue.

That's what we did yesterday in my meeting, which I so gratefully received Ambassador Nhlapo into my office. And in that engaging conversation, I'm confident that we have opened up communications for a continued dialogue, and I trust that this bill will open communications for further dialogue, and I certainly support this.

Mr. CONYERS. Mr. Speaker, I rise to recognize the distinguished gentlewoman from Texas (Ms. JACKSON-LEE), who has worked with STEVE KING. And I suggest that there may be a codel going to this part of the globe, and I would certainly like to invite the distinguished gentleman Mr. KING to consider joining us on such a codel.

I yield to the gentlewoman from Texas (Ms. JACKSON-LEE) 3½ minutes.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. I thank the distinguished chairman of the Judiciary Committee; the distinguished chairman on the Foreign Affairs Committee; and our distinguished ranking member, who has joined us in a very important and historic step that is being made on the floor of the House today. And I appreciate my good friend from Iowa, who has given us a global overview.

Mr. Speaker, I want to remind my colleagues that this is a pointed and focused legislative initiative, along with the leadership of Chairwoman ZOE LOFGREN, that we have gotten to a point that is long overdue. My good friend, Congresswoman BARBARA LEE, and Congressman DON PAYNE are part of those who initiated this effort. And it is pointedly to focus on really what we would call heroes, fighters against apartheid in South Africa, who shed their blood so that South Africa could be the reconciled nation that it is today. President Mbeki; former Presi-

dent Mandela, "Father Mandela," as he is called; and many of the seniors who are now in their retiring years, who, when they come to the United States, are detained, interrogated, and embarrassed by our own treatment of these heroes, this goes to the very point of the expanded use in the United States of the word "terrorism" and the utilization of it by preventing innocent people, people who have been heroes, to come into this country. This is not necessarily a strict immigration bill. It is people who are coming into the country legally, but because they have been freedom fighters, somewhat the way that Dr. Martin Luther King stood nonviolently for rights here in this country, these individuals had to be in the midst of an encounter, if you will, to provide the safety and security for their people.

This particular legislation is an important step forward. But I might suggest to my colleagues that I hope that on the floor today we are making a legislative statement and providing legislative history so that the Department of Homeland Security and the Secretary of State or the State Department will not dillydally around, because, unlike the previous legislation, this does not order it to be done; it gives those departments the discretion for it to be done, as they have requested. So we are entrusting to them this noble responsibility to do well by Father Mandela, to do well by former President Mbeki, and we need to ensure that we do the right thing. And as we look to give this country a different face on terrorism, let us likewise be assured that we recognize that there are other groups that are similarly situated that we should take a look at.

So I rise to support this legislation, Mr. Speaker, because it is an important step forward. It does give the ability to admit these individuals but also to renew the stigma, if you will, of the name of "terrorists" because they were freedom fighters to save and preserve and to free South Africans so that they too might live in a democracy. That is what this legislation does, and I appreciate all of the hard work that has gone on.

I close by simply saying, good day for the freedom fighters of South Africa and the ANC; good day for Father Mandela, who led the fight on reconciliation and peace, along with Bishop Tutu. Good day for all of them as we stand here acknowledging that they are heroes, freedom fighters fighting for democracy and equality.

To the Secretary of State, to the Secretary of Homeland Security, act now once this bill has passed.

Thank you, Mr. Speaker, for your leadership in convening today's markup on H.R. 5690. I support this bill and I urge my colleagues to do the same.

This bill recognizes that the ANC is a nearly 100-year-old party that was created in 1912 to advocate for the rights of black South Africans. It also recognizes that the white Afrikaner government took control of South Africa

in 1948 and at the same time instituted its system of de jure apartheid, which had the effect of disenfranchising millions of non-white Africans. The ANC joined with other groups to engage in civil disobedience and it was banned in 1960 by the South African Government. Although the ANC was banned, it led the resistance effort against apartheid in the late 1970s and 1980s.

Between 1990 and 1994, the ANC negotiated with the South African Government for the end of apartheid and the enfranchisement of black South Africans. In 1994, the ANC became a registered political party and Nelson Mandela was elected to be the first black president.

Since the recognition of the ANC as a legitimate political party, several prominent black South Africans have been denied visas to enter the United States on the basis that they were considered to be inadmissible under the INA because they were members of a terrorist group. Nelson Mandela were considered inadmissible under this same law. In the past the Department of State has provided waivers to ANC leaders to enter the United States.

H.R. 5690 would remove certain affected persons from certain U.S. databases. The bill provides that the Secretary of State, Attorney General, Secretary of Homeland Security, the Director of the FBI, and the Director of National Intelligence, shall take steps to update the database concerning admissible persons. The bill provides that the ANC is not treated as a terrorist organization for any act occurring on or before the enactment of the act. The bill still leaves the Secretary of State and the Secretary of Homeland Security with the discretion to deny people entry. Importantly, the bill does not deny present and former members of the ANC admission to the U.S. on the basis of their membership in or affiliation with the ANC or for any apartheid activities occurring from 1948 to 1990.

This bill is long overdue. The ANC has been recognized as a legitimate political party since 1994. There is no reason to treat members of that organization as a terrorist threat. I urge my colleagues to support this bill. My only concern is that the bill singles out the ANC but does not go further in clearing other political parties that were outlawed during the apartheid era from treatment as terrorist organizations.

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

Mr. CONYERS. Mr. Speaker, I rise to recognize the gentlewoman from Oakland, California (Ms. LEE), who for many years worked as chief of staff with our former colleague Ron Dellums on this subject. So in her capacity as a Member of Congress and former staffer, she has stayed on the course for all of these years, and I yield her such time as she may consume.

Ms. LEE. Let me thank you, Chairman CONYERS, for yielding and for those kind words but also for your leadership on so many issues. You are a true warrior, and we would have never been at this place today had it not been for yourself.

I also want to thank Chairman BERMAN; I want to thank our subcommittee chairman, DON PAYNE; and Chairman BENNIE THOMPSON for their

leadership on so many issues and for making sure that this bill came today to this floor in a bipartisan fashion.

As a cosponsor of this legislation and a long advocate against apartheid, I am especially pleased that we are taking this important step to finally right this inexcusable wrong. Many of us were arrested during the anti-apartheid movement, myself included.

□ 1500

It wasn't until the mid 1980s that finally Congress put our country on the right side of history by overriding President Reagan's veto to impose sanctions.

This is a bill that my predecessor, a great warrior, now the mayor of Oakland, California, Ron Dellums, had introduced for 12 long years. I can remember during that period the ILWU protesting, in fact, I was arrested with them also, the unloading of ships from South Africa which kicked off much of the anti-apartheid movement. Congresswoman MAXINE WATERS, a great leader who just recently received, as did Mayor Ron Dellums, one of the highest honors by the South African Government, led the fight in California against apartheid. And I think we were one of the first States to impose sanctions.

All of us who were involved during that time had to take risks. The ANC couldn't even travel outside of New York and couldn't come to Washington, D.C. because they were considered a terrorist organization. Many of us had to go to Europe just to meet the members of the ANC to talk about how we could help end the brutal regime of apartheid which was killing so many people, dehumanizing the whole country, and was one of the most ruthless systems that we have ever known.

It has been 18 years since Nelson Mandela was released from prison and 14 years since he was elected president of South Africa. And this year he will turn 90 years old. Yet to this day, to this day, despite his legacy as a hero of the anti-apartheid movement, despite the fact that he is a Nobel Peace Prize recipient, he received the Peace Prize in 1993, despite his election as president, we still require Nelson Mandela to apply for a visa waiver to enter into the United States just for a visit. This is just plain wrong.

Last December I traveled to South Africa for World AIDS Day with our colleague, the Delegate Donna Christian. And we were asked by many people many times over and over and over again why President Nelson Mandela was still on the terrorist list. Well, we were, quite frankly, very embarrassed and shocked. And we were determined that we would do everything we could to finally, again, put our country on the right side of history. So I am pleased and I am excited that we are taking this step today.

The ANC was fundamentally involved in a war of liberation against the oppressive apartheid regime in South Af-

rica for over four decades. If they hadn't been involved in this war of liberation, apartheid would still be existing in South Africa. So instead of continuing to penalize the ANC for their political struggle against apartheid, we really should be commending them for their work in transforming South Africa into a beacon of democracy. And just look at how they have moved forward in their peace and reconciliation process. I think we could learn a heck of a lot in our own country by the leadership of President Mandela and how the people of South Africa, black and white, have come together to reconcile and to move forward to take South Africa into this new millennium and into a new South Africa.

So let me just thank again Chairman CONYERS and Chairman BERMAN for bringing this bill to the floor today. It's really the right thing to do. And for those of us who have been so long involved in the anti-apartheid movement, and now, of course, in the movement to stop the genocide that is taking place in Darfur, this is a day that we have been waiting for for a long time. This is the only thing that we can do now, to say, first of all, that we understand that this should not have taken so long, but at least it is better late than never. Thank you very much, Mr. CONYERS.

Mr. CONYERS. I thank the gentlelady, BARBARA LEE, of Oakland, California, for closing our statement.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today in support of H.R. 5690 which ensures that African National Congress (ANC) members will no longer be denied visas to enter the United States solely based on their anti-Apartheid activities.

I am proud to have introduced this long-overdue legislation that will remedy a situation that was brought to my attention by my colleague, the gentlelady from the U.S. Virgin Islands, Dr. CHRISTENSEN. A few months ago, Dr. CHRISTENSEN informed me that Nelson Mandela, the South African civil rights icon that won 1993 Nobel Peace Prize, is not eligible for a visa to enter the U.S. because he is a member of the African National Congress. I was stunned. How could one of the giants of the 20th Century who is revered for bringing peace and reconciliation to a country that was torn apart by racism be ineligible to receive a standard visa to visit the United States? I quickly learned that the ANC, which was established in 1923 to advocate for the rights of black South Africans against the brutal Apartheid regime, was designated a "terrorist organization" by the same government that subjected black South Africans to racial segregation and violence.

For decades, ANC leaders, including President Mandela, withstood great hardships to overcome the oppression of Apartheid in South Africa, risking everything for basic principles of fairness and opportunity. By 1994, the ANC was the ruling party in South Africa, yet, some ANC leaders and members are still denied entry into America—today—solely because of their affiliation. H.R. 5690 will remedy this situation and ensure that these leaders

and members are no longer deemed to be inadmissible solely because of their membership in the ANC and their anti-apartheid activities.

I am pleased to have worked with my colleague on the Foreign Relations Committee, Mr. BERMAN, to bring this timely legislation to the House floor. I urge all my colleagues to join me and pass this important bill.

Ms. ZOE LOFGREN of California. Mr. Speaker, I am proud to support H.R. 5690, introduced by Chairman HOWARD BERMAN. I applaud Mr. BERMAN and LAMAR SMITH, the ranking member of the Judiciary Committee, for coming together as they have to end the absurdity that now exists with respect to South African government officials who want to visit the U.S.

Like other freedom-fighting groups that should be lauded—not penalized—members of the ANC have been effectively ensnared by the overbroad “terrorism” provisions in our immigration laws. These provisions have prevented the U.S. from admitting and offering protection to many innocent people, including some of the world’s most vulnerable refugees.

Caught up in these definitions have been the Hmong and the Montagnards, brave men and women who fought alongside our troops in Vietnam; the Alzados who fought for freedom against Castro’s regime in Cuba; and the Chin and the Karen who tried to free themselves from a repressive Burmese government.

Until recently, our immigration laws labeled all of their actions as “terrorist activity,” simply because they used weapons to fight for their freedom.

In the 2008 Consolidated Appropriations Act, we finally began to address these issues, freeing many of these groups from this problem. With today’s bill we now join the ANC to their ranks.

Like the Hmong and the Montagnards, the Alzados, the Chin and the Karen, many members of the ANC did nothing more than fight for freedom against a repressive government—in this case, a government that severely restricted the rights of its people through apartheid and used brutal and murderous tactics to stay in power.

We should commend their efforts to free themselves and their people, not to mention their spectacularly successful—and peaceful—transition to power.

I strongly support this bill.

Mr. Speaker, I have no further requests for time, and I return all unused time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 5690, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. FRELINGHUYSEN. Mr. 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. Pursuant to clause 8 of rule XX and the Chair’s prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

PROVIDING FOR COMPENSATION TO STATES INCARCERATING UNDOCUMENTED ALIENS

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1512) to amend the Immigration and Nationality Act to provide for compensation to States incarcerating undocumented aliens charged with a felony or two or more misdemeanors.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1512

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

SECTION 1. ASSISTANCE FOR STATES INCARCERATING UNDOCUMENTED ALIENS CHARGED WITH CERTAIN CRIMES.

Section 241(i)(3)(A) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(3)(A)) is amended by inserting “charged with or” before “convicted”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) and the gentleman from Iowa (Mr. KING) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Ms. LINDA T. SÁNCHEZ of California. I yield myself such time as I may consume.

Mr. Speaker, today we act to restore the State Criminal Alien Assistance Program or SCAAP, to its original meaning, that which Congress originally intended it to have. Introduced by myself, H.R. 1512 will help States obtain much-needed reimbursement for the costs of detaining deportable immigrants charged with or convicted of certain criminal offenses.

SCAAP was created in 1994 to reimburse States and localities for arrest, incarceration and transportation costs incurred in detaining criminal aliens. From the program’s inception until 2003, States were able to obtain reimbursement for the costs of detaining deportable illegal immigrants charged with a felony or two or more misdemeanors.

In 2003, however, DOJ reinterpreted the SCAAP statute to require that a criminal alien be actually convicted of a felony or two misdemeanors. Moreover, the reimbursement must be requested in the year in which the conviction takes place, and is limited to that 1 year, regardless of how long the expenses are incurred.

Not surprisingly, this novel reinterpretation, which contradicted Congress’ clear intent, as well as DOJ’s consistent interpretation, from 1994 to 2003, caused every State’s reimbursement to fall dramatically.

H.R. 1512 would amend the Immigration and Nationality Act to return SCAAP to its originally intended meaning. States and localities would be reimbursed for the cost of incarcerating criminal aliens who are either “charged with or convicted” of a felony or two misdemeanors regardless of when the incarceration and conviction occur.

H.R. 1512 corrects the current administration’s errant reinterpretation of the law and provides States and localities burdened by the costs of jailing criminal aliens the opportunity to apply for and receive much-needed reimbursement for the costs they bear from detaining deportable immigrants charged with crimes.

The bill has broad bipartisan support and the support of many respected law enforcement groups.

I would like to especially commend ZOE LOFGREN, Chair of the Immigration subcommittee and STEVE KING, the Subcommittee ranking member, for their leadership in helping bring this bill to the floor today.

I urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. KING of Iowa. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Federal Government under the State Criminal Alien Assistance Program, which we refer to as SCAAP, reimburses part of the expenses that States and localities incur in incarcerating illegal immigrants who have been convicted of a felony or of two or more misdemeanors. And, in fact, I would bring the Chamber’s attention, Mr. Speaker, to a report that was issued by the GAO in April of 2005 that identifies that the Federal Government is reimbursing 25 percent of the cost of the incarceration of criminal aliens within the institutions in the United States. But H.R. 1512 expands the State Criminal Alien Assistance Program to compensate States for incarcerating illegal immigrants who are charged with, and not only convicted, which is under the current program, charged with a felony or two or more misdemeanors.

I stand here, Mr. Speaker, and applaud the gentlelady from California for bringing this legislation because I think this is a constructive change to our policy, and the language very simply adds the words “charged with or” to the existing language of compensation for those “convicted of.” And it recognizes that there are significant costs involved in processing criminal aliens in the investigation stage, the arrest stage and the indictment stage. And as those costs mount and are incurred, we need to be sure that we take this position, that it is the Federal

Government's job to guard and protect our borders. That is not the job of a political subdivision. It is essentially the job of the Federal Government.

When we fail to do our job, when we don't have sufficient constraints in place at our borders or at our airports or our ports of entry, then the result of it is that this burden of law enforcement falls upon the political subdivisions, on the States, on the cities and on the counties to enforce the law. And when they do, they incur these costs. This bill, H.R. 1512, seeks to lift off some of that burden. And it certainly wouldn't be all of it.

LAMAR SMITH, the ranking member of the full Judiciary Committee, and I both believe the available statistics on criminal illegal immigrants in the United States leave much to be desired. There is too little data on illegal immigrants imprisoned in the United States. We don't really know how many there are or what crimes they are charged with or convicted of or how much time they spend in our prison systems.

And I particularly can speak to that, since I asked for the GAO study that was completed in April of 2005. I thought in that study I would get the answers to the percentages of our inmate populations that are criminal aliens, what crimes they might be convicted of, and quite a list of things that would help us establish our policy, both law enforcement policy and our immigration policy.

However, that report came back not quite apples to apples. And there are conclusions that can be drawn. There are also gaps to their knowledge base. And because of the inspiration that is brought forward, because of this bill of Ms. SANCHEZ, H.R. 1512, we engaged the Judiciary Committee in dialogue about how we can better gather that information. I am really pleased that Ms. LOFGREN, the Chair of the Immigration Subcommittee, of which I am the ranking member, and Mr. SMITH, the ranking member of the full Judiciary Committee, have agreed to send a joint request to the Government Accountability Office to develop additional statistics on criminal alien immigrants. I look forward to working with Ms. LOFGREN, Mr. SMITH and others on this particular subject matter. This is something we vitally need to provide statistics that will help us establish a better immigration policy.

As we move forward with this piece of legislation that I believe is a constructive move in the right direction that helps to compensate, and it won't be all, but it will at least in part help to compensate the political subdivisions for their costs incurred to enforce laws against criminal aliens, it adds to it those charged with a crime, not just those convicted of a crime or two serious misdemeanors.

But into this negotiation also will be the formal request for the GAO study to look further at the effect of crime on the United States of America by

criminal aliens. And the question has got to be constantly before us, since we are charged with the responsibility of protecting the American people. And it is very much a constitutional responsibility. We are also constitutionally charged with the responsibility of establishing immigration policy. The executive branch is charged with the responsibility of enforcing that policy, however aggressively or lack of aggression they might have. The result is that some get in through the borders, through our ports of entry. Some commit crimes, and some of those crimes that are committed are of a very heinous nature. And the cost of those crimes against this society can be quantified if we can identify the numbers of crimes that are being committed by criminal aliens and in what categories they are in, where they are being incarcerated, what lengths of terms they are serving, and especially, Mr. Speaker, when they are released, when they are released from a municipal jail, a county jail or a State penitentiary, let alone from a Federal institution, when they are released, we need to know if they are released into the hands of ICE, if they have been processed for deportation, if that happens to be the law, or if they are released back into the streets. And if they are, we need to ask the question, are they committing further crimes?

□ 1515

So what is the level of effectiveness in our law enforcement system? What percentage of our overall crimes are being committed by criminal aliens? What are those crimes? What's the price against society, and how does this break down into all these categories that I have mentioned in a fashion that will allow us, as a Congress, to prudently step back, take the empirical data that we are expecting to receive from the Government Accountability Office and after the submission of this request, and process that into policy that reflects the best interests of the people in the United States of America.

I think this bill is a healthy step in the right direction. I think it's a prudent thing to do, and I think it says the right thing to the people in America. I applaud the gentlelady for bringing H.R. 1512, and I support the expansion of SCAAP funding to those who have also been charged with a crime.

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

Ms. LINDA T. SANCHEZ of California. Mr. Speaker, I reserve the right to close.

Mr. KING of Iowa. Mr. Speaker, I yield myself so much time as I may consume.

Just in summation, this is a component of taking this legislation in the right direction, and it's important that we compensate political subdivisions. When the Federal Government is not doing the job they need to be doing, this is the natural result of it.

I expect that this has come from a request of those political subdivisions. Although they aren't making this request necessarily in my district, there are many jails in my district that will be beneficiaries of this piece of legislation.

I urge its adoption, and I yield back the balance of my time.

Ms. LINDA T. SANCHEZ of California. Mr. Speaker, you know, immigration is probably the signature Federal policy issue. Try as they might, States simply can't fix failures in Federal immigration policy on their own.

But when we fall down on the job, States, cities and counties bear the burden for an immigration system that simply doesn't work. While Congress is working on a comprehensive solution to our broken immigration system, we must not forget about the local governments who are paying an extremely high cost as a result of our inaction.

In 1994, Congress passed the State Criminal Alien Assistance Program, SCAAP, to reimburse States and localities for the arrest and incarceration and transportation costs associated with criminal aliens, averting a tidal wave of expenses that could have overwhelmed the State and local budgets.

However, in 2003, the Department of Justice reinterpreted the SCAAP statute and caused a drastic drop in every State's reimbursement. Now States no longer receive reimbursements unless, first, the criminal alien is convicted of a criminal felony and two misdemeanors; and, second, the arrest and conviction occur in the same year.

To add insult to injury, President Bush has zeroed out SCAAP in his budget proposals for the last 6 years. This means that State and local governments are left to pick up the tab. Every dollar reduction in SCAAP reimbursements means one less dollar that law enforcement agencies have to hire new officers, provide essential training, make critical equipment purchases and detain other, perhaps more violent, inmates.

Following the SCAAP funding cuts in 2003, the LA County Sheriff's Department implemented a new early-release policy for inmates convicted of misdemeanors. This means the neighborhoods I represent in Southern California are at risk.

Sadly, these communities are not alone. Across the country, the SCAAP reimbursement cuts have had a domino effect, where funding for anti-gang activities, homicide investigations, anti-terrorism activities and even basic maintenance is cut to pay for expenses associated with incarcerating criminal aliens and suspected criminal aliens.

As Arizona county supervisors recently stated, "This is a huge problem because we can't keep up with fixing roads, the other costs of law enforcement, and keeping up with health agencies."

While this bill on its own won't solve the fiscal crisis many States now face, it will help in the long term by covering a greater share of costs that

properly belonged to the Federal Government.

H.R. 1512 amends the SCAAP statute so that States and localities can be reimbursed for the cost of incarcerating aliens who are either charged with or convicted of a felony or two misdemeanors, just like it was before the DOJ's reinterpretation in 2003. This Federal investment will allow State and local law enforcement agencies to devote more resources to important public safety programs.

Law enforcement agencies and coalitions from all over the country, including the U.S.-Mexico Border Counties Coalition, the National Association of Counties, the California State Association of Counties, the Sheriffs' Association of Texas and the Virginia Sheriffs' Association support this bipartisan legislation.

Lastly, I want to offer thanks and gratitude to my colleagues on both sides of the aisle for passing this bill unanimously through the Judiciary Committee and for bringing it to the floor today without any amendments. We may not agree on many aspects of immigration policy, but this bill accomplishes a larger goal, making our community safer. For that reason, I appreciate your support.

I urge my colleagues to support their local law enforcement agencies by voting for this bill.

Ms. GIFFORDS. Mr. Speaker, thank you Congresswoman SÁNCHEZ. I appreciate your tireless work for ensuring that the Criminal Alien Assistance Program, or SCAAP, is a strong, fully-funded, functional program.

SCAAP is vital to my district in Southern Arizona. There, along 114 miles of our 2,000 mile boundary with Mexico, Federal, State, county and local law enforcement are on the frontlines defending our border.

Last year, 387,000 undocumented immigrants were apprehended in Arizona. And an average of 1,000 illegal immigrants per day were arrested and deported from Tucson. This year, over 180,000 have been apprehended.

The Tucson Sector, which includes my district, is the most porous section of the entire U.S.-Mexico Border. More than 48 percent of the Nation's drug traffic enters our country through Southern Arizona.

Securing our Nation's borders is the Federal Government's exclusive jurisdiction. However, communities through Southern Arizona and the Nation face extraordinary costs from incarcerating undocumented criminals.

SCAAP reimburses States and localities for costs associated with illegal immigrants who commit crimes in our communities.

I am pleased to be a cosponsor of H.R. 1512. This legislation would expand SCAAP's scope. It will ensure that states are more appropriately compensated for the high costs of incarcerating undocumented aliens.

Please join me in supporting our State and local law enforcement by voting to responsibly expand SCAAP by passing H.R. 1512.

Mr. BISHOP of New York. Mr. Speaker, I rise today in strong support of H.R. 1512, the State Criminal Alien Assistance Program (SCAAP) Reimbursement Protection Act.

SCAAP is vital to my district on eastern Long Island by providing much needed assist-

ance to municipal governments that incur the large cost of incarcerating undocumented immigrants. In fact, in my district of Suffolk County, officials estimate that 10 to 12 percent of those incarcerated are undocumented individuals with a cost to the County of approximately \$12 million in 2006.

Unfortunately, SCAAP does not reimburse States for all of the costs to incarcerate undocumented individuals. Presently, the only funding that SCAAP provides is the cost of incarcerating undocumented immigrants who have been convicted of a felony or two or more misdemeanors.

This legislation will reimburse States incarcerating undocumented individuals charged with a felony or two or more misdemeanors. This small change will greatly assist local governments who are overburdened by recent escalating costs.

While my district and many others across the Nation have greatly benefited from SCAAP funding, the Bush administration continues to eliminate funding for the program. I was proud to cosign a bipartisan letter to House appropriators asking that they reject the President's short-sighted elimination of the program and increase SCAAP funding.

I am a strong supporter of comprehensive immigration reform and as Congress continues to debate immigration reform, we cannot deny that State and local governments are on the frontlines of immigration enforcement. I will continue to work to ensure that they receive adequate funding and resources for the important role they play.

I want to thank my colleague, Congresswoman SÁNCHEZ, for introducing this much needed legislation.

Ms. LINDA T. SÁNCHEZ of California. I yield back the remainder of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) that the House suspend the rules and pass the bill, H.R. 1512.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. FRELINGHUYSEN. Mr. 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. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Motions to suspend the rules with regard to H.R. 3658, H. Con. Res. 317, H. Res. 1109, S. 2929—in each case de novo; and motion to instruct on H.R. 2419, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

FOREIGN SERVICE MEMBER REST

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 3658.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and pass the bill, H.R. 3658.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. FRELINGHUYSEN. 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 416, nays 0, not voting 16, as follows:

[Roll No. 249]

YEAS—416

Abercrombie	Carney	Fallin
Ackerman	Carter	Farr
Aderholt	Castle	Fattah
Akin	Castor	Feeney
Alexander	Cazayoux	Ferguson
Allen	Chabot	Fliner
Altmire	Chandler	Flake
Arcuri	Clarke	Forbes
Baca	Clay	Fortenberry
Bachmann	Cleaver	Fossella
Bachus	Clyburn	Foster
Baird	Coble	Foxx
Baldwin	Cohen	Frank (MA)
Barrett (SC)	Cole (OK)	Franks (AZ)
Barrow	Conyers	Frelinghuysen
Bartlett (MD)	Cooper	Galleghy
Barton (TX)	Costa	Garrett (NJ)
Bean	Costello	Gerlach
Becerra	Courtney	Giffords
Berkley	Cramer	Gilchrest
Berman	Crenshaw	Gillibrand
Berry	Crowley	Gingrey
Biggart	Cubin	Gohmert
Bilbray	Cuellar	Gonzalez
Bilirakis	Culberson	Goode
Bishop (GA)	Cummings	Goodlatte
Bishop (NY)	Davis (AL)	Gordon
Bishop (UT)	Davis (CA)	Granger
Blackburn	Davis (IL)	Graves
Blumenauer	Davis (KY)	Green, Al
Blunt	Davis, David	Green, Gene
Boehner	Davis, Lincoln	Grijalva
Bonner	Davis, Tom	Gutierrez
Bono Mack	Deal (GA)	Hall (NY)
Boozman	DeFazio	Hall (TX)
Boren	DeGette	Hare
Boswell	Delahunt	Harman
Boucher	DeLauro	Hastings (FL)
Boustany	Dent	Hastings (WA)
Boyd (FL)	Diaz-Balart, L.	Hayes
Boyda (KS)	Diaz-Balart, M.	Heller
Brady (PA)	Dicks	Hensarling
Brady (TX)	Dingell	Herger
Bralley (IA)	Doggett	Herseth Sandlin
Broun (GA)	Donnelly	Higgins
Brown (SC)	Doolittle	Hill
Brown, Corrine	Doyle	Hinchey
Brown-Waite,	Drake	Hinojosa
Ginny	Dreier	Hirono
Buchanan	Duncan	Hobson
Burgess	Edwards	Hodes
Buyer	Ehlers	Hoekstra
Calvert	Ellison	Holden
Camp (MI)	Ellsworth	Holt
Cannon	Emanuel	Honda
Cantor	Emerson	Hooley
Capito	Engel	Hoyer
Capps	English (PA)	Hunter
Capuano	Eshoo	Inglis (SC)
Cardoza	Etheridge	Inslée
Carnahan	Everett	Israel

Issa
 Jackson (IL)
 Jackson-Lee
 (TX)
 Jefferson
 Johnson (GA)
 Johnson (IL)
 Johnson, E. B.
 Johnson, Sam
 Jordan
 Kagen
 Kanjorski
 Kaptur
 Keller
 Kennedy
 Kildee
 Kilpatrick
 Kind
 King (IA)
 King (NY)
 Kingston
 Kirk
 Klein (FL)
 Kline (MN)
 Knollenberg
 Kucinich
 Kuhl (NY)
 LaHood
 Lamborn
 Lampson
 Langevin
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Latta
 Lee
 Levin
 Lewis (CA)
 Lewis (GA)
 Lewis (KY)
 Linder
 Lipinski
 LoBiondo
 Loeback
 Lofgren, Zoe
 Lowey
 Lucas
 Lungren, Daniel
 E.
 Lynch
 Mack
 Mahoney (FL)
 Maloney (NY)
 Manzullo
 Marchant
 Markey
 Marshall
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McCaul (TX)
 McCollum (MN)
 McCotter
 McCrery
 McDermott
 McGovern
 McHugh
 McIntyre
 McKeon
 McMorris
 Rodgers
 McNerney
 McNulty
 Meeks (NY)
 Melancon
 Mica
 Michaud
 Miller (FL)

NOT VOTING—16

Andrews
 Burton (IN)
 Butterfield
 Campbell (CA)
 Carson
 Conaway

Hulshof
 Jones (NC)
 Jones (OH)
 McHenry
 Meek (FL)
 Oberstar

□ 1548

Ms. MCCOLLUM of Minnesota changed her vote from “nay” to “yea.” 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.

Mr. ROGERS of Kentucky. Mr. Speaker, I move to reconsider the vote.

MOTION TO TABLE OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Mr. Speaker, I move to lay the motion to reconsider 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 noes appeared to have it.

RECORDED VOTE

Mr. HASTINGS of Florida. 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 226, noes 190, not voting 16, as follows:

[Roll No. 250]
 AYES—226

Abercrombie
 Ackerman
 Allen
 Altmire
 Arcuri
 Baca
 Baird
 Baldwin
 Barrow
 Bean
 Becerra
 Berkley
 Berman
 Berry
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Boren
 Boswell
 Boucher
 Boyd (FL)
 Boyda (KS)
 Brady (PA)
 Braley (IA)
 Brown, Corrine
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Castor
 Cazayoux
 Chandler
 Clarke
 Clay
 Cleaver
 Clyburn
 Cohen
 Conyers
 Cooper
 Costa
 Costello
 Courtney
 Cramer
 Crowley
 Cuellar
 Cummings
 Davis (AL)
 Davis (CA)
 Davis (IL)
 Davis, Lincoln
 DeFazio
 DeGette
 Delahunt
 DeLauro
 Dicks
 Dingell
 Doggett
 Donnelly
 Doyle
 Edwards
 Ellison
 Ellsworth
 Emanuel
 Engel
 Eshoo
 Etheridge
 Farr
 Fattah

Tierney
 Towns
 Tsongas
 Udall (CO)
 Udall (NM)
 Van Hollen
 Velázquez
 Visclosky

Walz (MN)
 Wasserman
 Schultz
 Waters
 Watson
 Watt
 Waxman
 Welch (VT)

Wexler
 Wilson (OH)
 Woolsey
 Wu
 Wynn
 Yarmuth

NOES—190

Aderholt
 Akin
 Alexander
 Bachmann
 Bachus
 Barrett (SC)
 Bartlett (MD)
 Barton (TX)
 Biggert
 Bilbray
 Bilirakis
 Bishop (UT)
 Blackburn
 Blunt
 Boehner
 Bonner
 Bono Mack
 Boozman
 Boustany
 Brady (TX)
 Broun (GA)
 Brown (SC)
 Brown-Waite,
 Ginny
 Buchanan
 Burgess
 Buyer
 Calvert
 Camp (MI)
 Cannon
 Cantor
 Capito
 Carter
 Castle
 Chabot
 Coble
 Cole (OK)
 Crenshaw
 Cubin
 Culberson
 Davis (KY)
 Davis, David
 Davis, Tom
 Deal (GA)
 Dent
 Diaz-Balart, L.
 Diaz-Balart, M.
 Doolittle
 Drake
 Dreier
 Duncan
 Ehlert
 Emerson
 English (PA)
 Everett
 Fallon
 Feeney
 Ferguson
 Flake
 Forbes
 Fortenberry
 Fossella
 Foxx
 Franks (AZ)
 Frelinghuysen

NOT VOTING—16

Andrews
 Burton (IN)
 Butterfield
 Campbell (CA)
 Carson
 Conaway

Hall (TX)
 Hulshof
 Jones (NC)
 Jones (OH)
 McHenry
 Oberstar

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1556

Mr. ROYCE changed his vote from “aye” to “no.”

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

CONDEMNING BURMESE REGIME'S UNDEMOCRATIC CONSTITUTION

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 317, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 317, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mr. ROGERS of Kentucky. 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 413, noes 1, not voting 18, as follows:

[Roll No. 251]

AYES—413

Abercrombie	Cardoza	English (PA)
Ackerman	Carnahan	Eshoo
Aderholt	Carney	Etheridge
Akin	Carter	Everett
Alexander	Castle	Fallin
Allen	Castor	Farr
Altmire	Cazayoux	Fattah
Arcuri	Chabot	Feeney
Baca	Chandler	Ferguson
Bachmann	Clarke	Finer
Bachus	Clay	Flake
Baird	Cleaver	Forbes
Baldwin	Clyburn	Fortenberry
Barrett (SC)	Coble	Fossella
Barrow	Cohen	Foster
Bartlett (MD)	Cole (OK)	Fox
Barton (TX)	Conyers	Frank (MA)
Bean	Cooper	Franks (AZ)
Becerra	Costa	Frelinghuysen
Berkley	Costello	Gallely
Berman	Courtney	Garrett (NJ)
Berry	Cramer	Gerlach
Biggert	Crenshaw	Giffords
Bilbray	Crowley	Gilchrest
Bilirakis	Cubin	Gillibrand
Bishop (GA)	Cuellar	Gingrey
Bishop (NY)	Culberson	Gohmert
Bishop (UT)	Cummings	Gonzalez
Blackburn	Davis (AL)	Goode
Blumenauer	Davis (CA)	Goodlatte
Blunt	Davis (IL)	Gordon
Boehner	Davis (KY)	Granger
Bonner	Davis, David	Graves
Bono Mack	Davis, Lincoln	Green, Al
Boozman	Davis, Tom	Green, Gene
Boren	Deal (GA)	Grijalva
Boswell	DeFazio	Gutierrez
Boucher	DeGette	Hall (NY)
Boustany	Delahunt	Hall (TX)
Boyd (FL)	DeLauro	Hare
Boyd (KS)	Dent	Harman
Brady (PA)	Diaz-Balart, L.	Hastings (FL)
Brady (TX)	Diaz-Balart, M.	Hastings (WA)
Braley (IA)	Dicks	Hayes
Broun (GA)	Dingell	Heller
Brown (SC)	Doggett	Hensarling
Brown, Corrine	Donnelly	Herger
Brown-Waite,	Doolittle	Herseth Sandlin
Ginny	Doyle	Higgins
Buchanan	Drake	Hill
Burgess	Dreier	Hinchev
Buyer	Duncan	Hinojosa
Calvert	Edwards	Hirono
Camp (MI)	Ehlers	Hobson
Cannon	Ellison	Hodes
Cantor	Ellsworth	Hoekstra
Capito	Emanuel	Holden
Capps	Emerson	Holt
Capuano	Engel	Honda

Hooley	Meek (FL)	Schiff
Hoyer	Meeks (NY)	Schmidt
Hunter	Melancon	Schwartz
Inglis (SC)	Mica	Scott (GA)
Inslee	Michaud	Scott (VA)
Israel	Miller (FL)	Sensenbrenner
Issa	Miller (MI)	Serrano
Jackson (IL)	Miller (NC)	Sessions
Jackson-Lee	Miller, Gary	Sestak
(TX)	Mitchell	Shadegg
Jefferson	Mollohan	Sha
Johnson (GA)	Moore (KS)	Shea-Porter
Johnson (IL)	Moore (WI)	Sherman
Johnson, E. B.	Moran (KS)	Shimkus
Johnson, Sam	Moran (VA)	Shuler
Jordan	Murphy (CT)	Shuster
Kagen	Murphy, Patrick	Simpson
Kanjorski	Murphy, Tim	Sires
Kaptur	Murtha	Skelton
Keller	Musgrave	Slaughter
Kennedy	Myrick	Smith (NE)
Kildee	Nadler	Smith (NJ)
Kilpatrick	Napolitano	Smith (TX)
Kind	Neal (MA)	Smith (WA)
King (IA)	Neugebauer	Snyder
King (NY)	Nunes	Solis
Kingston	Obey	Souder
Kirk	Olver	Space
Klein (FL)	Ortiz	Space
Kline (MN)	Pallone	Spratt
Knollenberg	Pascrell	Stark
Kucinich	Pastor	Stearns
Kuhl (NY)	Payne	Stupak
LaHood	Pearce	Sullivan
Lamborn	Pence	Sutton
Lampson	Perlmutter	Tancredo
Langevin	Peterson (MN)	Tanner
Larsen (WA)	Peterson (PA)	Tauscher
Larson (CT)	Petri	Taylor
Latham	Pickering	Terry
LaTourette	Pitts	Thompson (CA)
Latta	Platts	Thornberry
Lee	Poe	Tiahrt
Levin	Pomeroy	Tiberi
Lewis (CA)	Porter	Tierney
Lewis (GA)	Price (GA)	Towns
Lewis (KY)	Price (NC)	Tsongas
Linder	Putnam	Turner
Lipinski	Radanovich	Udall (CO)
LoBiondo	Rahall	Udall (NM)
Loebsack	Ramstad	Upton
Lofgren, Zoe	Rangel	Van Hollen
Lowe	Regula	Velazquez
Lucas	Rehberg	Visclosky
Lungren, Daniel	Reichert	Walberg
E.	Renzi	Walden (OR)
Lynch	Reyes	Walsh (NY)
Mack	Reynolds	Walz (MN)
Mahoney (FL)	Richardson	Wamp
Maloney (NY)	Rodriguez	Wasserman
Manzullo	Rogers (AL)	Schultz
Marchant	Rogers (KY)	Waters
Markey	Rogers (MI)	Watson
Marshall	Rohrabacher	Watt
Matheson	Ros-Lehtinen	Waxman
Matsui	Roskam	Welch (VT)
McCarthy (CA)	Ross	Weldon (FL)
McCarthy (NY)	Rothman	Weller
McCaul (TX)	Roybal-Allard	Wexler
McCollum (MN)	Royce	Whitfield (KY)
McCotter	Ruppersberger	Wilson (NM)
McCoy	Ryan (OH)	Wilson (OH)
McCrery	Ryan (WI)	Wilson (SC)
McDermott	Salazar	Wittman (VA)
McGovern	Sali	Wolf
McHugh	Sanchez, Linda	Woolsey
McIntyre	T.	Wu
McKeon	Sanchez, Loretta	Wynn
McMorris	Sarbanes	Yarmuth
McNulty	Saxton	Young (AK)
	Schakowsky	Young (FL)

NOES—1

Paul
NOT VOTING—18

Andrews	Hulshof	Pryce (OH)
Burton (IN)	Jones (NC)	Rush
Butterfield	Jones (OH)	Speier
Campbell (CA)	McHenry	Thompson (MS)
Carson	Miller, George	Weiner
Conaway	Oberstar	Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes are remaining in this vote.

□ 1603

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title was amended so as to read: "Concurrent resolution condemning the Burmese regime's undemocratic draft constitution and scheduled referendum".

Mr. ROGERS of Kentucky. Madam Speaker, I move to reconsider the vote.

MOTION TO TABLE OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Madam Speaker, I move to table the motion to reconsider.

The SPEAKER pro tempore (Ms. DEGETTE). 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.

RECORDED VOTE

Mr. ROGERS of Kentucky. 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 225, noes 190, not voting 17, as follows:

[Roll No. 252]

AYES—225

Abercrombie	DeFazio	Johnson (GA)
Ackerman	DeGette	Johnson, E. B.
Allen	Delahunt	Kagen
Altmire	DeLauro	Kanjorski
Arcuri	Dicks	Kaptur
Baca	Dingell	Kennedy
Baird	Doggett	Kildee
Baldwin	Donnelly	Kilpatrick
Barrow	Doyle	Kind
Bean	Edwards	Klein (FL)
Becerra	Ellison	Kucinich
Berkley	Ellsworth	Lampson
Berman	Emanuel	Langevin
Berry	Engel	Larsen (WA)
Bishop (GA)	Eshoo	Larson (CT)
Bishop (NY)	Etheridge	Lee
Blumenauer	Farr	Levin
Boren	Fattah	Lewis (GA)
Boswell	Finler	Lipinski
Boucher	Foster	Loebsack
Boyd (FL)	Frank (MA)	Lofgren, Zoe
Boyd (KS)	Giffords	Lowe
Brady (PA)	Gillibrand	Lynch
Braley (IA)	Gonzalez	Mahoney (FL)
Brown, Corrine	Gordon	Maloney (NY)
Capps	Green, Al	Markey
Capuano	Green, Gene	Marshall
Cardoza	Grijalva	Matheson
Carnahan	Gutierrez	Matsui
Carney	Hall (NY)	McCarthy (NY)
Castor	Hare	McCollum (MN)
Cazayoux	Harman	McDermott
Chandler	Hastings (FL)	McGovern
Clarke	Herseth Sandlin	McIntyre
Clay	Higgins	McNerney
Cleaver	Hill	McNulty
Clyburn	Hinchev	Meek (FL)
Cohen	Hinojosa	Meeks (NY)
Conyers	Hirono	Melancon
Cooper	Hodes	Michaud
Costa	Holden	Miller (NC)
Costello	Holt	Miller, George
Courtney	Honda	Mitchell
Cramer	Hoolley	Mollohan
Crowley	Hoyer	Moore (KS)
Cuellar	Inslee	Moore (WI)
Cummings	Israel	Moran (VA)
Davis (AL)	Jackson (IL)	Murphy (CT)
Davis (CA)	Jackson-Lee	Murphy, Patrick
Davis (IL)	(TX)	Murtha
Davis, Lincoln	Jefferson	Nadler

Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda
T.

Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher

Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

Oberstar
Pryce (OH)
Rangel
Rush
Speier
Weiner
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchev
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jordan
Kagen
Kantor
Kanjorski
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxy
Frank (MA)
Franks (AZ)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). Two minutes are remaining.
□ 1611
So the motion to table was agreed to.
The result of the vote was announced as above recorded.

DITH PRAN

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 1109, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 1109, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mr. ROGERS of Kentucky. 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 413, noes 1, not voting 18, as follows:

[Roll No. 253]

AYES—413

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Buyer
Calvert
Camp (MI)
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxy
Franks (AZ)
Frelinghuysen
Gallegly

Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHugh
McKeon
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul

Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souders
Stearns
Sullivan
Tancred
Terry
Thornberry
Tiahrt
McCarthy (CA)
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berry
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)

Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burgess
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Clarke
Clay
Cleave
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)

Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxy
Frank (MA)
Franks (AZ)

Lungren, Daniel
E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris
Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Obey
Oliver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam

Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancred
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—17

Andrews
Burton (IN)
Butterfield
Campbell (CA)

Cannon
Carson
Conaway
Hulshof

Jones (NC)
Jones (OH)
McHenry

NOES—1

Young (AK)

NOT VOTING—18

Andrews Conaway Oberstar
 Bilbray Hulshof Pryce (OH)
 Burton (IN) Jones (NC) Rush
 Butterfield Jones (OH) Speier
 Campbell (CA) Kaptur Weiner
 Carson McHenry Woolsey

Meeks (NY) Richardson
 Melancon Rodriguez
 Michaud Ross
 Miller (NC) Rothman
 Miller, George Roybal-Allard
 Mitchell Ruppertsberger
 Mollohan Ryan (OH)
 Moore (KS) Salazar
 Moore (WI) Sánchez, Linda
 Moran (VA) T.
 Murphy (CT) Sanchez, Loretta
 Murphy, Patrick Sarbanes
 Murtha Schakowsky
 Nadler Schiff
 Napolitano Schwartz
 Neal (MA) Scott (GA)
 Obey Scott (VA)
 Oliver Serrano
 Ortiz Sestak
 Pallone Shea-Porter
 Pascrell Sherman
 Pastor Shuler
 Payne Sires
 Perlmutter Skelton
 Peterson (MN) Slaughter
 Pomeroy Smith (NJ)
 Price (NC) Smith (WA)
 Rahall Snyder
 Rangel Solis
 Reichert Space

Campbell (CA) Jones (NC)
 Carson Jones (OH)
 Conaway McHenry
 Gingrey Oberstar
 Hulshof Pryce (OH) Reyes
 Rush
 Speier
 Waters
 Weiner

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1619

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

Mr. ROGERS of Kentucky. Madam Speaker, I move to reconsider the vote.

MOTION TO TABLE OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Madam Speaker, I move to lay the motion to reconsider 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.

RECORDED VOTE

Mr. ROGERS of Kentucky. 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 225, noes 186, not voting 21, as follows:

[Roll No. 254]

AYES—225

Abercrombie Davis (AL) Honda
 Ackerman Davis (CA) Hooley
 Allen Davis (IL) Hoyer
 Altmire Davis, Lincoln Inslee
 Arcuri DeFazio Israel
 Baca DeGette Jackson (IL)
 Baird Delahunt Jackson-Lee
 Baldwin DeLauro (TX)
 Barrow Dicks Jefferson
 Bean Dingell Johnson (GA)
 Becerra Doggett Johnson, E. B.
 Berkley Donnelly Kagen
 Berman Doyle Kanjorski
 Berry Edwards Kaptur
 Bishop (GA) Ellison Kennedy
 Bishop (NY) Ellsworth Kildee
 Blumenauer Emanuel Kilpatrick
 Boren Engel Kind
 Boucher Eshoo Klein (FL)
 Boyd (FL) Etheridge Lucas
 Boyda (KS) Farr Lampson
 Brady (PA) Fattah Langevin
 Braley (IA) Filner Larsen (WA)
 Brown, Corrine Foster Larson (CT)
 Capps Frank (MA) Lee
 Capuano Giffords Levin
 Cardoza Gillibrand Lewis (GA)
 Carnahan Gonzalez Lipinski
 Carney Gordon Loeb sack
 Castor Green, Al Loggren, Zoe
 Cazayoux Green, Gene Lowey
 Chandler Grijalva Lynch
 Clarke Gutierrez Mahoney (FL)
 Clay Hall (NY) Maloney (NY)
 Cleaver Hare Markey
 Clyburn Harman Marshall
 Cohen Hastings (FL) Matheson
 Conyers Hersheth Sandlin Matsui
 Cooper Higgins McCarthy (NY)
 Costa Hill McCollum (MN)
 Costello Hinchey McDermott
 Courtney Hinojosa McGovern
 Cramer Hirono McIntyre
 Crowley Hodes McNerney
 Cuellar Holden McNulty
 Cummings Holt Meek (FL)

Aderholt Gallegly Nunes
 Akin Garrett (NJ) Paul
 Alexander Gerlach Pearce
 Bachmann Gilchrest Pence
 Bachus Gohmert Peterson (PA)
 Barrett (SC) Goode Petri
 Bartlett (MD) Goodlatte Pickering
 Barton (TX) Granger Pitts
 Biggert Graves Platts
 Bilbray Hall (TX) Poe
 Bilirakis Hastings (WA) Porter
 Blackburn Hayes Price (GA)
 Blunt Heller Putnam
 Bonner Hensarling Radanovich
 Bono Mack Herger Ramstad
 Boozman Hobson Regula
 Boustany Hoekstra Rehberg
 Brady (TX) Hunter Renzi
 Broun (GA) Inglis (SC) Reynolds
 Brown (SC) Issa Rogers (AL)
 Brown-Waite, Johnson (IL) Rogers (KY)
 Ginny Johnson, Sam Rogers (MI)
 Buchanan Jordan Rohrabacher
 Burgess Keller Ros-Lehtinen
 Buyer King (IA) Roskam
 Calvert King (NY) Royce
 Camp (MI) Kingston Ryan (WI)
 Cannon Kirk Sali
 Cantor Kline (MN) Saxton
 Capito Knollenberg Schmidt
 Carter Kuhl (NY) Sensenbrenner
 Castle LaHood Sessions
 Chabot Lamborn Shadegg
 Coble Latham Shays
 Cole (OK) LaTourette Shimkus
 Crenshaw Latta Shuster
 Cubin Lewis (CA) Simpson
 Culberson Lewis (KY) Smith (NE)
 Davis (KY) Linder Smith (TX)
 Davis, David LoBiondo Souder
 Davis, Tom Lucas Stearns
 Deal (GA) Lungren, Daniel Sullivan
 Dent E. Tancred
 Diaz-Balart, L. Mack Terry
 Diaz-Balart, M. Manzullo Thornberry
 Doolittle Marchant Tiahrt
 Drake McCaul (TX) Tiberi
 Dreier McCarthy (CA) Turner
 Duncan McCotter Upton
 Ehlers McCrery Walberg
 Emerson McHugh Walden (OR)
 English (PA) McKeon Walsh (NY)
 Everrett McMorris Wamp
 Fallon Rodgers Weldon (FL)
 Feeney Mica Weller
 Ferguson Miller (FL) Westmoreland
 Flake Miller (MI) Whitfield (KY)
 Forbes Miller, Gary Wilson (NM)
 Fortenberry Moran (KS) Wilson (SC)
 Fossella Murphy, Tim Wittman (VA)
 Foxx Musgrave Wolf
 Franks (AZ) Myrick Young (AK)
 Frelinghuysen Neugebauer Young (FL)

NOT VOTING—21

Andrews Boehner Burton (IN)
 Bishop (UT) Boswell Butterfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1627

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

MOTION TO ADJOURN

Mr. SIMPSON. Madam Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Idaho.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clauses 8 and 9 of rule XX, this 15-minute vote on the motion to adjourn will be followed by resumed 5-minute voting.

The vote was taken by electronic device, and there were—ayes 145, noes 271, not voting 16, as follows:

[Roll No. 255]

AYES—145

Aderholt Foxx Myrick
 Akin Franks (AZ) Neugebauer
 Alexander Frelinghuysen Nunes
 Bachus Gallegly Paul
 Barrett (SC) Garrett (NJ) Pearce
 Bartlett (MD) Gilchrest Pence
 Barton (TX) Gingrey Petri
 Biggert Goode Porter
 Bilbray Goodlatte Price (GA)
 Bilirakis Granger Putnam
 Bishop (UT) Graves Regula
 Blackburn Hall (TX) Rehberg
 Blunt Hayes Reichert
 Boehner Heller Rogers (AL)
 Bonner Hensarling Rogers (KY)
 Bono Mack Herger Rogers (MI)
 Boozman Hobson Rohrabacher
 Hunter Huster Roskam
 Broun (GA) Inglis (SC) Royce
 Calvert Issa Ryan (WI)
 Camp (MI) Johnson (IL) Saxton
 Cannon Johnson, Sam Schmidt
 Cantor Keller Kellner
 Capito King (IA) Sensenbrenner
 Carter King (NY) Shadegg
 Chabot Klime (MN) Shays
 Coble Knollenberg Shimkus
 Cole (OK) LaHood Shimpson
 Conyers Lamborn Smith (NE)
 Cooper Latham Smith (TX)
 Crenshaw LaTourette Souder
 Cubin Latta Stearns
 Culberson Lewis (CA) Sullivan
 Davis (KY) Lewis (KY) Tancred
 Davis, David Linder Thornberry
 Davis, Tom Lucas Turner
 Deal (GA) Lungren, Daniel Upton
 Diaz-Balart, L. E. Walden (OR)
 Diaz-Balart, M. Mack Walsh (NY)
 Doolittle Marchant Wamp
 Drake McCauly (CA) Weller
 Dreier McCaul (TX) Westmoreland
 Duncan McCrery Whitfield (KY)
 Emerson McKeon Wilson (NM)
 English (PA) Mica Wilson (SC)
 Everett Miller (FL) Wolf
 Ferguson Miller (MI) Young (AK)
 Flake Miller, Gary Young (FL)
 Forbes Musgrave Young (FL)

NOES—271

Abercrombie Green, Gene
Ackerman Grijalva
Allen Gutierrez
Altmire Hall (NY)
Arcuri Hare
Baca Harman
Bachmann Hastings (FL)
Baird Hastings (WA)
Baldwin Herseth Sandlin
Barrow Higgins
Bean Hill
Becerra Hinchey
Berkley Hinojosa
Berman Hirono
Berry Hodes
Bishop (GA) Hoekstra
Bishop (NY) Holden
Blumenauer Holt
Boren Honda
Boswell Hooley
Boucher Hoyer
Boyd (FL) Inslee
Boyd (KS) Israel
Brady (PA) Jackson (IL)
Brady (TX) Jackson-Lee
Braley (IA) (TX)
Brown (SC) Jefferson
Brown, Corrine Johnson (GA)
Brown-Waite, E. B. Johnson, E. B.
Ginny Jordan
Buchanan Kagen
Burgess Kanjorski
Buyer Kaptur
Capps Kennedy
Capuano Kildee
Cardoza Kilpatrick
Carnahan Kind
Carney Kingston
Castle Kirk
Castor Klein (FL)
Cazayoux Kucinich
Chandler Kuhl (NY)
Clarke Lampson
Clay Langevin
Cleaver Larsen (WA)
Clyburn Larson (CT)
Cohen Lee
Costa Levin
Costello Lewis (GA)
Courtney Lipinski
Cramer LoBiondo
Crowley Loeb sack
Cuellar Lofgren, Zoe
Cummins Lowey
Davis (AL) Lynch
Davis (CA) Mahoney (FL)
Davis (IL) Maloney (NY)
Davis, Lincoln Manzullo
DeFazio Markey
DeGette Marshall
Delahunt Matheson
DeLauro Matsui
Dent McCarthy (NY)
Dicks McCollum (MN)
Dingell McCotter
Doggett McDermott
Donnelly McGovern
Doyle McHugh
Edwards McIntyre
Ehlers McMorris
Ellison Rodgers
Ellsworth McNerney
Emanuel McNulty
Engel Meek (FL)
Eshoo Meeks (NY)
Etheridge Melancon
Fallin Michaud
Farr Miller (NC)
Fattah Miller, George
Feeney Mitchell
Filner Mollohan
Fortenberry Moore (KS)
Fossella Moore (WI)
Foster Moran (KS)
Frank (MA) Moran (VA)
Gerlach Murphy (CT)
Giffords Murphy, Patrick
Gillibrand Murphy, Tim
Gohmert Murtha
Gonzalez Nadler
Gordon Napolitano
Green, Al Neal (MA)

NOT VOTING—16

Andrews Carson
Burton (IN) Conaway
Butterfield Hulshof
Campbell (CA) Jones (NC)

Oberstar Rush
Pryce (OH) Speier
Weiner
Woolsey
ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1645

Mr. GUTIERREZ changed his vote from “aye” to “no.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

CORRECTING THE ENGROSSMENT OF TITLE AMENDMENT TO H. CON. RES. 317

The SPEAKER pro tempore. Without objection, in the engrossment of the amendment to the title of H. Con. Res. 317, the Clerk may correct any error in spelling.

There was no objection.

HIGHER EDUCATION EXTENSION

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the Senate bill, S. 2929, as amended.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. TIERNEY) that the House suspend the rules and pass the Senate bill, S. 2929, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mrs. EMERSON. 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 408, noes 0, not voting 24, as follows:

[Roll No. 256]

AYES—408

Abercrombie Blackburn
Ackerman Blumenauer
Akin Blunt
Alexander Boehner
Allen Bonner
Altmire Bono Mack
Arcuri Bono Mack
Baca Boozman
Bachmann Boren
Bachus Boswell
Baird Boucher
Baldwin Boustany
Barrett (SC) Boyd (FL)
Barrow Boyda (KS)
Bartlett (MD) Brady (PA)
Barton (TX) Brady (TX)
Bean Broun (GA)
Becerra Brown (SC)
Berkley Brown, Corrine
Berman Brown-Waite,
Berry Ginny
Biggart Buchanan
Bilbray Burgess
Bilirakis Buyer
Bishop (GA) Calvert
Bishop (NY) Camp (MI)
Bishop (UT) Cannon

Crowley Jackson (IL)
Cubin Jackson-Lee
Cuellar (TX)
Culberson Jefferson
Cummings Johnson (GA)
Davis (AL) Johnson (IL)
Davis (CA) Johnson, E. B.
Davis (IL) Johnson, Sam
Davis (KY) Jordan
Davis, David Kagen
Davis, Tom Kanjorski
Deal (GA) Keller
DeFazio Kennedy
DeGette Kildee
Delahunt Kilpatrick
DeLauro Kind
Dent King (IA)
Diaz-Balart, L. King (NY)
Diaz-Balart, M. Kingston
Dicks Kirk
Dingell Klein (FL)
Donnelly Kline (MN)
Doolittle Knollenberg
Doyle Kucinich
Drake Kuhl (NY)
Dreier LaHood
Duncan Lamborn
Edwards Lampson
Ehlers Langevin
Ellison Larsen (WA)
Ellsworth Larson (CT)
Emanuel Latham
Emerson LaTourrette
Engel Latta
English (PA) Lee
Eshoo Levin
Etheridge Lewis (CA)
Everett Lewis (GA)
Fallin Lewis (KY)
Farr Linder
Fattah Lipinski
Ferguson LoBiondo
Filner Loeb sack
Flake Lofgren, Zoe
Forbes Lowey
Fortenberry Lucas
Fossella Lungren, Daniel
Foster E.
Foxy Lynch
Frank (MA) Mack
Franks (AZ) Maloney (NY)
Frelinghuysen Manzullo
Gallegly Markey
Garrett (NJ) Matheson
Gerlach Matsui
Giffords McCarthy (CA)
Gilchrest McCarthy (NY)
Gillibrand McCaul (TX)
Gingrey McCollum (MN)
Gohmert McCotter
Gonzalez McCrery
Goode McDermott
Goodlatte McGovern
Gordon McHugh
Granger McIntyre
Graves McKeon
Green, Al McMorris
Green, Gene Rodgers
Grijalva McNerney
Gutierrez McNulty
Hall (NY) Meek (FL)
Hall (TX) Meeks (NY)
Hare Melancon
Harman Mica
Hastings (FL) Michaud
Hastings (WA) Miller (FL)
Hayes Miller (MI)
Heller Miller (NC)
Hensarling Miller, Gary
Herger Miller, George
Herseth Sandlin Mitchell
Higgins Mollohan
Hill Moore (KS)
Hinchey Moore (WI)
Hinojosa Moran (KS)
Hirono Moran (VA)
Hobson Murphy (CT)
Hodes Murphy, Patrick
Hoekstra Murphy, Tim
Holden Murtha
Holt Musgrave
Honda Myrick
Hooley Nadler
Hoyer Napolitano
Hunter Neal (MA)
Inglis (SC) Neugebauer
Inslee Nunes
Israel Obey
Issa Oliver

Ortiz
Pallone
Pascarell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns

Tsongas	Wamp	Whitfield (KY)	Jackson (IL)	Miller, George	Sestak	Sensenbrenner	Sullivan	Weldon (FL)
Turner	Wasserman	Wilson (NM)	Jackson-Lee	Mitchell	Shea-Porter	Sessions	Tancredo	Weller
Udall (CO)	Schultz	Wilson (OH)	(TX)	Mollohan	Sherman	Shadegg	Terry	Westmoreland
Udall (NM)	Waters	Wilson (SC)	Jefferson	Moore (KS)	Shuler	Shays	Thornberry	Whitfield (KY)
Upton	Watson	Wittman (VA)	Johnson (GA)	Moore (WI)	Sires	Shimkus	Tiahrt	Wilson (NM)
Van Hollen	Watt	Wolf	Johnson, E. B.	Moran (VA)	Skelton	Shuster	Tiberi	Wilson (SC)
Velázquez	Waxman	Woolsey	Kagen	Murphy (CT)	Slaughter	Simpson	Turner	Wittman (VA)
Visclosky	Welch (VT)	Wu	Kanjorski	Murphy, Patrick	Smith (WA)	Smith (NE)	Upton	Wolf
Walberg	Weldon (FL)	Wynn	Kaptur	Murtha	Snyder	Smith (NJ)	Walberg	Young (AK)
Walden (OR)	Weller	Yarmuth	Kennedy	Nadler	Solis	Smith (TX)	Walden (OR)	Young (FL)
Walsh (NY)	Westmoreland	Young (AK)	Kildee	Napolitano	Space	Souder	Walsh (NY)	
Walz (MN)	Wexler	Young (FL)	Kilpatrick	Neal (MA)	Spratt	Stearns	Wamp	

NOT VOTING—24

Aderholt	Doggett	Marshall
Andrews	Feeney	McHenry
Burton (IN)	Hulshof	Oberstar
Butterfield	Jones (NC)	Paul
Campbell (CA)	Jones (OH)	Pryce (OH)
Carson	Kaptur	Rush
Conaway	Mahoney (FL)	Speier
Davis, Lincoln	Marchant	Weiner

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1652

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

The result of the vote was announced as above recorded.

Mrs. EMERSON. Madam Speaker, I move to reconsider the vote.

MOTION TO TABLE OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Madam Speaker, I move to lay the motion to reconsider 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.

RECORDED VOTE

Mrs. EMERSON. 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 223, noes 189, not voting 20, as follows:

[Roll No. 257]

AYES—223

Abercrombie	Chandler	Etheridge
Ackerman	Clay	Farr
Allen	Cleaver	Fattah
Altmore	Clyburn	Finer
Arcuri	Cohen	Foster
Baca	Conyers	Frank (MA)
Baird	Cooper	Giffords
Baldwin	Costa	Gillibrand
Barrow	Costello	Gonzalez
Bean	Courtney	Gordon
Becerra	Cramer	Green, Al
Berkley	Crowley	Green, Gene
Berman	Cuellar	Grijalva
Berry	Cummings	Gutierrez
Bishop (GA)	Davis (AL)	Hall (NY)
Bishop (NY)	Davis (CA)	Hare
Blumenauer	Davis (IL)	Harman
Boren	DeFazio	Hastings (FL)
Boswell	DeGette	Herseth Sandlin
Boucher	Delahunt	Higgins
Boyd (FL)	DeLauro	Hill
Boyd (KS)	Dicks	Hinchee
Brady (PA)	Dingell	Hinojosa
Braley (IA)	Doggett	Hirono
Brown, Corrine	Donnelly	Hodes
Capps	Doyle	Holden
Capuano	Edwards	Holt
Cardoza	Ellison	Honda
Carnahan	Ellsworth	Hoyer
Carney	Emanuel	Hooley
Castor	Engel	Inslee
Cazayoux	Eshoo	Israel

Klein (FL)	Kucinich	Lampson	Langevin	Larsen (WA)	Larson (CT)	Lee	Levin	Lewis (GA)	Lipinski	Loeb sack	Lofgren, Zoe	Lowey	Lynch	Mahoney (FL)	Maloney (NY)	Markey	Marshall	Matheson	Matsui	McCarthy (NY)	McCollum (MN)	McGovern	McIntyre	McNerney	McNulty	Meek (FL)	Meeks (NY)	Melancon	Michaud	Miller (NC)
Obey	Oliver	Ortiz	Pallone	Pascrell	Pastor	Payne	Perlmutter	Peterson (MN)	Pomeroy	Price (NC)	Rahall	Rangel	Reyes	Richardson	Rodriguez	Ross	Rothman	Roybal-Allard	Ruppersberger	Ryan (OH)	Salazar	Sánchez, Linda T.	Sanchez, Loretta	Sarbanes	Schakowsky	Schiff	Schwartz	Scott (GA)	Scott (VA)	Serrano
Stark	Stupak	Sutton	Tanner	Tauscher	Taylor	Thompson (CA)	Thompson (MS)	Tierney	Towns	Tsongas	Udall (CO)	Udall (NM)	Van Hollen	Velázquez	Visclosky	Walz (MN)	Wasserman	Schultz	Waters	Watson	Watt	Waxman	Welch (VT)	Wexler	Wilson (OH)	Woolsey	Wu	Wynn	Yarmuth	

NOES—189

Aderholt	Everett	Lungren, Daniel
Akin	Fallin	E.
Alexander	Feeney	Mack
Bachmann	Ferguson	Manzullo
Bachus	Flake	Marchant
Barrett (SC)	Forbes	McCarthy (CA)
Bartlett (MD)	Fortenberry	McCaul (TX)
Barton (TX)	Fossella	McCotter
Biggett	Fox	McCrery
Bilbray	Franks (AZ)	McHugh
Bilirakis	Frelinghuysen	McKeon
Bishop (UT)	Gallely	McMorris
Blackburn	Garrett (NJ)	Rodgers
Blunt	Gerlach	Mica
Boehner	Gilchrest	Miller (FL)
Bonner	Gingrey	Miller (MI)
Bono Mack	Gohmert	Miller, Gary
Boozman	Goode	Moran (KS)
Boustany	Murphy, Tim	Murphy, Tim
Brady (TX)	Musgrave	Murphy, Tim
Brown (SC)	Myrick	Musgrave
Brown-Waite,	Neugebauer	Myrick
Ginny	Nunes	Neugebauer
Buchanan	Paul	Nunes
Burgess	Pearce	Paul
Buyer	Pence	Pearce
Calvert	Peterson (PA)	Pence
Camp (MI)	Petri	Peterson (PA)
Cannon	Pickering	Petri
Cantor	Pitts	Pickering
Capito	Platts	Pitts
Carter	Poe	Platts
Castro	Porter	Poe
Castle	Price (GA)	Porter
Chabot	Putnam	Price (GA)
Coble	Radanovich	Putnam
Cole (OK)	Ramstad	Radanovich
Crenshaw	Regula	Ramstad
Cubin	Rehberg	Regula
Culberson	Reichert	Rehberg
Davis (KY)	Renzi	Reichert
Davis, David	Reynolds	Renzi
Davis, Tom	Rogers (AL)	Reynolds
Deal (GA)	Rogers (KY)	Rogers (AL)
Dent	Rogers (MI)	Rogers (KY)
LaHood	Rohrabacher	Rogers (MI)
Lamborn	Ros-Lehtinen	Rohrabacher
Latham	Roskam	Ros-Lehtinen
LaTourette	Royce	Roskam
Lat	Ryan (WI)	Royce
Latta	Sali	Ryan (WI)
Lewis (CA)	Saxton	Sali
Lewis (KY)	Schmidt	Saxton
Linder		Schmidt
LoBiondo		
Lucas		

NOT VOTING—20

Andrews	Conaway	McHenry
Broun (GA)	Davis, Lincoln	Oberstar
Burton (IN)	Hulshof	Pryce (OH)
Butterfield	Hunter	Rush
Campbell (CA)	Jones (NC)	Speier
Carson	Jones (OH)	Weiner
Clarke	McDermott	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). Two minutes are remaining.

□ 1701

Ms. MCCOLLUM of Minnesota changed her vote from “aye” to “no.” So the motion to table was agreed to. The result of the vote was announced as above recorded.

MOTION TO INSTRUCT CONFEREES ON H.R. 2419, FOOD AND ENERGY SECURITY ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 2419 offered by the gentleman from Wisconsin (Mr. KIND) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 140, nays 274, not voting 18, as follows:

[Roll No. 258]

YEAS—140

Ackerman	Eshoo	Lofgren, Zoe
Allen	Fattah	Lowey
Baird	Ferguson	Lynch
Baldwin	Flake	Markey
Bean	Fortenberry	Matheson
Becerra	Fossella	McCarthy (NY)
Berkley	Frank (MA)	McCollum (MN)
Berman	Frelinghuysen	McGovern
Biggett	Gerlach	McNerney
Bilbray	Gilchrest	McNulty
Bishop (NY)	Green, Gene	Meeks (NY)
Blumenauer	Hall (NY)	Michaud
Braley (IA)	Harman	Mitchell
Brown, Corrine	Hastings (FL)	Moore (WI)
Cantor	Heller	Moran (VA)
Capps	Hensarling	Murphy (CT)
Capuano	Higgins	Murphy, Patrick
Castle	Hinchee	Nadler
Castor	Hirono	Neal (MA)
Chandler	Hodes	Obey
Coble	Holt	Oliver
Cohen	Honda	Pallone
Cooper	Inslee	Pascrell
Courtney	Israel	Payne
Crowley	Issa	Petri
Davis (CA)	Kind	Platts
Davis (IL)	King (NY)	Porter
Davis, Tom	Kirk	Price (GA)
DeFazio	Knollenberg	Ramstad
DeGette	Kucinich	Reichert
Dent	Larson (CT)	Renzi
Dingell	Lee	Rothman
Doggett	Lewis (GA)	Ryan (WI)
Ehlers	Lipinski	Sánchez, Linda T.
Ellison	LoBiondo	Sarbanes
Emanuel	Loeb sack	

Saxton
Schakowsky
Schiff
Schwartz
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shays
Shea-Porter
Sherman

Sires
Slaughter
Smith (NJ)
Smith (WA)
Souder
Stark
Tauscher
Taylor
Tierney
Tsongas
Udall (CO)

Udall (NM)
Upton
Van Hollen
Waters
Waxman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—274

Abercrombie
Aderholt
Akin
Alexander
Altmire
Arcuri
Baca
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Berry
Billirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyd (KS)
Brady (PA)
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Buyer
Calvert
Camp (MI)
Cannon
Capito
Cardoza
Carnahan
Carney
Carter
Cazayoux
Chabot
Clarke
Clay
Cleaver
Clyburn
Cole (OK)
Conyers
Costa
Costello
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (KY)
Davis, David
Davis, Lincoln
Deal (GA)
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ellsworth
Emerson
Engel
English (PA)
Etheridge
Everett
Fallin

Farr
Feeney
Filmer
Forbes
Foster
Foxy
Franks (AZ)
Gallegly
Garrett (NJ)
Giffords
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Grijalva
Gutierrez
Hall (TX)
Hare
Hastings (WA)
Hayes
Herger
Herseht Sandlin
Hill
Hinojosa
Hobson
Hoekstra
Holden
Hookey
Hoyer
Hunter
Inglis (SC)
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
King (IA)
Kingston
Klein (FL)
Kline (MN)
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel
E.
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Marshall
Matsui
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHugh
McIntyre
McKeon

McMorris
Rodgers
Meek (FL)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moran (KS)
Murphy, Tim
Murtha
Musgrave
Myrick
Napolitano
Neugebauer
Nunes
Ortiz
Pastor
Paul
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Poe
Pomeroy
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Salazar
Sali
Sanchez, Loretta
Schmidt
Scott (GA)
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (TX)
Snyder
Solis
Space
Spratt
Stearns
Stupak
Sutton
Tancredo
Tanner
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Velázquez

Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman
Wu
Schultz

Watson
Watt
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)

Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wynn

NOT VOTING—18

Andrews
Burton (IN)
Butterfield
Campbell (CA)
Carson
Conaway

Granger
Hulshof
Jones (NC)
Jones (OH)
McDermott
McHenry

Oberstar
Pryce (OH)
Rush
Speier
Sullivan
Weiner

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1709

Messrs. DAVIS of Illinois, PORTER and COHEN changed their vote from “nay” to “yea.”

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, on rollcall No. 258, I inadvertently voted “nay.” I intended to vote “yea.”

PERSONAL EXPLANATION

Ms. JONES of Ohio. Madam Speaker, on Monday, May 5, 2008, I missed recorded votes. Had I been present I would have voted as follows:

No. 247, Ryan Motion to Instruct Conferees on H.R. 2419, “nay.”

No. 249, H.R. 3658, To amend the Foreign Service Act of 1980 to permit rest and recuperation travel to United States territories for members of the Foreign Service, “yea.”

No. 251, H. Con. Res. 317, Condemning the Burmese regime’s undemocratic constitution and scheduled referendum, “aye.”

No. 253, H. Res. 1109, Honoring the memory of Dith Pran by remembering his life’s work and continuing to acknowledge and remember the victims of genocides that have taken place around the globe, “aye.”

No. 256, S. 2929, A bill to temporarily extend the programs under the Higher Education Act of 1965, “aye.”

No. 258, Kind Motion to Instruct Conferees on H.R. 2419, “nay.”

Mr. LATHAM. Madam Speaker, I move to reconsider the vote.

MOTION TO TABLE OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Madam Speaker, I move to lay the motion to reconsider 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 noes appeared to have it.

RECORDED VOTE

Mr. HASTINGS of Florida. 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 221, noes 192, not voting 19, as follows:

[Roll No. 259]

AYES—221

Abercrombie
Ackerman
Allen
Altmire
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyd (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Cazayoux
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon

Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Herseht Sandlin
Higgins
Hill
Hinchev
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hookey
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Lee
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCullum (MN)
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano

Neal (MA)
Obey
Oliver
Ortiz
Pallone
Pascarell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOES—192

Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Crenshaw

Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Doyle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin

Feeney	Lewis (CA)	Reynolds	Blunt	Hall (TX)	Pickering	McGovern	Poe	Solis
Ferguson	Lewis (KY)	Rogers (AL)	Boehner	Hastings (WA)	Pitts	McHugh	Pomeroy	Space
Flake	Linder	Rogers (KY)	Bonner	Hayes	Price (GA)	McIntyre	Porter	Spratt
Forbes	LoBiondo	Rogers (MI)	Bono Mack	Heller	Putnam	McNerney	Rahall	Stark
Fortenberry	Lucas	Rohrabacher	Boozman	Herger	Radanovich	McNulty	Ramstad	Stupak
Fossella	Lungren, Daniel	Ros-Lehtinen	Boustany	Hobson	Regula	Meek (FL)	Rangel	Sutton
Foxx	E.	Roskam	Brady (TX)	Hoekstra	Rehberg	Meeks (NY)	Reyes	Tancred
Franks (AZ)	Mack	Royce	Broun (GA)	Hunter	Reichert	Melancon	Richardson	Tanner
Frelinghuysen	Manzullo	Ryan (WI)	Buyer	Inglis (SC)	Renzi	Mica	Rodriguez	Tauscher
Gallely	Marchant	Sali	Calvert	Issa	Reynolds	Michaud	Rogers (MI)	Terry
Garrett (NJ)	McCarthy (CA)	Saxton	Camp (MI)	Johnson (IL)	Rogers (AL)	Miller (NC)	Ros-Lehtinen	Thompson (CA)
Gerlach	McCaul (TX)	Schmidt	Cannon	Johnson, Sam	Rogers (KY)	Miller, George	Ross	Thompson (MS)
Gilchrest	McCotter	Sensenbrenner	Cantor	Keller	Rohrabacher	Mitchell	Rothman	Tiahrt
Gingrey	McCrery	Sessions	Capito	King (IA)	Roskam	Mollohan	Roybal-Allard	Tierney
Gohmert	McHugh	Shadegg	Carter	King (NY)	Royce	Moore (KS)	Ruppersberger	Towns
Goode	McKeon	Shays	Chabot	Kline (MN)	Ryan (WI)	Moore (WI)	Ryan (OH)	Tsongas
Goodlatte	McMorris	Shimkus	Cole (OK)	Knollenberg	Schmidt	Moran (KS)	Salazar	Udall (CO)
Granger	Rodgers	Shuster	Crenshaw	LaHood	Sensenbrenner	Moran (VA)	Sali	Udall (NM)
Graves	Mica	Simpson	Cubin	Lamborn	Sessions	Murphy (CT)	Sánchez, Linda	Van Hollen
Hall (TX)	Miller (FL)	Smith (NE)	Culberson	Latham	Shadegg	Murphy, Patrick	T.	Velázquez
Hastings (WA)	Miller (MI)	Smith (NJ)	Davis, David	LaTourette	Shays	Murphy, Tim	Sanchez, Loretta	Visclosky
Hayes	Miller, Gary	Smith (TX)	Davis, Tom	Latta	Shimkus	Murtha	Sarbanes	Walberg
Heller	Moran (KS)	Souder	Deal (GA)	Lewis (CA)	Shuster	Nadler	Saxton	Walz (MN)
Hensarling	Murphy, Tim	Stearns	Diaz-Balart, L.	Lewis (KY)	Simpson	Napolitano	Schiff	Wamp
Herger	Musgrave	Sullivan	Diaz-Balart, M.	Lucas	Smith (NE)	Neal (MA)	Schwartz	Wasserman
Hobson	Myrick	Tancred	Doolittle	Lungren, Daniel	Smith (NJ)	Obey	Scott (GA)	Schultz
Hoekstra	Neugebauer	Terry	Drake	E.	Smith (TX)	Olver	Scott (VA)	Watson
Hunter	Nunes	Thornberry	Dreier	Mack	Souder	Ortiz	Serrano	Watt
Inglis (SC)	Paul	Tiahrt	Duncan	Marchant	Stearns	Pallone	Shea-Porter	Weldon (FL)
Issa	Pearce	Tiberi	Emerson	McCarthy (CA)	Taylor	Pascrell	Sherman	Wexler
Johnson (IL)	Pence	Turner	English (PA)	McCaul (TX)	Thornberry	Pastor	Shuler	Wilson (OH)
Johnson, Sam	Peterson (PA)	Upton	Everett	McCrery	Tiberi	Payne	Sires	Woolsey
Jordan	Petri	Walberg	Fallin	McKeon	Turner	Perlmutter	Skelton	Wu
Keller	Pickering	Walden (OR)	Feeney	McMorris	Upton	Peterson (MN)	Slaughter	Wynn
King (IA)	Pitts	Walsh (NY)	Ferguson	Rodgers	Walsh (OR)	Platts	Snyder	Yarmuth
King (NY)	Platts	Wamp	Flake	Miller (FL)	Walsh (NY)			
Kingston	Poe	Weldon (FL)	Forbes	Miller (MI)	Weller			
Kirk	Porter	Weller	Franks (AZ)	Miller, Gary	Westmoreland			
Kline (MN)	Price (GA)	Westmoreland	Frelinghuysen	Musgrave	Whitfield (KY)			
Knollenberg	Putnam	Whitfield (KY)	Gallely	Myrick	Wilson (IN)			
Kuhl (NY)	Radanovich	Wilson (NM)	Garrett (NJ)	Neugebauer	Wilson (NM)			
LaHood	Ramstad	Wilson (SC)	Gingrey	Nunes	Wilson (SC)			
Lamborn	Regula	Wittman (VA)	Goode	Paul	Wittman (VA)			
Latham	Rehberg	Wolf	Goodlatte	Pearce	Wolf			
LaTourette	Reichert	Young (AK)	Gordon	Pence	Young (AK)			
Latta	Renzi	Young (FL)	Granger	Peterson (PA)	Young (FL)			
			Graves	Petri				

NOT VOTING—19

Andrews	Hulshof	Pryce (OH)
Burton (IN)	Jones (NC)	Rush
Butterfield	Jones (OH)	Schakowsky
Campbell (CA)	Larson (CT)	Speier
Carson	McDermott	Weiner
Conaway	McHenry	
Gutierrez	Oberstar	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1716

Mr. DELAHUNT changed his vote from “no” to “aye.”
 So the motion to table was agreed to.
 The result of the vote was announced as above recorded.

MOTION TO ADJOURN

Mr. SIMPSON. Madam Speaker, I move that the House do now adjourn.
 The SPEAKER pro tempore. The question is on the motion to adjourn.
 The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. SIMPSON. Madam Speaker, I demand a recorded vote.
 A recorded vote was ordered.
 The vote was taken by electronic device, and there were—ayes 149, noes 251, not voting 32, as follows:

[Roll No. 260]
 AYES—149

Aderholt	Bachus	Biggert
Akin	Barrett (SC)	Bilbray
Alexander	Bartlett (MD)	Bishop (UT)
Bachmann	Barton (TX)	Blackburn

NOES—251

Abercrombie	Crowley	Hinchey
Ackerman	Cuellar	Hinojosa
Allen	Cummings	Hirono
Altmire	Davis (AL)	Hodes
Arcuri	Davis (CA)	Holt
Baca	Davis (IL)	Honda
Baird	Davis (KY)	Hooley
Barrow	Davis, Lincoln	Hoyer
Bean	DeFazio	Inslee
Becerra	DeGette	Israel
Berkley	Delahunt	Jackson (IL)
Berman	DeLauro	Jackson-Lee
Berry	Dent	(TX)
Bilirakis	Dicks	Jefferson
Bishop (GA)	Dingell	Johnson (GA)
Bishop (NY)	Doggett	Johnson, E. B.
Blumenauer	Donnelly	Jordan
Boren	Doyle	Kanjorski
Boswell	Edwards	Kaptur
Boucher	Ehlers	Kennedy
Boyda (KS)	Ellison	Kildee
Brady (PA)	Ellsworth	Kilpatrick
Bralely (IA)	Emanuel	Kind
Brown (SC)	Engel	Kingston
Brown, Corrine	Eshoo	Kirk
Brown-Waite,	Etheridge	Klein (FL)
Ginny	Farr	Kucinich
Buchanan	Fattah	Kuhl (NY)
Burgess	Filner	Lampson
Capps	Fortenberry	Langevin
Capuano	Fossella	Larsen (WA)
Cardoza	Foster	Larson (CT)
Carnahan	Foxx	Lee
Carney	Frank (MA)	Levin
Castle	Gerlach	Lewis (GA)
Castor	Giffords	Lipinski
Cazayoux	Gilchrest	LoBiondo
Chandler	Gillibrand	Loeback
Clarke	Gohmert	Lowe
Clay	Gonzalez	Lynch
Cleaver	Green, Al	Mahoney (FL)
Clyburn	Green, Gene	Maloney (NY)
Coble	Grijalva	Manzullo
Cohen	Gutierrez	Markey
Conyers	Hare	Marshall
Cooper	Harman	Matheson
Costa	Hastings (FL)	Matsui
Costello	Herseht Sandlin	McCarthy (NY)
Courtney	Higgins	McCollum (MN)
Cramer	Hill	McCotter

NOT VOTING—32

Andrews	Hulshof	Rush
Baldwin	Jones (NC)	Schakowsky
Boyd (FL)	Jones (OH)	Sestak
Burton (IN)	Kagen	Smith (WA)
Butterfield	Linder	Speier
Campbell (CA)	Lofgren, Zoe	Sullivan
Carson	McDermott	Waters
Conaway	McHenry	Waxman
Hall (NY)	Oberstar	Weiner
Hensarling	Price (NC)	Weich (VT)
Holden	Pryce (OH)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). Two minutes are remaining in this vote.

□ 1733

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

FACILITATING PRESERVATION OF CERTAIN AFFORDABLE HOUSING DWELLING UNITS

Mr. MEEKS of New York. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5937) to facilitate the preservation of certain affordable housing dwelling units.

The Clerk read the title of the bill.
 The text of the bill is as follows:

H.R. 5937

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

SECTION 1. PRESERVATION OF CERTAIN AFFORDABLE HOUSING DWELLING UNITS.

(a) CONVERSION OF HUD CONTRACTS.—Notwithstanding any other provision of law, the Secretary of Housing and Urban Development may, at the request of the owner of the multifamily housing project to which Section 8 Project Number NY 913 VO 0018 and RAP Contract Number 012035NIRAP are subject, convert such contracts to a contract for project-based rental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) INITIAL RENEWAL.—

(1) ELIGIBILITY.—At the request of the owner made no later than 90 days prior to a

conversion, the Secretary may, to the extent sufficient amounts are made available in appropriation Acts and notwithstanding any other law, treat the contemplated resulting contract as if such contract were eligible for initial renewal under section 524(a) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note).

(2) REQUEST.—A request by the owner pursuant to paragraph (1) shall be upon such terms and conditions as the Secretary may require.

(c) RESULTING CONTRACT.—The resulting contract shall—

(1) be subject to section 524(a) of MAHRA (42 U.S.C. 1437f note);

(2) be considered for all purposes a contract that has been renewed under section 524(a) of MAHRA (42 U.S.C. 1437f note) for a term not to exceed 20 years;

(3) be subsequently renewable at the request of the owner, under any renewal option for which the project is eligible under MAHRA (42 U.S.C. 1437f note);

(4) contain provisions limiting distributions, as the Secretary determines appropriate, not to exceed 10 percent of the initial investment of the owner;

(5) be subject to the availability of sufficient amounts in appropriation Acts; and

(6) be subject to such other terms and conditions as the Secretary considers appropriate.

(d) INCOME TARGETING.—The owner shall be deemed to be in compliance with all income-targeting requirements under the United States Housing Act of 1937 by serving low-income families, as such term is defined in the section 3(b)(2) of such Act (42 U.S.C. 1437a(b)(2)).

(e) TENANT ELIGIBILITY.—Notwithstanding any other provision of law, each family residing in an assisted dwelling unit on the date of the conversion under this section, subject to the resulting contract under subsection (a), shall be considered to meet the applicable requirements for income eligibility and occupancy.

(f) DEFINITIONS.—As used in this section—

(1) the term “assisted dwelling unit” means the dwelling units that, on the date of the conversion under this section, were subject to Section 8 Project Number NY 913 VO 0018 or RAP Contract Number 012035NIRAP;

(2) the term “conversion” means the action under which Section 8 Project Number NY 913 VO 0018 and RAP Contract Number 012035NIRAP become a contract for project-based rental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) pursuant to subsection (a);

(3) the term “MAHRA” means the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note);

(4) the term “owner” means Starrett City Associates or any successor owner of the multifamily housing project to which Section 8 Project Number NY 913 VO 0018 and RAP Contract Number 012035NIRAP are subject;

(5) the term “resulting contract” means the new contract after a conversion of Section 8 Project Number NY 913 VO 0018 and RAP Contract Number 012035NIRAP to a contract for project-based rental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) pursuant to subsection (a); and

(6) the term “Secretary” means the Secretary of Housing and Urban Development.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MEEKS) and the gentleman from Delaware (Mr. CASTLE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. MEEKS of New York. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

Mr. MEEKS of New York. Madam Speaker, I yield myself 2 minutes.

Access to affordable housing is one of the most serious challenges facing our Nation today. Working families are experiencing the most trying economic downturn in nearly 25 years. Rising costs in food, household necessities, utilities, along with stagnating wages and daily increases in the price of gasoline are wreaking havoc upon the lives of hardworking American men and women.

The precipitous increases in mortgage delinquencies and foreclosures have caused record numbers of Americans to lose their homes. This crisis has been exacerbated by the unprecedented numbers of people being wait-listed for public housing which has grown significantly.

The lack of affordable housing impacts every region of this Nation. My colleagues and I have been fighting to ensure access to affordable housing in New York and throughout the country. Among my chief responsibilities to the constituents of New York's Sixth Congressional District is to work to help provide affordable housing.

For those reasons, my friend, Congressman ED TOWNS, along with my friends and colleagues, Representatives PETER KING, BARNEY FRANK, MAXINE WATERS and NYDIA VELÁZQUEZ introduced H.R. 5937 which will facilitate the preservation of affordable housing units.

Madam Speaker, at this time I reserve the balance of my time.

Mr. CASTLE. Madam Speaker, I yield myself 4 minutes.

Madam Speaker, today I rise in support of H.R. 5937, a bill to preserve the affordability of the Starrett City development, the largest federally subsidized housing project in the country. This bill is a bipartisan effort with our colleagues from the New York delegation in the House, as well as Senator SCHUMER, to maintain affordable housing in one of the most unaffordable cities, New York City.

The current owners of Starrett City intend to sell the project. This legislation will ensure that Starrett City remains an affordable housing resource for Brooklyn residents when the sale is completed. H.R. 5937 allows HUD, per the request of the project's private owners, to convert the project's section 8 and rental assistance payments contract into project-based section 8 contracts. All existing tenants receiving housing assistance under the existing

contracts will remain eligible for assistance under the new project-based section 8 contracts. If this bill is enacted, 5,881 affordable housing units will be preserved for 14,000 residents.

This bill will not result in any additional cost to the Federal Government. In fact, by preserving existing housing, this bill could result in cost savings. The owners of Starrett City are in favor of this legislation, in addition to the State of New York and the residents of Starrett City.

I urge my colleagues to join me in support of this important piece of legislation.

I reserve the balance of my time.

Mr. MEEKS of New York. Madam Speaker, at this time I would like to yield 5 minutes to my dear friend and colleague and the author of this critically important bill, the Honorable Congressman ED TOWNS, who has been a leader during his tenure in Congress on providing access to affordable housing.

Mr. TOWNS. Madam Speaker, I thank my friend for yielding time to me, and I appreciate his help on this bill. I think it is an important piece of legislation.

I also thank Congresswoman NYDIA VELÁZQUEZ. I guess I better also thank the chairman of the committee, BARNEY FRANK, who also worked very hard on this, and the chairperson of the committee, MAXINE WATERS, on their assistance in getting us to this point.

Access to affordable housing is a serious problem across America, particularly with the weakening economy and rising gas, utility and food costs.

With a rise in mortgage foreclosures leading to people losing their homes and unprecedented waiting lists for public housing—and the list gets longer and longer and longer—the ability to find affordable housing is crucial. Every time I go back to my district, this is the subject that comes up: What can we do about finding an affordable apartment?

Along with my colleagues in New York, I have been working to ensure access to affordable housing throughout my tenure in the United States Congress. But as neighborhoods developed, residents have been priced out of their homes and neighborhoods. And more and more, this is a cry coming from across the land.

For these reasons, along with my colleagues Congressman KING, Congressman FRANK, Congresswoman WATERS, and Congresswoman VELÁZQUEZ, we introduced H.R. 5937 which will facilitate the preservation of affordable housing units.

This bill will convert HUD contracts into a new 20-year housing assistance payment contract under the Multifamily Housing Restructuring and Affordability Act of 1997. Conversion of these HUD contracts will allow purchasers of certain affordable housing developments to secure the long-term financing necessary to purchase the property.

By making these properties affordable to the owners, they can in turn keep the housing affordable for the tenants. I hope that you will join us today in voting "yes" on H.R. 5937 to help preserve affordable housing.

And let me just say to my good friends throughout this body that there is no additional cost. I think what we are doing here is being creative and making it possible that people who are having difficulty will be able to have apartments. I think that during this difficult time of foreclosures and the problems we are having, I think this legislation is crucial. I want to thank my colleagues for supporting this.

Mr. CASTLE, Madam Speaker, at this time I yield back the balance of my time and urge support from all Members for this legislation.

Mr. MEEKS of New York. Madam Speaker, I yield 3 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ) who is a member of this committee and the chairwoman of the Small Business Committee.

Ms. VELÁZQUEZ, Madam Speaker, let me first commend Chairman FRANK, Chairwoman WATERS, Mr. TOWNS, and Mr. KING for their leadership in moving this necessary legislation forward.

I proudly support H.R. 5937 because it addresses the need for affordable housing for thousands of families in Brooklyn. Across our country, low and moderate-income working families are increasingly finding adequate housing to be out of reach. No place is this disparity more apparent than in New York City where one out of every four families spends over 50 percent of their income on rent. New Yorkers in many ways face the most difficult housing market.

Starrett City is the largest federally subsidized rental complex in the country with 5,800 units and 14,000 residents. Eliminating these units will leave thousands of families stranded and set a dangerous precedent.

H.R. 5937 represents an agreement between government agencies and the owners of Starrett City to keep the development affordable. This is a carefully crafted deal that ensures the long-term vibrancy of a Brooklyn institution.

Starrett City is a strong, hard-working community. The restaurant workers, hotel employees, and seniors who live there are part of Brooklyn's very fabric. If New York loses Starrett City, we all lose a unique chance to preserve this valuable community and set a precedent for generations to come.

Starrett City is the symptom of a much larger problem in New York City and across our Nation. We have an affordability problem that requires immediate action. Today, we are taking a step in the right direction. By saving one Brooklyn development, we lay the groundwork for affordable housing preservation in the future.

I urge a "yes" vote on this legislation.

Mr. MEEKS of New York. Madam Speaker, I now yield 3 minutes to the gentlewoman from the great State of New York who is also the Chair of the House Subcommittee on Financial Institutions, the Honorable CAROLYN MALONEY.

Mrs. MALONEY of New York. I thank the gentleman for yielding, and thank him for his leadership on this important legislation and for the city of New York in general.

Madam Speaker, I rise in strong support of this legislation that will help preserve affordable housing units. I commend my colleagues from Brooklyn, Congressman TOWNS and Congresswoman VELÁZQUEZ, for their leadership in drafting this legislation, and I thank my colleagues on the Committee on Financial Services, especially Congresswoman WATERS who is Chair of the Subcommittee on Housing, and also Chairman FRANK for bringing this important bill to the floor today.

□ 1745

When passed, this legislation would authorize the Secretary of Housing and Urban Development, upon the request of the owner of a multi-family housing project, to convert their contract to a section 8, project-based rental assistance contract. This would have an immediate impact on Starrett City, the Starrett City housing complex in Brooklyn, New York, which is currently serving 14,000 New Yorkers in affordable housing units.

Starrett City is the largest affordable housing complex in our country, and this legislation is innovative, it is helpful, it is collaborative, and it is bipartisan. And I thank my colleague, Mr. CASTLE, for his leadership on the other side of the aisle.

Starrett City was opened in 1974, and recently there have been efforts to sell the complex and potentially leave these affordable housing units and have them sold and re-priced to reflect the current market value. By selling these units, you would put at risk affordable housing for all of the 14,000 residents that are living there. It would endanger their ability to continue as residents living in Starrett City, and I would say, I don't know where they would go. In New York City there is such a housing crisis and we have no affordable housing left. This legislation would help preserve these affordable units for at least the next 20 years.

All of us know that we are facing foreclosures across this country. We are talking about programs to have grants, to have negotiations, to have support, to keep people in their homes. We have before us today creative legislation that the owner supports, that the city supports, and hopefully this Congress supports, that could save 14,000 homes for New Yorkers and keep them in affordable housing.

I congratulate my colleague, Mr. TOWNS, and everyone else who has worked so hard to make this happen.

I urge all of my colleagues to support this tremendously important legisla-

tion that will keep people in their homes, affordable homes.

Mr. MEEKS of New York. Madam Speaker, I am now happy to yield 3 minutes to a new Member of the Congress who says that she is in her sophomore year in her freshman term, the Honorable YVETTE CLARKE.

Ms. CLARKE, Madam Speaker, to the manager of this bill, Congressman MEEKS, and to the sponsors of this bill, my colleagues, Congressman TOWNS, Congressman FRANK, Congressman KING, Congresswoman VELÁZQUEZ, and Congresswoman WATERS, I want to say thank you so much for having the vision and the foresight to work across the aisle to do a great service to not only the people of the city of New York, but to this Nation.

Starrett City is the last bastion of federally subsidized housing developments of this nature in this Nation. And as we look at the challenge that it faces today, we are looking at a crisis head-on for affordable housing around this Nation.

Our willingness to come together in the 11th hour to put a remedy in place speaks to our resilience and our ability to address challenges that we face in the 21st century. And as these concerns grow greater and greater and the housing crisis gets more and more in depth, with millions of moderate and low income families in peril's way, today's legislation, H.R. 5937, says that this Congress is willing to stand up and do something, and that we've been sent here to solve the problems that our communities are facing today.

I want to congratulate Congressman CASTLE for standing forward today in a bipartisan way. It may seem to some that this is just a piece of legislation that will impact New York, but when we stand up for New York and Starrett City and Spring Creek, we're standing up for all Americans who are facing such peril.

Mr. MEEKS of New York. Madam Speaker, I yield myself as much time as I may consume.

Let me just say, in conclusion, Madam Speaker, that what this bill does, and what we're talking about around the Nation, in a time of economic crisis, at a time when people are wondering, many, how they could afford or what kind of apartments or homes they can afford, this bill is trying to assure that all Americans can indeed have a decent roof over their head, that all Americans will understand and have the opportunity to really live the American dream. And that's what makes us such a great country.

And by this Congress stepping up to the plate, as it is, making sure that those who may not have as much money as others, but yet still can live in this great country, and can live in a facility such as Starrett City, which is clean, decent, affordable housing, says that we care about all of our people throughout these United States of America.

And so I think it was ingenious, by the authors of this bill, led by Mr.

TOWNS, along with Mr. KING, in a bipartisan manner say that we're going to speak up and we're going to stand up, both Democrats and Republicans, that we're going to stand on the interests of making sure that there's affordable housing for those who need it. And that's what this bill does.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MEEKS) that the House suspend the rules and pass the bill, H.R. 5937.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CULBERSON. 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. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

MOTION TO ADJOURN

Mr. CULBERSON. Madam Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Texas.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 138, noes 248, not voting 46, as follows:

[Roll No. 261]

AYES—138

Aderholt	Diaz-Balart, L.	Issa
Akin	Diaz-Balart, M.	Johnson (IL)
Alexander	Doggett	Johnson, Sam
Bachus	Drake	Keller
Barrett (SC)	Dreier	King (IA)
Bartlett (MD)	Duncan	King (NY)
Barton (TX)	Emerson	Kline (MN)
Biggert	English (PA)	Knollenberg
Bilbray	Everett	LaHood
Bishop (UT)	Fallin	Lamborn
Blackburn	Feeney	Latham
Blunt	Ferguson	LaTourrette
Bonner	Flake	Latta
Bono Mack	Forbes	Lewis (CA)
Boozman	Franks (AZ)	Lewis (KY)
Boustany	Frelinghuysen	Lucas
Brown (GA)	Galleghy	Lungren, Daniel
Calvert	Garrett (NJ)	E.
Camp (MI)	Gingrey	Mack
Cannon	Goode	Marchant
Cantor	Goodlatte	McCarthy (CA)
Carter	Gordon	McCaul (TX)
Castle	Granger	McCrery
Chabot	Hastings (WA)	McKeon
Cole (OK)	Hayes	McMorris
Crenshaw	Heller	Rodgers
Cubin	Hensarling	Miller (FL)
Culberson	Herger	Miller, Gary
Davis (KY)	Hobson	Musgrave
Davis, David	Hoekstra	Myrick
Davis, Tom	Hunter	Neugebauer
Deal (GA)	Inglis (SC)	Nunes

Paul	Rohrabacher
Pearce	Roskam
Pence	Royce
Petri	Ryan (WI)
Pickering	Schmitt
Pitts	Scott (GA)
Price (GA)	Sensenbrenner
Putnam	Sessions
Radanovich	Shadegg
Regula	Shays
Rehberg	Simpson
Reichert	Smith (NE)
Reynolds	Smith (TX)
Rogers (AL)	Souder
Rogers (KY)	Stearns

NOES—248

Abercrombie	Graves
Ackerman	Green, Al
Allen	Green, Gene
Altmire	Grijalva
Arcuri	Gutierrez
Bachmann	Hall (NY)
Baird	Hall (TX)
Baldwin	Hare
Barrow	Harman
Bean	Hastings (FL)
Becerra	Hereth Sandlin
Berkley	Higgins
Berman	Hill
Berry	Hinojosa
Bilirakis	Hirono
Bishop (GA)	Hodes
Bishop (NY)	Holt
Blumenauer	Honda
Boren	Hooley
Boswell	Hoyer
Boucher	Inslee
Boyd (FL)	Israel
Boyd (KS)	Jackson (IL)
Brady (PA)	Jackson-Lee
Brady (TX)	(TX)
Brown (SC)	Jefferson
Brown, Corrine	Johnson (GA)
Buchanan	Johnson, E. B.
Burgess	Jordan
Buyer	Kagen
Capito	Kanjorski
Capps	Kaptur
Cardoza	Kennedy
Carnahan	Kildee
Carney	Kilpatrick
Castor	Kind
Cazayoux	Kingston
Chandler	Kirk
Clarke	Klein (FL)
Clay	Kucinich
Cleaver	Kuhl (NY)
Clyburn	Lampson
Coble	Langevin
Cohen	Larsen (WA)
Cooper	Larson (CT)
Costa	Lee
Costello	Levin
Courtney	Lewis (GA)
Cramer	Lipinski
Crowley	LoBiondo
Cuellar	Loebsock
Davis (AL)	Lofgren, Zoe
Davis (CA)	Lowey
Davis (IL)	Lynch
DeFazio	Mahoney (FL)
DeGette	Maloney (NY)
Dent	Manzullo
Dicks	Markey
Dingell	Marshall
Donnelly	Matheson
Edwards	Matsui
Ehlers	McCarthy (NY)
Ellison	McCollum (MN)
Ellsworth	McCotter
Emanuel	McDermott
Engel	McGovern
Eshoo	McHugh
Etheridge	McIntyre
Farr	McNerney
Fattah	McNulty
Finer	Meek (FL)
Fortenberry	Meeke (NY)
Forsella	Melancon
Foster	Mica
Fox	Michaud
Frank (MA)	Miller (MI)
Gerlach	Miller (NC)
Gillibrand	Miller, Gary
Gilchrest	Mitchell
Gillis	Mollohan
Gohmert	Moore (KS)
Gonzalez	Moore (WI)

Taylor	Wexler
Thornberry	Wilson (OH)
Tiberi	Wilson (SC)
Turner	Woolsey
Upton	
Walden (OR)	
Walsh (NY)	
Wamp	
Weller	
Westmoreland	
Wilson (NM)	
Wittman (VA)	
Wolf	
Young (FL)	

Andrews	DeLauro	Rush
Baca	Doolittle	Sali
Boehner	Doyle	Schakowsky
Braley (IA)	Hinchey	Shimkus
Brown-Waite,	Holden	Shuster
Ginny	Hulshof	Speier
Burton (IN)	Jones (NC)	Tiahrt
Butterfield	Jones (OH)	Udall (CO)
Campbell (CA)	Linder	Udall (NM)
Capuano	McHenry	Velázquez
Carson	Oberstar	Weiner
Conaway	Peterson (PA)	Weldon (FL)
Conyers	Pryce (OH)	Whitfield (KY)
Cummins	Rangel	Wynn
Davis, Lincoln	Renzi	Young (AK)
Delahunt	Reyes	

NOT VOTING—46

□ 1823

Messrs. POE, CLEAVER and ACKERMAN changed their vote from "aye" to "no."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

COIN MODERNIZATION AND TAXPAYER SAVINGS ACT OF 2008

Mr. GUTIERREZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5512) to authorize the Secretary of the Treasury to prescribe the weights and the compositions of circulating coins, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5512

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Coin Modernization and Taxpayer Savings Act of 2008".

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) International demand along with market speculation for commodity metals has, over the past several years, increased the cost of producing circulating coins in the United States.

(2) In a July 30, 2007, letter to the Congress, the Secretary of the Treasury, with support of the Administration's Office of Management and Budget, requested that legislation be put forward to authorize the Secretary of the Treasury to make changes to the composition of circulating coins.

(3) The United States Mint has studied alternative metals for use in circulating coins, as noticed in its 2004 annual report.

(4) In 1943, the United States Mint produced zinc-coated steel pennies in response to war-time demands for copper.

(5) The United States Mint gained further experience changing the metal content of pennies in 1982, when it began producing copper-coated zinc pennies as a result of rising copper prices.

(6) The Royal Canadian Mint has produced for several years a copper-coated steel 1-cent coin that is similar to the United States penny at a significantly lower cost than the cost to produce the United States penny.

(7) Given the current cost to make a penny and volume of pennies minted, by simply reducing penny production costs to face value, the United States will save more than \$500,000,000 in the next 10 years alone.

(8) Reducing the cost to produce a nickel to face value will save the United States an additional \$60,000,000 per year.

(9) Commodity metal prices are often cyclical in nature, and can be inflated by speculation, so it is important that a solid trend in the rising price of a commodity metal be established before any change in the metal content of a coin is made.

SEC. 3. IMMEDIATE REDUCTION IN THE COST OF PRODUCING 1-CENT COINS THROUGH THE USE OF STEEL PENNIES.

Subsection (c) of section 5112 of title 31, United States Code, is amended to read as follows:

“(c) COMPOSITION OF 1-CENT AND 5-CENT COINS.—

“(1) 1-CENT COIN.—

“(A) IN GENERAL.—Subject to paragraph (2), beginning 270 days after the date of the enactment of the Coin Modernization and Taxpayer Savings Act of 2008, the 1-cent coin shall—

“(i) be produced primarily of steel; and

“(ii) meet such other specifications as the Secretary may determine to be appropriate, including any change in the weight from that specified in subsection (a)(6).

“(B) TREATMENT.—The 1-cent coin shall be treated to impart a copper color to the appearance of the coins so that the appearance is similar to 1-cent coins produced of a copper-zinc alloy.

“(C) EXCEPTION FOR LINCOLN BICENTENNIAL NUMISMATIC PENNIES.—No provision of this paragraph shall apply with respect to 1-cent coins described in section 304 of the Presidential \$1 Coin Act of 2005 that are issued for numismatic purposes.

“(2) ALTERNATIVE 1-CENT COIN COMPOSITION.—

“(A) IN GENERAL.—If, before the end of the 90-day period beginning on the date of the enactment of the Coin Modernization and Taxpayer Savings Act of 2008, the Secretary determines that, with the addition of any other element to any alloy of zinc and copper of which 1-cent coins could have been composed as of the day before such date of enactment, there is a way—

“(i) to produce 1-cent coins of the same diameter, general composition, and general weight as 1-cent coins produced in accordance with this subsection as of the day before such date of enactment; and

“(ii) to achieve the goals of paragraph (1) by reducing the unit cost to produce the 1-cent coin to less than 1 cent while retaining such coin's ease of use and ensuring ease of co-circulation with 1-cent coins of the diameter and weight already circulating as of such date of enactment for ordinary commerce,

the Secretary may add any such element and continue production of 1-cent coins of the same diameter, general composition, and general weight as 1-cent coins produced in accordance with this subsection as of the day before such date of enactment instead of complying with paragraph (1).

“(B) EFFECTIVE PERIOD.—This paragraph shall only apply if the change to the new composition and the subsequent drop in the production cost of the 1-cent coin referred to in subparagraph (A) can be achieved before the end of the 270-day period referred to in paragraph (1).

“(C) REPORT TO THE CONGRESS.—Any determination and action by the Secretary under subparagraph (A) shall be promptly reported to the Congress.”.

SEC. 4. AUTHORITY TO CHANGE METALLIC CONTENT OF 5-CENT COINS TO LESS COSTLY ALTERNATIVE.

(a) IN GENERAL.—Subsection (c) of section 5112 of title 31, United States Code, (as amended by section 3) is amended by adding at the end the following new paragraph:

“(3) 5-CENT COIN.—

“(A) IN GENERAL.—After the end of the 2-year period beginning on the date of the enactment of the Coin Modernization and Taxpayer Savings Act of 2008, the Secretary shall produce no 5-cent coin that is not primarily made of steel with a coating of nickel, that can co-circulate with the existing supply of 5-cent coins and work interchangeably in coin handling machines, except that—

“(i) the Secretary shall make no change to the content of the existing 5-cent coin if at that point the unit cost of production of such coins is lower than the face value of the coin; and

“(ii) if the report issued by the Secretary pursuant to section 6 indicates that a different metallic content of circulating 5-cent coins is both functional and interchangeable, and more economical to produce in both the short and long term, the Secretary shall propose such content to the Congress in the form of a legislative recommendation.

“(B) FACTORS TO BE CONSIDERED.—In prescribing the weight and the composition of the 5-cent coin, the Secretary shall consider—

“(i) factors relevant to the potential impact of any revisions to the weight and composition of the material on the current coin suppliers;

“(ii) factors relevant to the acceptability of new coinage materials, including the effect on vending machines and commercial coin processing equipment and making certain, to the greatest extent practicable, that any new coins work without interruption in existing coin acceptance equipment without modification; and

“(iii) such other factors that the Secretary, in consultation with merchants who would be affected by any change in the weight and composition of the 5-cent coin, vending machine and other coin acceptor manufacturers, vending machine owners and operators, transit officials, municipal parking officials, depository institutions, coin and currency handlers, armored-car operators, car wash operators, and American-owned manufacturers of commercial coin processing equipment, considers to be appropriate and in the public interest, after notice and opportunity for comment.

“(C) COMMENT AND SELECTION PROCESS.—In making any determination with respect to any change in the weight and composition of the 5-cent coin, the Secretary shall enter into a formal rulemaking process that includes a hearing on a record in addition to the publication of notice and opportunity for comment.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 5112(a)(5) of title 31, United States Code, is amended by striking “and weighs 5 grams”.

SEC. 5. AUTHORITY TO CONDUCT RESEARCH AND DEVELOPMENT ON ALL CIRCULATING COINS.

To accomplish the goals of this Act, the Secretary may conduct any appropriate testing within or without the Department of the Treasury, and may solicit input from or otherwise work in conjunction with entities within or without the Federal government including independent research facilities or current or potential suppliers of the material used in volume production of circulating coins, to complete the report referred to in this Act and to develop, evaluate or begin the use of new metallic material for such production.

SEC. 6. BIENNIAL REPORT TO CONGRESS ON CURRENT STATUS OF COIN PRODUCTION COSTS AND ANALYSIS OF ALTERNATIVE CONTENT REQUIRED.

(a) BIENNIAL REPORT REQUIRED.—Before the end of the 270-day period beginning on enactment of this Act, and at 2-year intervals fol-

lowing the initial report, the Secretary of the Treasury shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate analyzing production costs for each circulating coin, cost trends, and possible new metallic materials or technologies for the production of circulating coins.

(b) DETAILED RECOMMENDATIONS.—The reports required under this section shall contain detailed recommendations for any appropriate changes to the metallic content of circulating coins in such a form that the recommendations could be enacted into law as appropriate.

(c) IMPROVED PRODUCTION EFFICIENCY.—The reports required under this section shall include recommendations for changes in the methods of producing coins at the United States Mint that would further reduce the costs to produce circulating coins, and include notes on any legislative changes that might be necessary to achieve such goals.

(d) MINIMIZING CONVERSION COSTS.—The reports required under this section shall—

(1) include no recommendation for new specifications for producing a circulating coin that would require significant change to coin-accepting and coin-handling equipment to accommodate changes to all circulating coins simultaneously, except for any potential change to the 5-cent coin as authorized under section 4; and

(2) to the greatest extent possible, recommend specifications that, while consistent with other portions of this section and the amendments made by this Act, require no changes to coin-accepting or coin-handling equipment whatsoever to accommodate both coins produced with the new specifications and coins produced as of July 31, 2007.

(e) FRAUD PREVENTION.—The reports required under this section shall make no recommendation for a specification change that would facilitate or allow the use of a coin with a lesser value produced by another country, or the use of any token or other easily or regularly produced metal device of minimal value, in the place of a circulating coin produced by the Secretary.

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). Pursuant to the rule, the gentleman from Illinois (Mr. GUTIERREZ) and the gentleman from Illinois (Mr. ROSKAM) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. GUTIERREZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and insert extraneous material thereon.

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

There was no objection.

Mr. GUTIERREZ. Madam Speaker, I yield myself 5 minutes.

I rise today in strong support of H.R. 5512, the Coin Modernization and Taxpayer Savings Act of 2008, and I want to thank the gentleman from Ohio (Mr. SPACE) for all of his hard work and perseverance in getting this very important piece of legislation to the House floor.

It's not every day that the House considers legislation that has the potential of saving U.S. taxpayers over

\$100 million a year, but that is exactly what we're doing today with H.R. 5512, and Mr. SPACE should be proud of his efforts and accomplishments on this bill.

Since March of 2003, increasing metal prices, caused by high world demand for core metals, have driven the costs of copper and nickel up by 300 percent, while zinc has increased 450 percent. As a result, the cost of producing our Nation's circulating coins have increased dramatically.

In fiscal year 2007, it cost nearly 2 cents to make each penny and 10 cents for each nickel, needlessly costing the American taxpayers over \$100 million last year alone, but by simply bringing the cost of producing pennies and nickels down to their face value, H.R. 5512 will save the government nearly \$1 billion over the next 10 years.

In brief, H.R. 5512 requires the U.S. Mint to immediately take steps to lower the production costs of pennies, requires the Mint to research an alternative composition for the nickel in 2 years, and grants the Mint the authority to research lower cost alternative metal content for all U.S. coins.

First, H.R. 5512 requires the Mint to begin production of a steel penny within 9 months of enactment. This should result in immediate and substantial savings to taxpayers. The bill also gives the Mint the flexibility to research other low-cost alternatives to a steel penny within the same 9-month period and report to Congress any alternative recommendation.

Second, the bill requires the Mint to begin producing a nickel-coated steel nickel in 2 years, unless the Mint develops a less costly alternative and recommends such an alternative to Congress or the cost of producing the nickel in its current form is below the coin's face value.

Finally, H.R. 5512 confirms that the Mint has the authority to conduct research and development into alternative composition that will lower production costs for all U.S. coins. This provision, along with the bill's requirement that the Mint issue a biennial report to Congress on the current status of coin production costs and an analysis of alternative content, will ensure that we avoid situations of negative seignorage for U.S. coins in the future.

Bottom line, Madam Speaker, if we continue under the status quo, with each new penny and nickel we issue, we will be contributing to our national debt by almost as much as the coin is worth. These losses are mounting rapidly, and we need to act immediately to lower the costs of producing the penny and the nickel.

H.R. 5512 will give the U.S. Mint the authority it needs to make the necessary changes to our coins without creating an undue burden on the relevant industries or causing a disruption in the minting process.

For these reasons, I urge all Members to support its passage.

I reserve the balance of my time.

□ 1830

Mr. ROSKAM. Madam Speaker, I yield myself such time as I may consume. I am pleased to rise in support of H.R. 5512, the Coin Modernization and Taxpayer Savings Act of 2008.

First, I would like to thank Chairman FRANK, Chairman GUTIERREZ and my colleague from Ohio (Mr. SPACE) for bringing this important bill to the floor. And I would also like to thank Ranking Member BACHUS for his support of my own coin content bill, H.R. 4036, the Cents and Sensibility Act, which I introduced with Mr. CASTLE of Delaware.

Madam Speaker, last year, I took my son to visit the Denver Mint in Colorado, and there we discovered during our tour that the cost of a penny was—actually what the gentleman from Illinois just referred to—1.7 cents, the cost to the government to make each single penny. And that's obviously more than it's worth. At current production rates, the Federal Government spends more than \$134 million to produce eight billion pennies annually at a loss of \$54 million to the taxpayer. It makes no sense.

Two years ago last Thursday, when I was not yet a Member of this body, the U.S. Mint sent to Congress a letter stating what my son and I discovered on our trip. And since then, a whole lot of nothing has happened. And I think, frankly, the Mint has been a little bit remiss in not bringing up a thoughtful suggestion on cost cutting. This bill will address the short-term problem of the costly penny and I believe the longer term issues of what circulating coins should be made of.

I've got to say I'm flattered in a way in that there are elements of this bill that have taken some of the elements of the bill that I introduced. So when H.R. 5512 was introduced, this bill, in other words, it was done so with some of the provisions that I was pleased to offer. The most important point is to immediately change the composition of the penny from copper-coated zinc to copper-coated steel. This change would slash the cost to make the penny.

For several years, Canada, our neighbors to the north, have been saving money producing its one cent coin, which is essentially identical to the U.S. penny, out of steel in this manner, originally in the same Tennessee plant in which our penny blanks are made. This provision blends an enormous cost-saving opportunity with ensuring that the content of the penny remains metal and securing American jobs that currently produce the penny.

Two other provisions from my bill are included in H.R. 5512, that is, the provision giving the Mint explicit authority to do research and development with outside firms on potential coin content, an authority that the Mint says now is ambiguous, and this bill takes away that ambiguity. And secondly, requiring regular reports from the Mint to the Congress on production cost trends and strategies to reduce

costs, Madam Speaker, either with different content or different production techniques, either one.

These two provisions will ensure that the Mint is performing its due diligence in a timely manner and keeping the cost of production of all circulating coins down while maintaining communication with those who currently are involved in the industry on the production, supply and research sides.

Madam Speaker, without wanting to be overly critical of the Mint, let me just point out that I think that they have not done exactly as I think would be wise as it relates to solving this cost production problem. It sent legislation here proposing to transfer power from Congress to the Mint on the authority to decide what coins should be made of, what they would weigh, authority explicitly held by Congress since the founding of this country.

More recently, the Mint has criticized the bill before us because it would force the Mint to continue making coins out of metal. I don't know about your constituents, Madam Speaker, but I can guess, along with mine, that they're not interested in having coins made out of plastic, and even less enthusiastic if they found out that the decision to switch had been made by a few unelected bureaucrats in a gray building somewhere in Washington, DC. This is our responsibility to make these decisions. And worse, if such a switch were made the wrong way, it could force billions in conversion costs onto coin handlers, vending machines and banks, that would eventually be passed onto customers.

As a Member representing the Land of Lincoln, Madam Speaker, I'm pleased that H.R. 5512 satisfies the need to reduce the cost to taxpayers, retains American jobs, all the while preserving the small one cent coin that has been the foundation of our economic system since its inception.

I urge my colleagues to support the bill.

Madam Speaker, I reserve the balance of my time.

Mr. GUTIERREZ. I would like to yield as much time as he may consume to the author and chief proponent of the bill, Mr. SPACE from Ohio.

Mr. SPACE. Madam Speaker, I'd like to thank the gentleman from Illinois, Subcommittee Chairman GUTIERREZ, for his cooperation and assistance in this legislation. I would also like to thank the ranking member, Mr. PAUL from Texas, as well. And I would further like to extend my gratitude to Chairman FRANK and Ranking Member BACHUS for their work in advancing this important piece of legislation that will, in fact, eliminate wasteful governmental spending, saving the taxpayers a billion dollars over the next 10 years.

Right now, our government is needlessly throwing away money in the production of coins. Estimates, as have been indicated, suggest that we're spending 1.7 cents or more per penny

produced in this country, as well as 9.5 cents per nickel.

The content of a penny, as it exists now, is roughly 97½ percent zinc, with the balance copper. The content of a nickel is roughly 25 percent nickel and 75 percent copper. And during the last 5 years, we've seen huge increases in the price of copper, nickel and zinc. As Subcommittee Chairman GUTIERREZ indicated, that is attributable to excess demand throughout the world on those metals, along with speculation in the market. This legislation is designed with an eye toward common sense to save, again, roughly \$100 million per year over the next 10 years.

Wasteful spending is especially egregious at a time when Americans are facing the pitfalls of an economic downturn. This legislation will begin the process of eliminating this wasteful spending by mandating changes in the content of the penny and the nickel and giving the Treasury a louder voice in the process.

Based on production numbers, again I want to emphasize these changes will save taxpayers \$1 billion over the next 10 years. The legislation will also help Congress be more responsive to market changes in the value of different metals over time, helping it to be more efficient and precise in its expenditures.

The savings can be spent to put money into our schools, improve our infrastructure, increase access to health care, all the things that many Americans—certainly Americans I represent back in Ohio's 18th District—desperately need.

As a Congress, we have a responsibility to use our funds in a responsible fashion. This legislation is a step toward more responsible spending and represents a bipartisan effort to work together on a measure that encompasses a high degree of common sense. Refreshing.

Mr. GUTIERREZ. I congratulate the gentleman from Ohio on that wonderful speech.

Mr. ROSKAM. Madam Speaker, I yield back the balance of my time.

Mr. GUTIERREZ. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. GUTIERREZ) that the House suspend the rules and pass the bill, H.R. 5512, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. CARTER. 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. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

MOTION TO ADJOURN

Mr. CARTER. Madam Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Texas.

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

Mr. CARTER. Madam 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 adjourn will be followed by 5-minute votes on motions to suspend the rules on House Resolution 1168, and House Resolution 1155.

The vote was taken by electronic device, and there were—yeas 149, nays 236, not voting 47, as follows:

[Roll No. 262]

YEAS—149

Aderholt	Forbes	Paul
Akin	Poxx	Pearce
Alexander	Franks (AZ)	Pence
Bachmann	Frelinghuysen	Petri
Barrett (SC)	Gallegly	Pickering
Bartlett (MD)	Garrett (NJ)	Pitts
Barton (TX)	Gingrey	Price (GA)
Biggert	Goode	Putnam
Bibray	Goodlatte	Radanovich
Bishop (UT)	Granger	Regula
Blackburn	Hall (TX)	Rehberg
Blunt	Hastings (WA)	Reichert
Boehner	Hayes	Renzi
Bonner	Heller	Reynolds
Bono Mack	Hensarling	Rogers (AL)
Boozman	Herger	Rogers (KY)
Boustany	Hobson	Rohrabacher
Broun (GA)	Hunter	Roskam
Brown-Waite,	Inglis (SC)	Royce
Ginny	Issa	Ryan (WI)
Buchanan	Johnson (IL)	Saxton
Buyer	Keller	Schmidt
Calvert	King (IA)	Sensenbrenner
Camp (MI)	King (NY)	Sessions
Cannon	Kline (MN)	Shadegg
Cantor	Knollenberg	Shays
Carter	LaHood	Shimkus
Castle	Lamborn	Shuster
Chabot	Latham	Simpson
Clay	LaTourette	Smith (NE)
Coble	Latta	Smith (TX)
Cole (OK)	Lewis (CA)	Souder
Crenshaw	Lewis (KY)	Stearns
Cubin	Linder	Sullivan
Culberson	Lucas	Tancredo
Davis (KY)	Lungren, Daniel	Taylor
Davis, David	E.	Thornberry
Davis, Tom	Mack	Turner
Deal (GA)	Marchant	Upton
Diaz-Balart, L.	McCarthy (CA)	Walden (OR)
Diaz-Balart, M.	McCrary	Walsh (NY)
Drake	McHugh	Wamp
Dreier	McKeon	Westmoreland
Duncan	McMorris	Whitfield (KY)
Emerson	Rodgers	Wilson (NM)
English (PA)	Miller (FL)	Wilson (SC)
Everett	Miller, Gary	Wittman (VA)
Fallin	Musgrave	Wolf
Feeney	Myrick	Young (AK)
Ferguson	Neugebauer	Young (FL)
Flake	Nunes	

NAYS—236

Abercrombie	Bishop (NY)	Cardoza
Ackerman	Blumenauer	Carnahan
Allen	Boren	Carney
Altmire	Boswell	Castor
Arcuri	Boucher	Cazayoux
Baca	Boyd (FL)	Chandler
Baldwin	Boyda (KS)	Clarke
Barrow	Brady (PA)	Cleaver
Bean	Brady (TX)	Clyburn
Becerra	Brown (SC)	Cohen
Berkley	Brown, Corrine	Conyers
Berman	Burgess	Cooper
Bilirakis	Capps	Costello
Bishop (GA)	Capuano	Courtney

Cramer	Kennedy	Rahall
Crowley	Kildee	Ramstad
Cuellar	Kilpatrick	Rangel
Davis (AL)	Kind	Reyes
Davis (CA)	Kingston	Richardson
Davis (IL)	Kirk	Rodriguez
Davis, Lincoln	Klein (FL)	Rogers (MI)
DeFazio	Kucinich	Ros-Lehtinen
DeGette	Kuhl (NY)	Rothman
Delahunt	Lampson	Roybal-Allard
DeLauro	Larsen (WA)	Ryan (OH)
Dent	Larson (CT)	Salazar
Dingell	Lee	Sali
Doggett	Levin	Sánchez, Linda
Donnelly	Lewis (GA)	T.
Doyle	Lipinski	Sanchez, Loretta
Ehlers	LoBiondo	Sarbanes
Ellison	Loeb	Schakowsky
Ellsworth	Loeb	Schiff
Emanuel	Lofgren, Zoe	Schwartz
Emanuel	Lowey	Scott (GA)
Engel	Lynch	Scott (VA)
Eshoo	Mahoney (FL)	Serrano
Etheridge	Maloney (NY)	Sestak
Farr	Manzullo	Shea-Porter
Fattah	Markey	Sherman
Filner	Marshall	Shuler
Fortenberry	Matheson	Sires
Fossella	Matsui	Skelton
Foster	McCarthy (NY)	Slaughter
Frank (MA)	McColum (MN)	Smith (NJ)
Gerlach	McCotter	Smith (WA)
Giffords	McGovern	Solis
Gillibrand	McIntyre	Space
Gonzalez	McNulty	Stark
Graves	Meek (FL)	Stupak
Green, Al	Melancon	Sutton
Green, Gene	Mica	Tanner
Grijalva	Michaud	Tauscher
Hall (NY)	Miller (MI)	Terry
Hare	Miller, George	Thompson (CA)
Harman	Mitchell	Thompson (MS)
Hastings (FL)	Mollohan	Tiahrt
Hersteth Sandlin	Moore (KS)	Tiberi
Higgins	Moore (WI)	Tierney
Hill	Moran (KS)	Towns
Hinche	Moran (VA)	Tsongas
Hinojosa	Murphy (CT)	Udall (CO)
Hirono	Murphy, Patrick	Van Hollen
Hodes	Murtha	Velázquez
Hoekstra	Nadler	Visclosky
Holden	Napolitano	Walberg
Holt	Neal (MA)	Walz (MN)
Honda	Obey	Wasserman
Hoyer	Oliver	Schultz
Inlee	Ortiz	Waters
Israel	Pallone	Watson
Jackson (IL)	Pascarell	Waxman
Jackson-Lee	Pastor	Welch (VT)
(TX)	Payne	Wexler
Jefferson	Perlmutter	Wilson (OH)
Johnson (GA)	Peterson (MN)	Woolsey
Johnson, E. B.	Platts	Wu
Jordan	Poe	Wynn
Kagen	Pomeroy	Yarmuth
Kanjorski	Porter	
Kaptur	Price (NC)	

NOT VOTING—47

Andrews	Gilchrest	Murphy, Tim
Bachus	Gohmert	Oberstar
Baird	Gordon	Peterson (PA)
Berry	Gutierrez	Pryce (OH)
Braley (IA)	Hoolley	Ross
Burton (IN)	Hulshof	Ruppersberger
Butterfield	Johnson, Sam	Rush
Campbell (CA)	Jones (NC)	Snyder
Capito	Jones (OH)	Speier
Carson	Langevin	Spratt
Conaway	McCaul (TX)	Udall (NM)
Costa	McDermott	Watt
Cummings	McHenry	Weiner
Dicks	McNerney	Weldon (FL)
Doolittle	Meeks (NY)	Weller
Edwards	Miller (NC)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Less than 2 minutes are remaining.

□ 1900

Messrs. COHEN, ELLSWORTH, ACKERMAN, WAXMAN, Ms. VELÁZQUEZ and Ms. CLARKE changed their vote from “yea” to “nay.”

Ms. GINNY BROWN-WAITE of Florida changed her vote from “nay” to “yea.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. BRALEY. of Iowa. Madam Speaker, on rollcall No. 261 and had I been present, I would have voted “no.”

CONGRATULATING CHARTER SCHOOLS

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 1168, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. TIERNEY) that the House suspend the rules and agree to the resolution, H. Res. 1168, as amended.

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

RECORDED VOTE

Mr. CARTER. 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 391, noes 2, answered “present” 1, not voting 38, as follows:

[Roll No. 263]
AYES—391

Abercrombie	Brady (TX)	Cuellar
Ackerman	Braley (IA)	Culberson
Aderholt	Broun (GA)	Davis (AL)
Akin	Brown (SC)	Davis (CA)
Alexander	Brown, Corrine	Davis (IL)
Allen	Brown-Waite,	Davis (KY)
Altmire	Ginny	Davis, David
Arcuri	Buchanan	Davis, Lincoln
Baca	Burgess	Davis, Tom
Bachmann	Buyer	Deal (GA)
Baldwin	Calvert	DeFazio
Barrett (SC)	Camp (MI)	DeGette
Barrow	Cannon	Delahunt
Bartlett (MD)	Cantor	DeLauro
Barton (TX)	Capito	Dent
Bean	Capps	Diaz-Balart, L.
Becerra	Capuano	Diaz-Balart, M.
Berkley	Cardoza	Dingell
Berman	Carnahan	Doggett
Berry	Carney	Donnelly
Biggert	Carter	Doyle
Bilbray	Castle	Drake
Bilirakis	Castor	Dreier
Bishop (GA)	Cazayoux	Duncan
Bishop (NY)	Chabot	Edwards
Bishop (UT)	Chandler	Ehlers
Blackburn	Clarke	Ellison
Blumenauer	Clay	Ellsworth
Blunt	Cleaver	Emanuel
Boehner	Clyburn	Emerson
Bonner	Cohen	Engel
Bono Mack	Conyers	English (PA)
Boozman	Cooper	Eshoo
Boren	Costa	Etheridge
Boswell	Costello	Everett
Boucher	Courtney	Fallin
Boustany	Cramer	Farr
Boyd (FL)	Crenshaw	Fattah
Boyd (KS)	Crowley	Feeney
Brady (PA)	Cubin	Ferguson

Filner	Loeb sack	Rothman
Flake	Lowey	Roybal-Allard
Forbes	Lucas	Royce
Fortenberry	Lungren, Daniel	Ruppersberger
Fossella	E.	Ryan (OH)
Foster	Lynch	Ryan (WI)
Fox	Mack	Salazar
Frank (MA)	Mahoney (FL)	Sali
Franks (AZ)	Maloney (NY)	Sánchez, Linda
Frelinghuysen	Manzullo	T.
Galleghy	Marchant	Sanchez, Loretta
Garrett (NJ)	Markey	Sarbanes
Gerlach	Marshall	Schakowsky
Giffords	Matheson	Schiff
Gillibrand	Matsui	Schmidt
Gingrey	McCarthy (CA)	Schwartz
Gohmert	McCarthy (NY)	Scott (GA)
Gonzalez	McCaul (TX)	Scott (VA)
Goode	McCollum (MN)	Sensenbrenner
Goodlatte	McCotter	Serrano
Gordon	McCrery	Sessions
Granger	McDermott	Sestak
Graves	McGovern	Shadegg
Green, Al	McHugh	Shays
Green, Gene	McIntyre	Shea-Porter
Grijalva	McKeon	Sherman
Gutierrez	McNerney	Shimkus
Hall (TX)	McNulty	Shuler
Hare	Meek (FL)	Shuster
Harman	Melancon	Simpson
Hastings (FL)	Mica	Sires
Hastings (WA)	Michaud	Skelton
Hayes	Miller (FL)	Slaughter
Heller	Miller (MI)	Smith (NE)
Hensarling	Miller, Gary	Smith (NJ)
Herger	Miller, George	Smith (TX)
Herseth Sandlin	Mitchell	Smith (WA)
Higgins	Mollohan	Solis
Hill	Moore (KS)	Souder
Hinojosa	Moore (WI)	Space
Hirono	Moran (KS)	Spratt
Hobson	Moran (VA)	Stark
Hodes	Murphy (CT)	Stearns
Hoekstra	Murphy, Patrick	Stupak
Holden	Murphy, Tim	Sullivan
Holt	Murtha	Sutton
Honda	Musgrave	Tancredo
Hoyer	Myrick	Tanner
Hunter	Nadler	Tauscher
Inglis (SC)	Napolitano	Taylor
Inslie	Neal (MA)	Terry
Israel	Neugebauer	Thompson (CA)
Issa	Nunes	Thompson (MS)
Jackson (IL)	Obey	Thornberry
Jackson-Lee	Pallone	Tiahrt
(TX)	Pascrell	Tiberi
Jefferson	Pastor	Tierney
Johnson (GA)	Paul	Towns
Johnson (IL)	Payne	Tsongas
Johnson, E. B.	Pearce	Turner
Jordan	Pence	Udall (CO)
Kagen	Perlmutter	Upton
Kanjorski	Peterson (MN)	Van Hollen
Kaptur	Petri	Velázquez
Kennedy	Pickering	Visclosky
Kildee	Pitts	Walberg
Kilpatrick	Platts	Walden (OR)
Kind	Poe	Walsh (NY)
King (IA)	Pomeroy	Walz (MN)
King (NY)	Porter	Wamp
Kingston	Price (GA)	Wasserman
Kirk	Price (NC)	Schultz
Klein (FL)	Putnam	Waters
Kline (MN)	Radanovich	Watson
Knollenberg	Rahall	Waxman
Kuhl (NY)	Ramstad	Welch (VT)
LaHood	Rangel	Weldon (FL)
Lamborn	Regula	Weller
Langevin	Rehberg	Westmoreland
Larsen (WA)	Reichert	Wexler
Larson (CT)	Renzi	Whitfield (KY)
Latham	Reyes	Wilson (NM)
Reynolds	Reynolds	Wilson (OH)
Richardson	Richardson	Wilson (SC)
Rodriguez	Rodriguez	Wittman (VA)
Rogers (AL)	Rogers (AL)	Wolf
Rogers (KY)	Rogers (KY)	Woolsey
Rogers (MI)	Rogers (MI)	Wu
Rohrabacher	Rohrabacher	Wynn
Ros-Lehtinen	Ros-Lehtinen	Yarmuth
Roskam	Roskam	Young (AK)
Ross	Ross	Young (FL)

NOES—2

Hinchey
Hall (NY)

Kucinich
ANSWERED “PRESENT”—1

NOT VOTING—38

Andrews	Gilchrest	Miller (NC)
Bachus	Hookey	Oberstar
Baird	Hulshof	Oliver
Burton (IN)	Johnson, Sam	Ortiz
Butterfield	Jones (NC)	Peterson (PA)
Campbell (CA)	Jones (OH)	Pryce (OH)
Carson	Keller	Rush
Coble	Lampson	Saxton
Cole (OK)	Lofgren, Zoe	Snyder
Conaway	McHenry	Speier
Cummings	McMorris	Udall (NM)
Dicks	Rodgers	Watt
Doolittle	Meeks (NY)	Weiner

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Less than 2 minutes remain in this vote.

□ 1912

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

Mr. CARTER. Madam Speaker, I move to reconsider the vote.

MOTION TO TABLE OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Madam Speaker, I move to table the motion to reconsider.

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.

RECORDED VOTE

Mr. CARTER. 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 215, noes 182, not voting 35, as follows:

[Roll No. 264]
AYES—215

Abercrombie	Costa	Hare
Ackerman	Costello	Harman
Allen	Courtney	Hastings (FL)
Altmire	Cramer	Herseth Sandlin
Arcuri	Crowley	Higgins
Baca	Cuellar	Hill
Baldwin	Davis (AL)	Hinches
Barrow	Davis (CA)	Hinojosa
Bean	Davis (IL)	Hirono
Becerra	Davis, Lincoln	Hodes
Berkley	DeFazio	Holden
Berman	DeGette	Holt
Berry	Delahunt	Honda
Bishop (GA)	DeLauro	Hoyer
Bishop (NY)	Dingell	Inslie
Blumenauer	Doggett	Israel
Boren	Donnelly	Jackson (IL)
Boswell	Doyle	Jackson-Lee
Boucher	Edwards	(TX)
Boyd (FL)	Ellison	Jefferson
Boyd (KS)	Ellsworth	Johnson (GA)
Brady (PA)	Emanuel	Johnson, E. B.
Braley (IA)	Engel	Kagen
Brown, Corrine	Eshoo	Kanjorski
Capps	Etheridge	Kaptur
Capuano	Farr	Kennedy
Cardoza	Fattah	Kildee
Carnahan	Filner	Kilpatrick
Carney	Foster	Kind
Castor	Frank (MA)	Klein (FL)
Cazayoux	Giffords	Kucinich
Chandler	Gillibrand	Lampson
Clarke	Gonzalez	Langevin
Clay	Gordon	Larsen (WA)
Cleaver	Green, Al	Larson (CT)
Clyburn	Green, Gene	Lee
Cohen	Grijalva	Levin
Conyers	Gutierrez	Lewis (GA)
Cooper	Hall (NY)	Lipinski

Loeb sack
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meek (FL)
Melancon
Michaud
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone

Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton

Slaughter
Smith (WA)
Solis
Space
Spratt
Stark
Butterfield
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watson
Waxman
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOES—182

Aderholt
Akin
Alexander
Bachmann
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Billray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly

Garrett (NJ)
Gerlach
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson (IL)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kloneberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel
E.
Mack
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHugh
McKeon
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul

Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancred
Terry
Thornberry
Tiahrt
Tiberi
McCotter
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—35

Andrews
Bachus
Baird
Burton (IN)
Butterfield
Campbell (CA)
Carson
Coble
Cole (OK)
Conaway
Cummings
Dicks

Doolittle
Gilchrest
Gohmert
Hooley
Hulshof
Johnson, Sam
Jones (NC)
Jones (OH)
Lofgren, Zoe
McHenry
McNerney
Meeks (NY)

Miller (NC)
Oberstar
Peterson (PA)
Pryce (OH)
Rush
Saxton
Snyder
Speier
Udall (NM)
Watt
Weiner

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes left in the vote.

□ 1919

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

HONORING THE RECIPIENTS OF THE EL DORADO PROMISE SCHOLARSHIP

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 1155, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. TIERNEY) that the House suspend the rules and agree to the resolution, H. Res. 1155, as amended.

The question was taken. The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mr. TIAHRT. 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 390, noes 1, not voting 41, as follows:

[Roll No. 265]

AYES—390

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Baca
Bachmann
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Billray
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner

Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (GA)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burgess
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter

Castle
Castor
Cazaayoux
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)

DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Inglis (SC)
Inslie
Israel
Issa
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston

Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris
Rodgers
McNerney
McNulty
Meek (FL)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Obey
Olver
Ortiz
Pallone
Pastor
Paul
Payne
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall

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

Wilson (OH)
Wilson (SC)
Wittman (VA)

Wolf
Woolsey
Wu

Wynn
Yarmuth
Young (FL)

Jackson-Lee
(TX)
Jefferson

Michaud
Miller, George
Mitchell

Serrano
Sestak
Shea-Porter

Terry
Thornberry
Tiahrt

Walden (OR)
Walsh (NY)
Wamp

Wilson (SC)
Wittman (VA)
Wolf

NOES—1

Young (AK)

NOT VOTING—41

Andrews
Bachus
Baird
Bilirakis
Burton (IN)
Butterfield
Campbell (CA)
Carson
Coble
Cole (OK)
Conaway
Dicks
Doolittle
Gilchrest

Hall (NY)
Heller
Hinchey
Hinojosa
Hooley
Hulshof
Hunter
Johnson, Sam
Jones (NC)
Jones (OH)
McCarthy (CA)
McCarthy (NY)
McHenry
Meeks (NY)

Melancon
Miller (NC)
Oberstar
Pascarell
Peterson (PA)
Pryce (OH)
Rush
Speier
Stark
Udall (NM)
Waters
Watt
Weiner

Jackson-Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsock
Lofgren, Zoe
Lowe
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCullum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon

Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Oliver
Ortiz
Pallone
Pascarell
Pastor
Payne
Perlmutter
Pomeroy
Price (NC)
Rahall
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)

Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watson
Waxman
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wynn
Yarmuth

Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg

Walden (OR)
Walsh (NY)
Wamp
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)

NOT VOTING—36

Andrews
Bachus
Baird
Burton (IN)
Butterfield
Campbell (CA)
Carson
Coble
Cole (OK)
Conaway
DeFazio
Dicks

Doolittle
Garrett (NJ)
Gilchrest
Herger
Hooley
Hulshof
Hunter
Johnson, Sam
Jones (NC)
Jones (OH)
McHenry
Miller (NC)

Oberstar
Peterson (MN)
Peterson (PA)
Pryce (OH)
Rangel
Rush
Speier
Udall (NM)
Watt
Weiner
Weldon (FL)
Wu

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1926

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

Mr. TIAHRT. Madam Speaker, I move to reconsider the vote.

MOTION TO TABLE OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Madam Speaker, I move that the motion to reconsider 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.

RECORDED VOTE

Mr. TIAHRT. 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 216, noes 180, not voting 36, as follows:

[Roll No. 266]

AYES—216

Abercrombie
Ackerman
Allen
Altmire
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyd (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Cazayoux
Chandler

Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeGette
Delahunt
DeLauro
Dingell
Dingell
Donnelly
Doyle
Edwards
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Frank (MA)
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Gonzalez
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Green, Al
Green, Gene
Grijalva
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Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
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Hinchey
Hinojosa
Hirono
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Hoyer
Inslie
Israel
Jackson (IL)

Aderholt
Akin
Alexander
Bachmann
Barrett (SC)
Bartlett (MD)
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Bishop (UT)
Blackburn
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Bonner
Bono Mack
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Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Crenshaw
Cubler
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
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NOES—180

Forbes
Fortenberry
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Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Gingrey
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Goode
Goodlatte
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Hall (TX)
Hastings (WA)
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Heller
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Hoekstra
Inglis (SC)
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Johnson (IL)
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Keller
King (IA)
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Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel
E.
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Manullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHugh
McKeon

McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes are remaining.

□ 1934

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

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5818, NEIGHBORHOOD STABILIZATION ACT OF 2008

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110-621) on the resolution (H. Res. 1174) providing for consideration of the bill (H.R. 5818) to authorize the Secretary of Housing and Urban Development to make loans to States to acquire foreclosed housing and to make grants to States for related costs, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 3221, FORECLOSURE PREVENTION ACT OF 2008

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110-622) on the resolution (H. Res. 1175) providing for consideration of the Senate amendments to the bill (H.R. 3221) moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation, which was referred to the House Calendar and ordered to be printed.

MOTION TO INSTRUCT CONFEREES ON H.R. 2419, FOOD AND ENERGY SECURITY ACT OF 2007

Mr. FLAKE. Madam Speaker, I have a motion at the desk.

The SPEAKER pro tempore (Ms. DEGETTE). The Clerk will report the motion.

The Clerk read as follows:

Mr. Flake 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. 2419 (an Act to provide for the continuation of agricultural programs through fiscal year 2012) be instructed not to recede to the provisions contained in subtitle A of title XII of the Senate amendment (relating to a permanent agriculture disaster assistance program).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. FLAKE) and the gentleman from North Dakota (Mr. POMEROY) will each be recognized for 30 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Madam Speaker, this motion to instruct conferees is simple. It would urge the farm bill conferees to not include a new permanent disaster program contained in the Senate-passed farm bill. The Senate-passed farm bill included a new and permanent disaster program which has been estimated to cost an additional \$5.1 billion.

First of all, I want to commend the House for not including the disaster title. It is not needed. We end up paying far more than we should in the regular subsidy programs; but to add a permanent disaster title is simply heaping too much on the taxpayers. As I go through some of this, you will see why.

According to the Congressional Research Service, since 1989 Congress has passed 35 appropriations authorizations or farm disaster acts that have added more than \$60 billion in supplemental funding to USDA programs with just under 8 percent of that coming in the last 10 years. An analysis by the Environmental Working Group showed the Federal Government provided \$26 billion in disaster relief payments between 1985 and 2005. Congress spent more than \$8 billion in disaster payments between 2002 and 2006, with an additional \$3.4 billion being made available for the 2008 omnibus for disaster payments for losses between 2005 and 2007.

So you see, we have regular subsidy programs that are awfully big, and then we are being asked to add a disaster title on top of that. When we debated the bill in 2002, the 2002 farm bill, the idea was to stop the expensive disaster assistance payments. Former Senator Daschle said at that time: "We are getting rid of these ad hoc disaster payments approaches. We are actually bringing down the cost of the Federal program."

So in essence we were basically including permanent disaster relief within the farm program in 2002. Or that is what was said at the time. And now we are being asked again, let's add another disaster title because we simply aren't subsidizing enough.

Representative LUCAS of Oklahoma said during that debate: "On the committee, both Republicans and Democrats worked to find a balanced bill so we would not have to come back to

Congress and ask for ad hoc disaster bills year after year. We have found that balance in the manager's amendment." Again, that was in 2002.

We were told if we passed the bill in 2002, we wouldn't have to come back again and again for disaster payments. But guess what, we were back the next year and the next year and the next year with disaster payments; and we are being asked again here to include a permanent disaster title. Now believe me, if we do this, next year we will be asked to add disaster payments again and the next year again and again. This is nothing more than an effort to increase the baseline, to increase more subsidies going out to farmers.

Representative POMEROY said in 2002: "There is a better way to go than to add ad hoc year-to-year disaster bills that leave the farmer and their lenders and their creditors not knowing where they stand. The better way is to put it in the farm bill, just like this bill does."

Let me remind you, that bill was passed. We did exactly what these Members said we should do in order to avoid ad hoc disaster payments henceforth. Guess what, we didn't. We have seen those payments again and again. Now we are being asked to include a permanent disaster title, only to see these payments again and again. It is simply too much.

When do we stand up and say enough is enough? The taxpayer is on the hook for too much.

Madam Speaker, I reserve the balance of my time.

Mr. POMEROY. Madam Speaker, I respond to the constructive tone of the proponent of the motion to instruct with just a few words of explanation.

Essentially there are two risks that farmers cannot control. One of them is if the prices collapse. And we have seen prices collapse often in the years I have been in the House below the cost of raising the crop. In that circumstance, farmers need help.

We also see the risk of production failure where weather and natural disasters produce a broad crop failure. Well, the 2002 farm bill referenced by my friend, Mr. FLAKE, restored protection for farmers when prices collapse. Prior to that restoration, we had a farm bill that did not respond when prices collapsed, and during the late 1990s we sought not one but two, maybe even three disaster bills to respond to the price collapse. The 2002 farm bill fixed that, and with price support payments that trigger when prices hit a certain low level, we have not had to come the disaster route to deal with price collapse again. The result has been a tremendous savings for taxpayers. We have a farm bill that only pays out when farmers need it, and billions of dollars have been reduced from the baseline for agriculture because the pricing environment has not required the Federal Government to step in with price support.

Now as a matter of budget principle, I would think that Mr. FLAKE, and we

all know he is ever-vigilant on budget matters, would very much like bringing disaster on the budget where it is paid for rather than rely on ad hoc disaster payments that are not paid for, that are emergency spending. And so that is what I want to focus on during the balance of my time.

We know that in our great Nation there will be production circumstances causing disaster losses, and we know that these are going to move around.

This is the U.S. drought monitor for midsummer 2006. We see a broad pattern of drought. The very next year we had other parts of the country facing a drought threat that really could produce disaster losses.

□ 1945

So we know that someplace in the country we're going to have extraordinary circumstances that will literally threaten the family farmers in that region.

Well, why don't we just move ahead then and, with this farm bill opportunity, address that issue, and that's precisely where the conferees are in terms of completing their work on this farm bill. They have a disaster component of this bill. It is paid for in the spending of the farm bill; no off-budget, no emergency spending. It's paid for in the farm bill. And what's more, it involves important reforms as well.

I expect my friend, Mr. FLAKE, and I agree that when you have ad hoc program, you don't necessarily have the reins around the spending as you'd like.

This bill is very spelled out. It only pays if the entire farm suffers a disaster loss as defined in the statute. Earlier ad hoc programs will pay if just a portion of the farm is hit with disaster-type losses. This is whole farm loss that's provided for.

And we require the farmer to maintain crop insurance. We don't want anybody relying on this disaster program as their risk protection. They've got to provide for their own risk protection with crop insurance, and this would only cover additional losses in the event of a disaster situation.

You might ask, why do you need that if you've got crop insurance? And it's well known that crop insurance leaves a significant percentage of the farmers' costs exposed.

Now, let me just tell you, as I wrap up, why this is so important. We have farmers putting in the most expensive crop in the history of U.S. agriculture. The bankers that I have been visiting with in recent days have told me that operating loans to our farmers are running 30 percent above the amounts last year because of the extraordinary costs our farmers are encountering.

I had a farmer tell me today that putting in his crop near Edgeley, North Dakota ran \$10,000 a day just for the fuel burned by the three tractors. \$10,000 a day. That means, while farmers usually put it all on the table and take enormous risk at the beginning of

a planting season, this year, more than ever before, they've got it all hanging out there. And if we don't have protections, those farmers that might find themselves in a disaster loss situation would take a hit that might very well threaten the continuation of that family farm.

So we think the best way to deal with this prospect of disaster losses is to put it in the farm bill, make sure that it's paid for, provided in the budget, and that's precisely what we have done.

I would resist the motion to instruct, and urge my colleagues to vote "no."

I yield back the balance of my time.

Mr. FLAKE. The gentleman mentioned that having these permanent disaster titles built into the budget would be a good thing so we don't have the ad hoc disaster programs. I agree, it would be. But we've done that. That's how the last farm bill was sold to us; that yes, it's a bit bloated; yes, it's bigger than you'd like, but it's going to include disaster payment so we don't have to do ad hoc stuff anymore. We're going to build it into the budget.

I read several quotes. There are several more. Let me just read one more. Representative Combest of Texas said, "There is a safety net which is built into the program. I think, to my budget-conscious colleagues, of which I am one, this is more of an honest way to deal with this problem than ad hoc disaster bill after disaster bill after disaster bill after disaster bill."

Now, that sounds just like what we heard. This was in 2002. And we've had many ad hoc disaster bills pass since that time. I guarantee you, if we pass this, with this large disaster bill attached to it, we'll see more disaster bills after this time.

The gentleman mentioned that disaster bills come to fill in the gaps when there are bad crop years. That's the purpose of it. In fact, we subsidize crop disaster insurance to the tune of about \$3 billion a year, I believe. We've had many programs, many bills to do that. But it hasn't seemed to work because we keep funding on top of that.

If you look at this chart, this chart will show 2002 through 2006, these were not particularly bad years. In the red you will see the subsidies that were given during this time. In the yellow you'll see disaster payments added on top of the programs. So you see, in good years, in bad, it doesn't matter. We seem to have crop disaster programs and money paid out every time, no matter what.

This next chart is quite telling. Shortly before the 2002 Congressional elections, the Bush administration faced growing pressure from ranchers and politicians in a handful of western States that were hit hard by drought. There was pressure to actually do something to help these ranchers.

The USDA responded with a plan to give ranchers cash payments based on how much livestock they owned. Now,

to qualify, a rancher had to be in a county that suffered from a drought and declared a disaster by the Agriculture Secretary in 2001 or 2002. Legislation was approved by Congress to extend the livestock program into January of 2003 as well.

Let me just give you one example of how this works. I'll go to this chart later. But all you have to do is to be in a county where some kind of disaster is declared. The rules were loosened so it didn't even have to be a weather-related disaster. Something else could trigger it as well. And all a farmer had to do is say, or a rancher had to do is say, I am from this county, therefore I deserve payment. Per head livestock payment. And that was paid out.

And you had counties that had no disaster at all, or parts of counties, in Arizona we have large counties, only 15 in the State, so you have parts of counties that perhaps weren't suffering any disaster at all where people were collecting payments.

But what you also had, and this will demonstrate the absurdity of the program we have now and the eligibility rules. In Texas here, on February 1, 2003, we had a very unfortunate incident where the Space Shuttle Columbia exploded over Texas, upon re-entry. It scattered over a certain part of the State. The President declared certain counties in Texas a disaster area in order to have emergency services go and collect the debris.

Because that was a national or, I'm sorry, a disaster declared in certain counties, all ranchers had to do in those counties is claim there's a disaster; I'm going to collect benefits for my livestock. And you had, literally, millions of dollars paid out to ranchers for their livestock because of a disaster, a space shuttle exploding over Texas.

Now, that will give you some idea of the eligibility rules that apply here. This, we make no effort in this legislation, nor have we made any effort in any others to really seriously tighten up these eligibility rules. And that is simply wrong to do this.

We are embarking again, let me remind you, in 2002 we were told, let's include a bigger bill, let's have a bigger bill that will include disaster relief, and then we won't need to come back anymore. We'll include it in the base bill. That's better budgeting.

That's exactly what we're hearing today, the same thing, but with no promise that we'll actually get rid, or that we'll actually cut other programs, go into the commodity programs, shave money here to pay it here. No, we're just increasing the baseline substantially.

And I should note, this is not paid for in the bill. The permanent disaster relief is above the base line. We're having to charge fees somewhere else to pay for this. So it's not in the bill. It's not paid for. It's actually above the baseline.

So let me just urge my colleagues, you know, we have a program here that

I think all of us, in our candid moments, realizes is out of control. We have subsidies going here that are well beyond what is required and necessary and right and proper. Yet, we continue to do this simply because it makes for good politics. I would think that we're better than that.

I would think that we can rise up, at least now, as the House did, frankly, and say, we shouldn't have a permanent disaster title. Again, I want to commend the House for doing that. But this is why this motion is to instruct the conferees to go with the House version and not the Senate version.

And I would ask my colleague, I would yield for just a minute, if you would, if we felt that a disaster title was so needed, why wasn't it included in the House bill, and why did we rely on the Senate to have it?

I yield 30 seconds to the gentleman.

Mr. POMEROY. I thank the gentleman for yielding. Because I yielded back my time, anticipating you were rising to close, if you would give me leave, I'll have about 2 minutes, 3 minutes of answers to that.

Mr. FLAKE. I will gladly yield.

Mr. POMEROY. I thank my friend.

First, there have been mistakes made in the administration of farm programs. And, for example, the gentleman's illustration about the Texas ranch issue relative to the space shuttle tragedy, that was not under an ad hoc disaster bill, but we believe it was very poor administration of relief under another program called section 32. We would hope that never happens again. Action is taken here to make certain that it doesn't.

The disaster bill precludes losses on livestock. Moreover, they can only go in areas designated by the Secretary as having sustained a disaster loss; at which time, in the legislation, it's specified that the whole farm of the applicant has to suffer a qualifying loss. So no more if you happen to live in an area where somebody else got hit, we got a check for you. That's done, and tightened up considerably under this program.

We think that all of those are good government provisions. We also addressed in the 2002 bill, and expect it to anticipate continuing in this bill, price support protection in the farm bill. So we have not had, since 2002, a disaster bill to respond to collapsed prices in the marketplace. We expect that that would absolutely continue. We've got a provision in the farm bill to respond to that. No ad hoc disaster required for price collapse.

And then the gentleman's question to me, I forgot. I yield back for clarification, and I'll respond directly.

Mr. FLAKE. Well, I'd just like to ask the gentleman. In 2002 didn't we hear exactly what we're hearing today, that if we include a permanent disaster title, that there will be no more need for disaster relief beyond this year?

Mr. POMEROY. Well, I can only speak for the comments the gentleman

quoted from my own debate. And what I was so happy about the 2002 bill is we were restoring a safety net for farmers when prices collapsed. During the earlier farm bill, known as Freedom to Farm, that protection had been taken away and we had to resort to ad hoc disaster bills when the prices collapsed. We took care of that in the last farm bill and we have not had a disaster bill on that since.

This disaster bill relates to production loss. And we're always going to have disasters in our country that be-devil some of our farmers relative to disaster dimension losses. We put them in the budget. We specify in tight reform language how the losses would be compensated. And we think it's good budgeting.

Mr. FLAKE. Reclaiming my time, we heard some of these same arguments in 2002, that we had tightened things up, and that we wouldn't have the ability to game the system. Yet I mentioned the shuttle disaster as one of the more egregious examples. There are plenty of others.

For example, after the Katrina disaster, part of the programs that we have allow, if prices drop substantially, that prices can be locked in at a certain price, and then farmers can go sell on the market afterwards. The system was gamed at that point; to the loss, to the tune of a couple of billion dollars. These were imaginary losses. These were not real losses.

Mr. POMEROY. Will the gentleman yield on that?

Mr. FLAKE. Just 15 seconds, if I could.

Mr. POMEROY. We fixed the Katrina issue. That's another provision, not a disaster provision. That's a provision that relates to what's called beneficial interest, and we make adjustments reforms along the lines sought by the White House on that one.

□ 2000

Mr. FLAKE. Madam Speaker, I would simply say in response to that, this is what we heard in 2002, that we have fixed these loopholes, that this has tightened up. We won't have to have ad hoc disaster payments. There are several types. I mentioned the number of bills that have been passed to provide this type of disaster relief, whether it was for livestock or crop loss or something else. We just passed a myriad of bills to do that. And every time we hear, We've tightened it up; if you just give us a little higher baseline, if you just increase it a little more, then we promise we won't come back again and again and again. And here we are. We're back doing the same thing again.

I would submit, Madam Speaker, that we simply can't do this any more. We simply can't do this.

Let me go to this chart for a minute. May I inquire as to the time remaining?

The SPEAKER pro tempore. The gentleman has 15 minutes remaining.

Mr. FLAKE. I assure my colleagues I won't take my entire 15 minutes, but let me point out this chart right here.

These are areas that have received disaster payments in 11 of the past 21 years. When you think disaster payments, you think this is something that happens once every decade or once every century or something that is an odd occurrence. It doesn't always occur. Yet here we see, look at these dots here. One, you can tell they're highly concentrated. Certain areas keep going back for more again and again and again. These areas where you see the dots received disaster payments 11 out of the last 21 years. One dot equals one recipient here.

Now 11 out of the past 21 years, if you do the math right, that's better than once every 2 years people are coming back for disaster payments, catastrophic losses of some type or another. So the notion that we're taking care of it all, that we won't have any more catastrophic disasters, I think is blown away by this chart because we see again and again.

Another thing that's quite notable with this chart is you see there is a very political disbursement here. I will point out one place, right here at the top of Arkansas. You will see a smattering of dots where this represents, believe me, millions and millions and millions of taxpayer dollars going to disaster relief. But something funny happens here. Once you cross the State line into Missouri, virtually no dots at all. Very little was received at all.

Now, unless droughts respect State boundaries right along the State line, or a tornado is deterred by a barbed wire fence, then this is political. There is no other way to explain this. You look down here near the panhandle of Florida into Georgia and whatnot, there are a lot, and then as soon as you cross over that State line, virtually nothing.

What this suggests to me, and I'm sure anybody who looks at it in candor would say, There's probably a very active farm service organization there that is applying for these grants and going after that drought relief for whatever it's for.

But you have to concede there is no other way to explain this than to see that this is extremely political. That's how it happens. That's how it happened after 2002 when the White House was under much pressure to provide disaster relief before the election was coming up. It doesn't just happen under Democrat's administrations; it happens under Republicans and every-one. We shouldn't allow this to happen.

Let me just close by saying, again, we heard this in 2002, we're hearing it again. We bought it then. We shouldn't have. Let's not include this \$5.1 billion disaster program. I'm hearing that it's down to \$3.8. That's maybe a good sign.

Mr. POMEROY. If the gentleman would yield, I think it's the gentleman's motion so he has the right to close.

Mr. FLAKE. I would yield 15 seconds.

Mr. POMEROY. Actually, I'm going to ask unanimous consent to get a cou-

ple of minutes of my time back, 2 minutes of my time back, to basically put in perspective some of the points the gentleman has raised; and then you might want to reserve your time so you have the opportunity to close.

Mr. FLAKE. Madam Speaker, I will reserve.

Mr. POMEROY. Madam Speaker, I ask for 2 minutes of my time back that I yielded.

Mr. FLAKE. Madam Speaker, I will yield 2 minutes to the gentleman.

Mr. POMEROY. Madam Speaker, I will speak under Mr. FLAKE's time, and thank you for yielding.

The reason I yielded back was because I thought this was about ready to draw to a close. There are a couple of points that I do want to make and believe the record needs to make clear.

First, under the last farm bill, we haven't added billions. We've reduced billions from the baseline for agriculture. Because we stopped the ad hoc disaster response when prices collapsed, we had a provision in the farm bill to respond when prices collapsed. Guess what? Prices did not collapse, and the farm bill did not need to extend itself to help farmers. The market took care of the farmers. That saved, over the last farm bill, \$18 billion off of the baseline in commodity payments.

Now, what happens as we try to build the farm bill this year? It means we have \$18 billion less to do it. We have come up with a farm bill that has additional spending, every dollar of it paid for without raising taxes.

And so this farm bill is a very tightly constructed, paid-for farm bill in contrast to the last farm bill where \$73 billion was added to the baseline, none of it paid for, under the Republican majority that previously ruled this Congress.

The final point I would make is that we are going to have disasters. They will threaten the very continuation of family farms across this country. It depends who happens to be afflicted with the disaster at a certain point in time. The option before this Congress is we're either going to pre-fund, pay for, and budget a disaster response anticipating these losses, or we're going to continue to rely on ad hoc, off-the-budget responses, which we believe is a less responsible way to proceed.

I thank the gentleman for yielding and allowing me to make these rebuttal points.

Mr. FLAKE. Madam Speaker, I would yield 15 seconds. The question I had asked before of the gentleman is why didn't the House include the disaster.

Mr. POMEROY. I thank the gentleman for yielding.

Essentially, we didn't have the funding in place to support a paid-for disaster bill. Later, negotiations between House and Senate negotiators, and I have been right in the middle of it, found ways to fund the bill, and at that point in time, the disaster title came back in.

Mr. FLAKE. Madam Speaker, I thank the gentleman.

I should note, as I did before, this is not below the baseline. There is only room because we're going well above the baseline. We're actually charging fees or doing some other things to free up offset money to actually pay for the disaster.

Mr. POMEROY. If I just can respond briefly.

Mr. FLAKE. Sure.

Mr. POMEROY. Madam Speaker, the ad hoc disaster programs that we have passed did not figure into the agriculture baseline so they have not counted.

Additionally, the baseline that we're operating under for this farm bill is below the baseline that we operated under for the last farm bill.

Mr. FLAKE. I thank the gentleman.

I should note that the gentleman mentioned that we've cut billions of dollars since the last farm bill. We haven't cut anything. The reason that not as much has been paid out under countercyclical or some of the other programs is being a product of high prices, and that's as the program works. But I should note that even though there have been high prices, we're still having disasters seemingly everywhere with very loose definitions of what a disaster is, and I would suggest that we will have those again, whether or not we include a permanent disaster title. That's what experience tells us. That's what we've learned just over the past few years. It doesn't matter if you include a permanent disaster title or you include this under the baseline, you will have disaster payments go out.

And my plea would be let's stand for the taxpayer here. We don't often do that in the Congress. Let's say that enough is enough, that we can't continue to pay out money on top of money that we said we weren't going to pay out.

Again, I thank my colleagues for their indulgence. I know we went a little longer than we thought.

I would urge support for this motion to instruct.

Let's keep what the House did and reject the disaster title that the Senate put in.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Arizona (Mr. FLAKE).

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

Mr. FLAKE. Madam 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, further proceedings on this question will be postponed.

ADJOURNMENT

Mr. POMEROY. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 8 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 7, 2008, at 10 a.m.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 110th Congress, pursuant to the provisions of 2 U.S.C. 25:

DONALD J. CAZAYOUX, Jr., Louisiana, Sixth.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6402. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyraclostrobin; Pesticide Tolerance for Emergency Exemptions [EPA-HQ-OPP-2008-0003; FRL-83590-7] received April 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6403. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cyazofamid; Pesticide Tolerances [EPA-HQ-OPP-2007-0872; FRL-8360-4] received April 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6404. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Thiamethoxam; Pesticide Tolerances [EPA-HQ-OPP-2008-0139; FRL-8359-9] received April 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6405. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyraclostrobin; Pesticide Tolerance [EPA-HQ-OPP-2007-0906; FRL-8355-4] received March 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6406. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Metconazole; Pesticide Tolerance [EPA-HQ-OPP-2006-0855; FRL-8360-5] received April 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6407. A letter from the Assistant Secretary for Health Affairs, Department of Defense, transmitting the Department's Evaluation of the TRICARE Program for Fiscal Year 2008, pursuant to 10 U.S.C. 1073 note; to the Committee on Armed Services.

6408. A letter from the Assistant Secretary for Installations and Environment, Department of the Navy, Department of Defense, transmitting notice of the completion of a public-private competition at the Fleet Readiness Center — East (formerly Naval Air Systems Command Naval Air Depot — Cherry Point) in Havelock, NC, pursuant to 10 U.S.C. 2462(a); to the Committee on Armed Services.

6409. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Colonel Daniel O. Wyman, United States Air Force, to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

6410. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting letter on the approved retirement of General Dan K. McNeill, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

6411. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting letter on the approved retirement of General Burwell B. Bell III, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

6412. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John G. Castellaw, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6413. A letter from the Director, Administration and Management, Department of Defense, transmitting Certification that the total cost for the planning, design, construction and installation of equipment for the renovation of wedges 2 through 5 of the Pentagon Reservation, cumulatively, will not exceed four times the total cost for the planning, design, construction, and installation of equipment for the renovation of wedge 1, pursuant to Public Law 108-287, section 8055; to the Committee on Armed Services.

6414. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "Report to Congress on the Social and Economic Conditions of Native Americans: Fiscal Years 2001 and 2002," pursuant to Section 811A of the Native American Programs Act of 1974; to the Committee on Education and Labor.

6415. A letter from the Secretary, Department of Labor, transmitting a copy of proposed legislation to improve enforcement of the Labor-Management Reporting and Disclosure Act of 1959; to the Committee on Education and Labor.

6416. A letter from the Chairperson, National Council on Disabilities, transmitting the Council's report entitled, "Empowerment for Americans with Disabilities: Breaking Barriers to Careers and Full Employment"; to the Committee on Education and Labor.

6417. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Withdrawal of Federal Implementation Plans for the Clean Air Interstate Rule in 12 States [EPA-HQ-OAR-2007-0510; FRL-8556-1] received April 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6418. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Petition for Reconsideration and Withdrawal of Findings of Significant Contribution and Rulemaking for Georgia for Purposes of Reducing Ozone Interstate Transport [EPA-HQ-OAR-2004-0439, FRL-8556-2] (RIN: 2060-AN12) received April 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6419. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Incorporation of On-board Diagnostic Testing and Other Amendments to the Motor Vehicle Emission Inspection Program for the Northern Virginia Program Area [EPA-R03-OAR-2007-0185; FRL-8555-5] received April 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6420. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware; Transportation Conformity Regulations [EPA-R03-OAR-2007-1009; FRL-8555-4] received April 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6421. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revocation of Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2006-0213; FRL-8358-4] (RIN: 2070-AB27) received April 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6422. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Finding of Failure to Submit State Implementation Plans Required for the 1997 8-hour Ozone NAAQS [FRL-8545-5] received March 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6423. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans Georgia: Enhanced Inspection and Maintenance Plan [EPA-R04-OAR-2008-0116-200807a; FRL-8560-3] received April 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6424. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Volatile Organic Compound Emission Standards for Aerosol Coatings [EPA-HQ-OAR-2006-0971; FRL-8544-2] (RIN: 2060-AO86) received March 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6425. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Montana; Whitefish PM10 Nonattainment Area Control Plan [EPA-R08-OAR-2007-0367; FRL-8552-4] received April 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6426. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Revisions to Particulate Matter Rules [EPA-R05-OAR-2007-1177; FRL-8559-7] received April 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6427. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — LAND DISPOSAL RESTRICTIONS: Site-Specific Treatment Variance for P and U-listed Hazardous Mixed Wastes Treated by Vacuum Thermal Desorption at the EnergySolutions' Facility in Clive, Utah [EPA-HQ-RCRA-2007-0936; FRL-8560-1] received April 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6428. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Extension of Deadline for Action on Section 126 Petition From Warrick County, Indiana, and the Town of Newburgh, Indiana [EPA-HQ-OAR-2008-0314; FRL-8559-9] received April 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6429. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Alabama Prevention of Significant Deterioration and Nonattainment New Source Review [EPA-R04-OAR-2007-0532-200810, FRL-8560-2] received April 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6430. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware; Control of Stationary Generator Emissions [EPA-R03-OAR-2007-1188 FRL-8559-5] received April 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6431. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Redesignation of the Forest County Potawatomi Community Reservation to a PSD Class 1 Area [EPA-R05-OAR-2004-WI-0002; FRL-8557-6] received April 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6432. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Section 110(a) 8-Hour Ozone Maintenance Plan for the White Top Mountain, Smyth County, Virginia 1-Hour Ozone Nonattainment Area [EPA-R03-OAR-2007-1068; FRL-8559-6] received April 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6433. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline) [EPA-HQ-OAR-2003-0138, FRL-8557-1] (RIN: 2060-A099) received April 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6434. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans Kentucky: Tennessee Valley Authority Paradise Facility State Implementation Plan Revision [EPA-R04-OAR-2007-1091-200813; FRL-8559-1] received April 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6435. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuels and Fuel Additives: Revised Definition of Substantially Similar Rule for Alaska [EPA-HQ-OAR-2007-0071; FRL-8557-8] (RIN: 2060-AN94) received April 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6436. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Outer Continental Shelf Air Regulations Consistency Update for California [OAR-2004-0091; FRL-8542-3] received April 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6437. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Control of Emissions of Air Pollution from Locomotive Engines and Marine Compression-Ignition Engines Less than 30 Liters per Cylinder [EPA-HQ-OAR-2003-0190; FRL-8545-3] (RIN: 2060-AM06) received March 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6438. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Completeness Findings for Section 110(a) State Implementation Plans for the 8-hour Ozone NAAQS [FRL-8545-6] (RIN: 2060-AP03) received March 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6439. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Approval of 8-Hour Ozone Section 110(a)(1) Maintenance Plans for the Parishes of Lafayette and Lafourche [EPA-R06-OAR-2006-0871; FRL-8545-2] received March 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6440. A letter from the Attorney-Advisor, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Rural Health Care Support Mechanism [WC Docket No. 02-60] received April 15, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6441. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Clayton, Oklahoma) [MB Docket No. 07-227 RM-11405] received April 15, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6442. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Ash Fork and Paulden, Arizona) [MB Docket No. 07-220 rm-11403] received April 15, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. CASTOR: Committee on Rules. House Resolution 1174. Resolution providing for consideration of the bill (H.R. 5818) to authorize the Secretary of Housing and Urban Development to make loans to States to acquire foreclosed housing and to make grants to States for related costs (Rept. 110-621). Referred to the House Calendar.

Mr. WELCH of Vermont: Committee on Rules. House Resolution 1175. Resolution providing for consideration of the Senate amendments to the bill (H.R. 3221) moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation (Rept. 110-622). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SMITH of New Jersey (for himself, Mr. HASTINGS of Florida, Mr. MCINTYRE, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MCCOTTER, Mr. PALLONE, Mr. HOLT, Mr. SHIMKUS, Mr. MCGOVERN, and Mr. DAVIS of Illinois):

H.R. 5970. A bill to amend the Belarus Democracy Act of 2004 to reauthorize that Act, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HELLER:

H.R. 5971. A bill to require that ballots used in Federal elections be generally printed only in English and to amend the Voting Rights Act of 1965 to modify the requirement that certain jurisdictions provide ballots and other voting materials in languages other than English, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Pennsylvania (for himself, Mr. EHLERS, and Mr. CAPUANO):

H.R. 5972. A bill to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes; to the Committee on House Administration.

By Mr. PRICE of North Carolina (for himself and Ms. SCHAKOWSKY):

H.R. 5973. A bill to enhance transparency and accountability within the intelligence community for activities performed under Federal contracts, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committees on Armed Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of

such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TERRY (for himself, Mr. SESSIONS, Mr. CANTOR, Mr. FOSSELLA, Mr. WILSON of South Carolina, Mrs. CAPITO, Mr. MARCHANT, and Mr. BLUNT):

H.R. 5974. A bill to amend the Internal Revenue Code of 1986 to provide a Federal income tax credit for certain home purchases; to the Committee on Ways and Means.

By Mr. ARCURI (for himself, Mr. PATRICK MURPHY of Pennsylvania, Ms. CLARKE, Mr. TOWNS, Mr. ISRAEL, Mrs. GILLIBRAND, Mr. ACKERMAN, Mr. HINCHHEY, Mr. SERRANO, Mrs. MALONEY of New York, Mrs. LOWEY, Mr. HIGGINS, Mr. BOSWELL, Mr. FOSSELLA, Mr. CROWLEY, Mr. BISHOP of New York, Mr. REYNOLDS, Mr. MCHUGH, Mr. HALL of Texas, Mr. ENGEL, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Mr. NADLER, Mr. WALSH of New York, Mr. KING of New York, Mr. RANGEL, Ms. VELÁZQUEZ, Mr. MEEKS of New York, Mr. WEINER, Mr. McNULTY, Mr. KUHL of New York, and Ms. SLAUGHTER):

H.R. 5975. A bill to designate the facility of the United States Postal Service located at 101 West Main Street in Waterville, New York, as the "Cpl. John P. Sigsbee Post Office"; to the Committee on Oversight and Government Reform.

By Mr. BLUMENAUER (for himself, Mrs. TAUSCHER, Mr. GEORGE MILLER of California, Ms. VELÁZQUEZ, Mr. RAHALL, Mr. FARR, Mr. FRANK of Massachusetts, Ms. DELAURO, Mrs. LOWEY, Mr. EMANUEL, Mr. BECERRA, Mr. DEFAZIO, Mr. LATOURETTE, Mr. PETRI, Mr. SHAYS, and Mr. WELCH of Vermont):

H.R. 5976. A bill to establish the United States Commission on Rebuilding America for the 21st Century, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, Natural Resources, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO (for himself, Mr. PETRI, and Mr. ELLSWORTH):

H.R. 5977. A bill to amend title 49, United States Code, to require a motor carrier, broker, or freight forwarder that collects a fuel surcharge to disclose and pay the fuel surcharge to the person responsible for bearing the cost of the fuel, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HALL of New York (for himself and Mr. KUHL of New York):

H.R. 5978. A bill to designate the facility of the United States Postal Service located at 76 Brookside Avenue in Chester, New York, as the "1st Lieutenant Louis Allen Post Office"; to the Committee on Oversight and Government Reform.

By Mr. KING of New York:

H.R. 5979. A bill to amend the Public Health Service Act to provide for the national collection of data on stillbirths in a standardized manner, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SCHIFF:

H.R. 5980. A bill to establish the Commission on Securing the United States in the 21st Century; to the Committee on Foreign Affairs.

By Mr. WEINER:

H.R. 5981. A bill to reauthorize certain DNA-related grant programs under the Justice For All Act of 2004, and for other purposes; to the Committee on the Judiciary.

By Mr. ROSS (for himself, Mrs. EMERSON, Ms. BALDWIN, Mr. BURGESS, Mr. FARR, Mr. CARTER, and Ms. GIFFORDS):

H. Con. Res. 342. Concurrent resolution expressing the sense of Congress that the Food and Drug Administration's (FDA) new policy restricting women's access to medications containing estriol does not serve the public interest; to the Committee on Energy and Commerce.

By Ms. CORRINE BROWN of Florida:

H. Res. 1176. A resolution supporting the goals and ideals of National Train Day; to the Committee on Transportation and Infrastructure.

By Ms. SUTTON (for herself, Mr. MCDERMOTT, Mr. COHEN, Ms. MCCOLLUM of Minnesota, Mr. MCGOVERN, Ms. BALDWIN, Mr. GRIJALVA, Mr. STARK, Mr. KUCINICH, and Mr. FILLNER):

H. Res. 1177. A resolution expressing the sense of the House of Representatives that the practice of the Department of Defense to continue to use stop-loss orders to retain members of the Armed Forces who have completed their contractual obligations runs contrary to the stated policy of the United States to utilize an all-volunteer force; to the Committee on Armed Services.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 82: Mr. CARSON and Mr. FOSTER.
 H.R. 96: Mr. SMITH of New Jersey.
 H.R. 139: Mr. MARCHANT.
 H.R. 154: Mr. JEFFERSON and Mr. CONYERS.
 H.R. 158: Mr. DINGELL.
 H.R. 245: Mr. SALI and Mr. GOODE.
 H.R. 248: Mr. PLATTS.
 H.R. 351: Ms. BALDWIN.
 H.R. 370: Mr. ADERHOLT.
 H.R. 503: Mrs. SCHMIDT.
 H.R. 542: Mr. CARSON.
 H.R. 552: Ms. TSONGAS, Mrs. CAPITO, Mr. ROGERS of Michigan, Mr. ADERHOLT, Mr. ELLSWORTH, and Mr. CAPUANO.
 H.R. 688: Mr. BISHOP of Georgia.
 H.R. 882: Mr. CARSON and Mr. GRAVES.
 H.R. 1043: Mr. ALEXANDER.
 H.R. 1050: Mr. CONYERS.
 H.R. 1108: Mr. RENZI.
 H.R. 1127: Mr. CARTER.
 H.R. 1134: Mr. CARSON, Mr. MOORE of Kansas, Mr. COURTNEY, Mr. PASCRELL, Mr. TIM MURPHY of Pennsylvania, Ms. CORRINE BROWN of Florida, and Mr. WALZ of Minnesota.
 H.R. 1146: Mr. SALI.
 H.R. 1157: Mr. COSTELLO, Mr. BOEHNER, Mr. WALDEN of Oregon, Mrs. EMERSON, Mr. CARSON, Mr. CULBERSON, Mr. ROSKAM, and Mr. ROYCE.
 H.R. 1194: Mr. MCGOVERN.
 H.R. 1279: Mr. HODES.
 H.R. 1295: Mr. DANIEL E. LUNGREN of California.
 H.R. 1343: Mr. JEFFERSON.
 H.R. 1440: Mr. NEUGEBAUER.
 H.R. 1474: Mr. CARSON.
 H.R. 1514: Mr. SENSENBRENNER and Mr. RAMSTAD.
 H.R. 1524: Mr. SNYDER.
 H.R. 1532: Mr. GORDON.
 H.R. 1540: Ms. DEGETTE.
 H.R. 1553: Mr. MEEKS of New York.
 H.R. 1606: Mrs. TAUSCHER.
 H.R. 1609: Mr. SESTAK, Ms. BALDWIN, Mr. BISHOP of New York, Ms. CLARKE, Mr. ELLISON, Mr. FARR, Mr. HALL of New York, Mr. HIGGINS, Mr. KLEIN of Florida, Mr. RODRIGUEZ, Mr. MELANCON, Mr. MOORE of

- Kansas, Ms. MOORE of Wisconsin, Mr. OLVER, Mr. ORTIZ, Mr. EMANUEL, Mr. PRICE of North Carolina, Mr. SMITH of Washington, Ms. VELÁZQUEZ, Ms. WATERS, Mr. WATT, Mr. LINCOLN DAVIS of Tennessee, Mr. FOSTER, Mr. CARSON, Mr. PERLMUTTER, Mr. MARSHALL, Mr. POE, Mr. FORTENBERRY, Mr. EDWARDS, Mr. MANZULLO, Ms. GIFFORDS, Mr. LATOURETTE, Mr. SCOTT of Georgia, Mr. LUCAS, Mr. FORTUÑO, Mr. MARCHANT, Mr. INGLIS of South Carolina, Mrs. BACHMANN, Mr. ROYCE, Mr. ROSKAM, Mr. MCCARTHY of California, Mr. LAHOOD, Mr. HENSARLING, Mrs. DAVIS of California, Mr. MEEK of Florida, Mr. HOYER, Mr. SKELTON, and Mrs. GILLIBRAND.
- H.R. 1621: Mr. McCOTTER, Mr. FOSSELLA, and Mr. ENGEL.
- H.R. 1665: Ms. WASSERMAN SCHULTZ.
- H.R. 1748: Mr. GOODE.
- H.R. 1767: Mr. DAVIS of Illinois, Mrs. BACHMANN, and Mr. JOHNSON of Illinois.
- H.R. 1820: Ms. BERKLEY.
- H.R. 1840: Mr. LYNCH.
- H.R. 1845: Mr. CARSON.
- H.R. 1884: Mr. TIM MURPHY of Pennsylvania, Mr. SNYDER, Mrs. SCHMIDT, Mr. RUSH, and Mr. KIND.
- H.R. 1968: Mr. CONYERS.
- H.R. 2017: Mr. CARSON.
- H.R. 2052: Mr. BARROW.
- H.R. 2074: Ms. ROS-LEHTINEN.
- H.R. 2092: Mr. SMITH of Washington, Mr. McCOTTER, Ms. SUTTON, and Ms. BORDALLO.
- H.R. 2111: Mr. ROTHMAN.
- H.R. 2164: Mr. KILDEE.
- H.R. 2169: Mr. COURTNEY.
- H.R. 2205: Mr. KUHLMAN of New York.
- H.R. 2244: Mr. McCOTTER, Mr. HONDA, and Mr. JEFFERSON.
- H.R. 2268: Mr. DREIER, Mr. SKELTON, Mrs. TAUSCHER, Mr. BERMAN, Mr. FEENEY, Mr. MAHONEY of Florida, Mr. BOOZMAN, Mr. CLAY, Ms. SCHWARTZ, Mr. SAXTON, Mr. RYAN of Wisconsin, Mr. TANCREDO, Mr. GALLEGLY, Mr. NUNES, Mr. CALVERT, Mr. TANNER, Ms. WATERS, Mr. WATT, Mr. SALAZAR, Ms. NORTON, Mrs. CHRISTENSEN, Mr. MURTHA, Mr. GUTIERREZ, Ms. CORRINE BROWN of Florida, Mr. REYES, Mr. SMITH of Texas, Mr. ETHERIDGE, Mr. BACHUS, Ms. SPEIER, Ms. SCHAKOWSKY, Mr. NEAL of Massachusetts, Ms. CASTOR, Mrs. MYRICK, Mr. LEWIS of Kentucky, Ms. BEAN, Mr. DAVIS of Kentucky, Mr. DENT, Mr. ISSA, Mr. KING of New York, Mr. LANGEVIN, Mr. LATOURETTE, Mr. MCCARTHY of California, Mr. MARCHANT, Mr. MEEKS of New York, Ms. MOORE of Wisconsin, Mr. PALLONE, Mr. SULLIVAN, Mr. BOUSTANY, Mr. BROUN of Georgia, Mr. CAPUANO, Mr. CHABOT, Mr. COSTELLO, Mrs. CUBIN, Mr. DOOLITTLE, Mr. DUNCAN, Mr. ENGLISH of Pennsylvania, Mr. FRANKS of Arizona, Mr. FRELINGHUYSEN, Mr. GILCHREST, Mr. GRAVES, Mr. HELLER, Mr. INGLIS of South Carolina, Mr. KILDEE, Mr. KING of Iowa, Mr. LUCAS, Mr. DANIEL E. LUNGREN of California, Mr. MICA, Mr. MILLER of Florida, Mr. PITTS, Mr. PORTER, Mr. REGULA, Mr. SERRANO, Mr. SHIMKUS, Mr. WELDON of Florida, Mr. WELLES, and Mr. BLUMENAUER.
- H.R. 2343: Mr. KUHLMAN of New York.
- H.R. 2357: Mr. CARSON.
- H.R. 2370: Mr. KENNEDY and Mr. BOOZMAN.
- H.R. 2412: Mr. ELLISON.
- H.R. 2502: Mr. McCOTTER and Mr. JEFFERSON.
- H.R. 2523: Mr. INSLEE and Mr. BOSWELL.
- H.R. 2549: Mr. TERRY.
- H.R. 2593: Ms. MATSUI.
- H.R. 2711: Mr. McDERMOTT.
- H.R. 2896: Mr. GRIJALVA.
- H.R. 2933: Mr. TERRY and Mr. WOLF.
- H.R. 2942: Mr. ELLSWORTH.
- H.R. 3021: Mr. LOEBSACK, Mr. ANDREWS, Mr. BISHOP of New York, Mr. COURTNEY, Mr. DAVIS of Illinois, Mr. GRIJALVA, Mr. HINOJOSA, Ms. HIRONO, Mr. KUCINICH, Ms. LINDA T. SÁNCHEZ of California, Mr. SARBANES, Ms. SHEA-PORTER, Mr. HOLT, Mr. ALTMIRE, Mrs. MCCARTHY of New York, Ms. MCCOLLUM of Minnesota, Mr. McDERMOTT, Mr. KLEIN of Florida, Mr. CARSON, Mr. PAYNE, Mr. STARK, Ms. WOOLSEY, Mrs. DAVIS of California, Mr. LEWIS of Georgia, Mr. CONYERS, Mr. ROSS, Mr. WELCH of Vermont, Mr. BRALEY of Iowa, Mr. CARNEY, Mr. ELLISON, Mr. JOHNSON of Georgia, Mr. PERLMUTTER, Mr. SIREN, Ms. SUTTON, Mr. JACKSON of Illinois, Mr. PALLONE, Mr. DEFAZIO, Mr. HINCHAY, Mr. KIND, Mrs. CAPPS, Ms. SOLIS, Mr. LINCOLN DAVIS of Tennessee, Mr. CRAMER, Mr. MATHESON, Mr. MELANCON, Mr. SALAZAR, Mrs. NAPOLITANO, Ms. HERSETH SANDLIN, Mr. SCHIFF, Mr. LIPINSKI, Mr. CUELLAR, Mr. BOSWELL, Mr. UDALL of Colorado, Mr. SMITH of Washington, Mr. WEXLER, Mr. BARROW, Mr. BERRY, Mr. MOORE of Kansas, Mr. GORDON, Mr. WU, Mr. TANNER, Mr. ISRAEL, Mr. SNYDER, Mr. HILL, Mr. BLUMENAUER, Ms. RICHARDSON, and Mr. LARSON of Connecticut.
- H.R. 3036: Mr. HODES.
- H.R. 3041: Mr. CUMMINGS.
- H.R. 3054: Mr. MCCAUL of Texas.
- H.R. 3063: Ms. SLAUGHTER.
- H.R. 3088: Mr. FORTENBERRY.
- H.R. 3089: Mr. MANZULLO, Mr. BOOZMAN, and Mr. DUNCAN.
- H.R. 3132: Mr. KIRK, Ms. MCCOLLUM of Minnesota, and Mrs. BOYDA of Kansas.
- H.R. 3202: Mr. MILLER of North Carolina.
- H.R. 3267: Mr. CARSON and Mr. BRADY of Pennsylvania.
- H.R. 3282: Ms. BALDWIN.
- H.R. 3331: Mr. MCGOVERN.
- H.R. 3380: Mr. SHAYS.
- H.R. 3404: Mr. MILLER of North Carolina.
- H.R. 3406: Ms. MCCOLLUM of Minnesota.
- H.R. 3416: Mr. MCGOVERN.
- H.R. 3423: Ms. MATSUI.
- H.R. 3439: Mr. LYNCH.
- H.R. 3440: Mr. PRICE of North Carolina.
- H.R. 3609: Mr. TOWNS, Mr. COURTNEY, Mr. KUCINICH and Ms. KAPTUR.
- H.R. 3652: Mr. SPACE and Mr. DELAHUNT.
- H.R. 3700: Mr. WALZ of Minnesota.
- H.R. 3757: Ms. BALDWIN.
- H.R. 3842: Mr. PAYNE.
- H.R. 3934: Mr. ELLSWORTH.
- H.R. 4008: Mr. LINCOLN DIAZ-BALART of Florida.
- H.R. 4026: Mrs. CHRISTENSEN.
- H.R. 4044: Ms. MATSUI and Ms. HIRONO.
- H.R. 4055: Mr. CONYERS.
- H.R. 4061: Mr. ELLISON.
- H.R. 4109: Mr. JOHNSON of Georgia.
- H.R. 4236: Ms. LEE.
- H.R. 4248: Mr. SULLIVAN, Mr. LUCAS and Mr. MATHESON.
- H.R. 4304: Mr. SHIMKUS.
- H.R. 4344: Ms. GINNY BROWN-WAITE of Florida and Ms. FALLIN.
- H.R. 4544: Mr. JOHNSON of Georgia.
- H.R. 4900: Mr. GARY G. MILLER of California, Mr. BOYD of Florida, Mr. TAYLOR, Mrs. McMORRIS RODGERS and Mr. WALDEN of Oregon.
- H.R. 4926: Mr. FORTUÑO.
- H.R. 5110: Mr. CONYERS.
- H.R. 5131: Mr. LATTA.
- H.R. 5179: Mr. LATOURETTE and Mr. PLATTS.
- H.R. 5244: Mr. ANDREWS.
- H.R. 5267: Mr. LAHOOD.
- H.R. 5312: Mr. BRALEY of Iowa.
- H.R. 5442: Ms. SCHAKOWSKY.
- H.R. 5473: Mr. HIGGINS, Mr. OBERSTAR, Mr. ABERCROMBIE, Mr. HARE, Ms. SLAUGHTER, Ms. ESHOO, Mr. MICHAUD, Mr. JOHNSON of Georgia, Mr. McNERNEY, Mr. GRIJALVA, Mrs. BOYDA of Kansas, Mr. SPACE, Mr. RODRIGUEZ, Mr. BISHOP of New York, Ms. HIRONO, Mr. ELLISON, Mr. ROTHMAN, Mr. COHEN, Ms. BALDWIN, Mr. DOGGETT, Ms. HARMAN, Mr. KILDEE, Mrs. TAUSCHER, and Mr. VAN HOLLEN.
- H.R. 5536: Mr. ROTHMAN, Mr. MOORE of Kansas and Ms. HIRONO.
- H.R. 5559: Ms. GRANGER and Mr. CHABOT.
- H.R. 5580: Ms. BALDWIN.
- H.R. 5611: Mr. KUHLMAN of New York.
- H.R. 5617: Mr. DEFAZIO.
- H.R. 5627: Mr. SALI.
- H.R. 5656: Mr. BUYER, Mr. YOUNG of Alaska, and Mr. ADERHOLT.
- H.R. 5662: Mr. WELCH of Vermont.
- H.R. 5673: Mr. BOREN.
- H.R. 5674: Mr. WALZ of Minnesota and Mr. LOBIONDO.
- H.R. 5677: Mr. BARTLETT of Maryland, Mr. FORTUÑO, Mrs. BACHMANN, Mr. LATTA, Mr. GOODE, Mrs. MUSGRAVE, Mr. GINGREY, Mr. TANCREDO, Mr. SESSIONS, Ms. FALLIN, Mr. FRANKS of Arizona, Mr. DAVID DAVIS of Tennessee, Mr. BURTON of Indiana, Mr. BISHOP of Utah, Mr. KLINE of Minnesota, Mr. BROUN of Georgia, Mr. HOEKSTRA, Mr. NEUGEBAUER, and Mr. KING of Iowa.
- H.R. 5681: Mrs. NAPOLITANO and Mr. PAUL.
- H.R. 5684: Mr. CARNAHAN.
- H.R. 5693: Mr. MCHUGH.
- H.R. 5694: Mr. MCHUGH.
- H.R. 5700: Mr. BISHOP of Georgia.
- H.R. 5716: Ms. HIRONO.
- H.R. 5722: Mr. LOBIONDO.
- H.R. 5731: Mr. MCCAUL of Texas.
- H.R. 5733: Mr. BURGESS.
- H.R. 5740: Ms. WATERS and Mr. ACKERMAN.
- H.R. 5752: Mr. BOOZMAN.
- H.R. 5774: Mr. CLEAVER, Ms. WOOLSEY, Mr. SERRANO, Ms. HIRONO, Mr. McNERNEY, and Mr. FILNER.
- H.R. 5775: Mr. WILSON of South Carolina.
- H.R. 5784: Mr. NEUGEBAUER.
- H.R. 5793: Mrs. MYRICK, Mr. PETERSON of Minnesota, Mr. SMITH of Nebraska, and Mr. ROGERS of Michigan.
- H.R. 5794: Mr. GALLEGLY.
- H.R. 5802: Ms. SCHAKOWSKY and Mr. JEFFERSON.
- H.R. 5825: Mr. HULSHOF and Mr. FRANK of Massachusetts.
- H.R. 5831: Mr. COURTNEY and Mr. HALL of New York.
- H.R. 5848: Mr. CARSON.
- H.R. 5875: Ms. HIRONO and Ms. BORDALLO.
- H.R. 5876: Mr. LEWIS of Georgia, Mr. COHEN, Mr. SESTAK, Mr. McDERMOTT, and Ms. HIRONO.
- H.R. 5878: Mr. WAXMAN.
- H.R. 5881: Mr. CONYERS and Mr. FARR.
- H.R. 5892: Mrs. GILLIBRAND.
- H.R. 5894: Mr. DAVIS of Illinois.
- H.R. 5898: Mr. HAYES and Mr. LATOURETTE.
- H.R. 5899: Mr. BISHOP of Georgia and Mr. HILL.
- H.R. 5908: Mr. LATTA and Mr. MACK.
- H.R. 5941: Mr. PATRICK MURPHY of Pennsylvania.
- H.R. 5946: Ms. WATERS.
- H.R. 5955: Ms. GINNY BROWN-WAITE of Florida, Mr. BURTON of Indiana, Mr. GOODLATTE, Mr. PLATTS, and Mr. NEUGEBAUER.
- H.R. 5958: Mr. GALLEGLY, Mr. HALL of New York, Mr. FOSSELLA, Mr. BACA, and Mrs. BONO MACK.
- H.R. 5965: Mr. WYNN.
- H.J. Res. 39: Mr. SESTAK.
- H. Con. Res. 70: Mr. TIBERI and Mr. BOUCHER.
- H. Con. Res. 163: Ms. SCHAKOWSKY and Mr. BARROW.
- H. Con. Res. 195: Mr. PLATTS.
- H. Con. Res. 223: Mr. SPRATT.
- H. Con. Res. 296: Mrs. BLACKBURN, Mr. TIM MURPHY of Pennsylvania, Mr. WILSON of South Carolina, Mr. BOUSTANY, Mr. SESSIONS, Mr. BROWN of South Carolina, Mr. CARTER, Mr. SAXTON, Mr. HALL of Texas, Mr. WOLF, Mr. TOWNS, Mr. MILLER of Florida, Mr. MCGOVERN, Mr. MARCHANT, Mr. ROSKAM, Mr. CRENSHAW, Mr. GINGREY, Mr. SHIMKUS, Mr. BRALEY of Iowa, Mr. SHAYS, Ms. SCHAKOWSKY, Mr. LATTA, Mr. FILNER, Mr. BISHOP of Georgia, and Ms. BORDALLO.
- H. Con. Res. 305: Mrs. TAUSCHER and Mr. McCOTTER.

H. Con. Res. 327: Mr. BERMAN and Mr. JEFFERSON.

H. Con. Res. 329: Mr. LAMBORN.

H. Con. Res. 331: Mr. MARKEY, Mr. BOREN, Mr. WAXMAN, Ms. SCHAKOWSKY, Mr. GENE GREEN of Texas, Mr. SCHIFF, Mr. BERRY, Mr. INSLEE, Mr. PASTOR, Ms. HERSETH SANDLIN, and Mr. STUPAK.

H. Res. 258: Mr. SMITH of New Jersey, Mr. KUHL of New York, Mr. GENE GREEN of Texas, and Mrs. DAVIS of California.

Res. 369: Mr. ALTMIRE.

Res. 373: Mr. MARKEY.

H. Res. 389: Mr. ACKERMAN, Mrs. CHRISTENSEN, and Mr. JEFFERSON.

H. Res. 795: Mr. ISRAEL and Mr. MILLER of North Carolina.

H. Res. 881: Mr. PETERSON of Minnesota, Mr. MATHESON, Mr. SALI, and Mr. JORDAN.

H. Res. 896: Ms. MOORE of Wisconsin.

H. Res. 900: Mr. COHEN, Mr. PAYNE, Ms. ESHOO, Mr. EVERETT, and Mr. HINCHEY.

H. Res. 1002: Mr. BOOZMAN and Mr. RUPPERSBERGER.

H. Res. 1009: Mr. BROUN of Georgia.

H. Res. 1019: Mr. CONYERS and Mr. WYNN.

H. Res. 1022: Mrs. BIGGERT, Mrs. BOYDA of Kansas, Mrs. CAPITO, Ms. CASTOR, Mrs. EMERSON, Ms. GIFFORDS, Ms. HOOLEY, Ms. KAPTUR, Mrs. MYRICK, Ms. RICHARDSON, Ms. ROYBAL-ALLARD, Ms. SHEA-PORTER, Ms. VELÁZQUEZ, Ms. WATERS, Mr. OLVER, Mr. ALLEN, Mr. KUCINICH, Mrs. MCCARTHY of New

York, and Ms. EDDIE BERNICE JOHNSON of Texas.

H. Res. 1026: Mr. CULBERSON.

H. Res. 1028: Mr. CONYERS.

H. Res. 1042: Mr. MCCOTTER.

H. Res. 1067: Mrs. GILLIBRAND and Mr. ELLSWORTH.

H. Res. 1078: Mr. CONYERS and Ms. LEE.

H. Res. 1106: Mr. LEWIS of California, Mr. FORBES, Mr. CANTOR, Ms. CASTOR, Mr. INGLIS of South Carolina, Mr. BOUCHER, Mr. MURPHY of Connecticut, Mr. SALI, Mr. HALL of Texas, Mr. SHIMKUS, Mr. BUYER, Mr. UPTON, Mr. SHADEGG, Mrs. CUBIN, Mrs. SCHMIDT, Ms. HARMAN, Mr. MARKEY, Mr. GORDON, and Mrs. MCMORRIS RODGERS.

H. Res. 1110: Mr. BROUN of Georgia, Mr. HARE, Mr. MOORE of Kansas, and Mr. GOODLATTE.

H. Res. 1124: Mrs. BIGGERT, Ms. WATERS, and Mr. UPTON.

H. Res. 1140: Mr. BLUNT and Mr. SOUDER.

H. Res. 1143: Mr. KIND and Mr. HINCHEY.

H. Res. 1144: Mrs. CAPITO, Mr. WHITFIELD of Kentucky, Mr. SHUSTER, Mr. ENGLISH of Pennsylvania, Mr. GINGREY, Mrs. WILSON of New Mexico, Mr. GRIJALVA, Mr. PASTOR, Mr. TIAHRT, Mr. MCCOTTER, and Mr. SESSIONS.

H. Res. 1162: Ms. WOOLSEY.

H. Res. 1164: Mr. PETERSON of Pennsylvania and Mr. SKELTON.

H. Res. 1170: Mr. BURTON of Indiana.

H. Res. 1172: Mr. PAYNE.

H. Res. 1173: Mr. ROSS, Mr. YARMUTH, Mr. THOMPSON of California, Mr. LEWIS of Georgia, Mr. ALLEN, Mr. WAXMAN, Mr. SARBANES, Mr. WALSH of New York, Mr. DAVIS of Illinois, Mr. DICKS, Mr. DEFAZIO, Mrs. NAPOLITANO, Mrs. MALONEY of New York, Mrs. MCCARTHY of New York, Mr. BERRY, Mr. LOEBSACK, Mrs. TAUSCHER, Mr. PERLMUTTER, Mr. MCGOVERN, Mr. MARKEY, Mr. HASTINGS of Florida, Mr. RAHALL, Mr. ALTMIRE, Mr. CARDOZA, Ms. SUTTON, Mr. HILL, Mrs. CAPPs, and Mrs. DAVIS of California.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY Ms. WATERS

The amendment to be offered by Representative WATERS, or a designee, to H.R. 5818, the Neighborhood Stabilization Act of 2008, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits, as defined in clause 9(d), 9(e), or 9(f) of rule XXI.