

Oberstar Ruppertsberger Tauscher  
 Obey Ryan (OH) Taylor  
 Oliver Ryan (WI) Tarry  
 Ortiz Salazar Thompson (CA)  
 Pallone Sánchez, Linda Thompson (MS)  
 Pascrell T. Tiberi  
 Pastor Sanchez, Loretta Tierney  
 Payne Sarbanes Towns  
 Pearce Saxton Tsongas  
 Perlmutter Schakowsky Turner  
 Peterson (MN) Schiff Udall (CO)  
 Peterson (PA) Schmidt Udall (NM)  
 Petri Schwartz Upton  
 Platts Scott (GA) Van Hollen  
 Pomeroy Scott (VA) Velázquez  
 Porter Serrano Visclosky  
 Price (NC) Sestak Walden (OR)  
 Putnam Shays Walsh (NY)  
 Radanovich Shea-Porter Walz (MN)  
 Rahall Shimkus Wamp  
 Ramstad Shuler Wasserman  
 Rangel Shuster Schultz  
 Regula Simpson Waters  
 Rehberg Sires Watson  
 Reichert Skelton Watt  
 Renzi Smith (NJ) Weiner  
 Reyes Smith (TX) Welch (VT)  
 Reynolds Smith (WA) Weller  
 Richardson Snyder Wexler  
 Rodriguez Solis Whitfield (KY)  
 Rogers (AL) Souder Wilson (NM)  
 Rogers (KY) Space Wilson (OH)  
 Rogers (MI) Speier Wittman (VA)  
 Rohrabacher Spratt Wolf  
 Ros-Lehtinen Stark Woolsey  
 Roskam Stupak Wu  
 Ross Sullivan Yarmuth  
 Rothman Sutton Young (FL)  
 Roybal-Allard Tanner

NOES—69

Barton (TX) Goode Neugebauer  
 Bishop (UT) Goodlatte Nunes  
 Blackburn Hall (TX) Paul  
 Boehner Hastings (WA) Pence  
 Brady (TX) Heller Pitts  
 Broun (GA) Hensarling Poe  
 Burton (IN) Herger Price (GA)  
 Campbell (CA) Hoekstra Royce  
 Cannon Hunter Sali  
 Coble Issa Scalise  
 Conaway Johnson, Sam Sensenbrenner  
 Cubin Jordan Sessions  
 Davis (KY) King (IA) Shadegg  
 Davis, David Kingston Smith (NE)  
 Doolittle Lamborn Stearns  
 Duncan Lewis (KY) Tancredo  
 Feeney Thornberry  
 Flake Mack Tiahrt  
 Foxx Manzullo Walberg  
 Franks (AZ) McHenry Weldon (FL)  
 Garrett (NJ) Miller (FL) Westmoreland  
 Gingrey Moran (KS) Wilson (SC)  
 Gohmert Musgrave Young (AK)

NOT VOTING—20

Andrews Doyle Neal (MA)  
 Boswell Fortenberry Pickering  
 Boucher Frelinghuysen Pryce (OH)  
 Brown-Waite, Gordon Rush  
 Ginny Hill Sherman  
 Conyers Hulshof Slaughter  
 Deal (GA) Marchant Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Less than 2 minutes remain in this vote.

□ 1537

Mr. GINGREY changed his vote from “aye” to “no.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 3121, FLOOD INSURANCE REFORM AND MODERNIZATION ACT OF 2008

MOTION TO INSTRUCT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 3121 offered by the gentleman from Texas (Mr. NEUGEBAUER) 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 385, nays 26, not voting 23, as follows:

[Roll No. 485]

YEAS—385

Abercrombie Costa Hall (NY)  
 Ackerman Costello Hall (TX)  
 Aderholt Courtney Hare  
 Akin Cramer Harman  
 Alexander Crenshaw Hastings (FL)  
 Allen Crowley Hastings (WA)  
 Altmire Cuellar Hayes  
 Arcuri Culberson Heller  
 Baca Cummings Hensarling  
 Bachmann Davis (AL) Herger  
 Bachus Davis (CA) Herseth Sandlin  
 Baird Davis (IL) Hinchey  
 Baldwin Davis (KY) Hinojosa  
 Barrett (SC) Davis, David Hirono  
 Barrow Davis, Lincoln Hobson  
 Bartlett (MD) Davis, Tom Hodes  
 Barton (TX) DeFazio Hoekstra  
 Bean DeGette Holden  
 Becerra Delahunt Holt  
 Berkeley DeLauro Honda  
 Berman Dent Hooley  
 Berry Diaz-Balart, L. Hoyer  
 Biggert Diaz-Balart, M. Hunter  
 Bilbray Dicks Inglis (SC)  
 Bilirakis Dingell Insee  
 Bishop (GA) Doggett Issa  
 Bishop (UT) Donnelly Jackson (IL)  
 Blackburn Doolittle Jackson-Lee  
 Blunt Drake (TX)  
 Boehner Dreier Jefferson  
 Bonner Duncan Johnson (GA)  
 Bono Mack Edwards (MD) Johnson (IL)  
 Boozman Edwards (TX) Johnson, E. B.  
 Boren Ehlers Johnson, Sam  
 Boyd (FL) Ellison Jones (NC)  
 Boyda (KS) Ellsworth Jones (OH)  
 Brady (PA) Emanuel Jordan  
 Brady (TX) Emerson Kagen  
 Brown (SC) Engel Kanjorski  
 Brown, Corrine English (PA) Kaptur  
 Buchanan Eshoo Keller  
 Burgess Etheridge Kennedy  
 Butterfield Everett Kildee  
 Calvert Fallin Kilpatrick  
 Camp (MI) Farr Kind  
 Campbell (CA) Fattah Kingston  
 Cannon Feeney Kline (MN)  
 Cantor Ferguson Knollenberg  
 Capito Filner Kucinich  
 Capps Flake Kuhl (NY)  
 Capuano Fossella LaHood  
 Cardoza Foster Lamborn  
 Carnahan Foxx Lampson  
 Carney Frank (MA) Langevin  
 Carson Franks (AZ) Larsen (WA)  
 Carter Gallegly Larson (CT)  
 Castle Garrett (NJ) LaTourette  
 Castor Gerlach Latta  
 Cazayoux Gillibrand Lee  
 Chabot Gohmert Levin  
 Chandler Gohmert Lewis (CA)  
 Childers Gonzalez Lewis (GA)  
 Clarke Goode Lewis (KY)  
 Clay Goodlatte Linder  
 Clyburn Granger Lipinski  
 Coble Graves LoBiondo  
 Cohen Green, Al Lofgren, Zoe  
 Cole (OK) Green, Gene Lowey  
 Conaway Grijalva Lucas  
 Cooper Gutierrez

Lungren, Daniel Pitts  
 E. Platts  
 Lynch Poe  
 Mack Pomeroy  
 Mahoney (FL) Porter  
 Maloney (NY) Price (GA)  
 Manzullo Price (NC)  
 Markey Putnam  
 Marshall Radanovich  
 Matheson Rahall  
 Matsui Ramstad  
 McCarthy (CA) Rangel  
 McCaul (TX) Regula  
 McCollum (MN) Rehberg  
 McCotter Reichert  
 McCrery Renzi  
 McDermott Reyes  
 McGovern Reynolds  
 McHenry Richardson  
 McHugh Rodriguez  
 McIntyre Rogers (AL)  
 McKeon Rogers (KY)  
 McMorris Rogers (MI)  
 Rodgers Rohrabacher  
 McNerney Ros-Lehtinen  
 Meek (FL) Roskam  
 Meeks (NY) Ross  
 Melancon Rothman  
 Michaud Royce  
 Miller (FL) Ruppertsberger  
 Miller (MI) Ryan (OH)  
 Miller (NC) Ryan (WI)  
 Miller, Gary Salazar  
 Miller, George Sali  
 Mitchell Sánchez, Linda  
 Mollohan T.  
 Moore (KS) Sanchez, Loretta  
 Moore (WI) Sarbanes  
 Moran (KS) Saxton  
 Moran (VA) Schakowsky  
 Murphy (CT) Schiff  
 Murphy, Tim Schmidt  
 Murtha Schwartz  
 Musgrave Scott (GA)  
 Myrick Scott (VA)  
 Napolitano Sensenbrenner  
 Neugebauer Serrano  
 Nunes Sessions  
 Oberstar Sestak  
 Obey Shadegg  
 Oliver Shays  
 Ortiz Shea-Porter  
 Pascrell Sherman  
 Pastor Shimkus  
 Paul Shuler  
 Payne Shuster  
 Pearce Simpson  
 Pence Sires  
 Perlmutter Skelton  
 Peterson (MN) Smith (NE)  
 Petri Smith (NJ) Smith (NJ)

NAYS—26

Bishop (NY) Giffords  
 Blumenauer Gilchrest  
 Boustany Higgins  
 Braley (IA) Israel  
 Broun (GA) King (IA)  
 Burton (IN) King (NY)  
 Buyer Kirk  
 Cubin Klein (FL)  
 Forbes Latham

NOT VOTING—23

Andrews Doyle Mica  
 Boswell Fortenberry Neal (MA)  
 Boucher Frelinghuysen Peterson (PA)  
 Brown-Waite, Gordon Pickering  
 Ginny Hill Pryce (OH)  
 Cleaver Hulshof Rush  
 Conyers Marchant Slaughter  
 Deal (GA) McNulty Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1545

Mr. KLEIN of Florida changed his vote from “yea” to “nay.”

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. CONYERS. Madam Speaker, I took a leave of absence the afternoon of July 10, 2008, as I was attending to personal business. The following list describes how I would have voted had I been in attendance this afternoon.

“Yea”—on Pearce (NM) amendment.

“Aye”—on Motion to Recommit H.R. 1286.

“Yea”—Final Passage H.R. 1286—Revoluntary Route National Historic Trail Designation Act.

“Yea”—Motion to Instruct Conferees on H.R. 1321—Flood Insurance Reform and Modernization Act of 2007.

## APPOINTMENT OF CONFEREES

The SPEAKER pro tempore (Ms. EDWARDS of Maryland). Without objection, the Chair appoints the following conferees:

From the Committee on Financial Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. FRANK of Massachusetts, KANJORSKI, Ms. WATERS, Messrs. WATT, CLAY, KLEIN of Florida, MAHONEY of Florida, BACHUS, Mrs. BIGGERT, Mrs. CAPITO, Messrs. GARRETT of New Jersey, and PRICE of Georgia.

From the Committee on Energy and Commerce, for consideration of sec. 302 of the Senate amendment, and modifications committed to conference: Messrs. DINGELL, BOUCHER, and BARTON of Texas.

From the Committee on Transportation and Infrastructure, for consideration of secs. 7 and 22 of the House bill, and secs. 107, 119, and 301 of the Senate amendment, and modifications committed to conference: Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. BRALEY of Iowa, and GRAVES.

For consideration of secs. 7 and 35 of the House bill, and sec. 128 of the Senate amendment, and modifications committed to conference: Mr. TAYLOR.

There was no objection.

## GENERAL LEAVE

Ms. WATERS. Madam Speaker, I ask unanimous consent that Members may have 5 days to revise and extend their remarks on the motion to instruct on H.R. 3121.

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

There was no objection.

#### AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1286, WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL DESIGNATION ACT

Ms. WATERS. Madam Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 1286, including corrections in spelling, punctuation, section and title numbering, cross-referencing, conforming amendments to the table of contents and short titles, and the insertion of appropriate headings.

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

There was no objection.

#### PROVIDING FOR CONTINUED BENEFITS FOR CERTAIN SENATE RESTAURANTS EMPLOYEES

Mr. BRADY of Pennsylvania. Madam Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2967) to provide for certain Federal employee benefits to be continued for certain employees of the Senate Restaurants after operations of the Senate Restaurants are contracted to be performed by a private business concern, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the gentleman from Pennsylvania?

There was no objection.

The text of the Senate bill is as follows:

S. 2967

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

#### SECTION 1. CONTINUED BENEFITS FOR CERTAIN SENATE RESTAURANTS EMPLOYEES.

(a) DEFINITIONS.—In this section:

(1) CONTRACTOR.—The term “contractor” means the private business concern that enters into a food services contract with the Architect of the Capitol.

(2) COVERED INDIVIDUAL.—The term “covered individual” means any individual who—

(A) is a Senate Restaurants employee who is an employee of the Architect of the Capitol on the date of enactment of this Act, including—

(i) a permanent, full-time or part-time employee;

(ii) a temporary, full-time or part-time employee; and

(iii) an employee in a position described under the second or third provisos under the subheading “SENATE OFFICE BUILDINGS” under the heading “CAPITOL BUILDINGS AND GROUNDS” under the heading “ARCHITECT OF THE CAPITOL” in the Legislative Branch Appropriations Act, 1972 (2 U.S.C. 2048);

(B) becomes an employee of the contractor under a food services contract on the transfer date; and

(C) with respect to benefits under subsection (c)(2) or (3), files an election before the transfer date with the Office of Human Resources of the Architect of the Capitol to have 1 or more benefits continued in accordance with this section.

(3) FOOD SERVICES CONTRACT.—The term “food services contract” means a contract under which food services operations of the Senate Restaurants are transferred to, and performed by, a private business concern.

(4) TRANSFER DATE.—The term “transfer date” means the date on which a contractor begins the performance of food services operations under a food services contract.

(b) ELECTION OF COVERAGE.—

(1) IN GENERAL.—

(A) RETIREMENT COVERAGE.—Not later than the day before the transfer date, an individual described under subsection (a)(2)(A) and (B) may file an election with the Office of Human Resources of the Architect of the

Capitol to continue coverage under the retirement system under which that individual is covered on that day.

(B) LIFE AND HEALTH INSURANCE COVERAGE.—If the individual files an election under subparagraph (A) to continue retirement coverage, the individual may also file an election with the Office of Human Resources of the Architect of the Capitol to continue coverage of any other benefit under subsection (c)(2) or (3) for which that individual is covered on that day. Any election under this subparagraph shall be filed not later than the day before the transfer date.

(2) NOTIFICATION TO THE OFFICE OF PERSONNEL MANAGEMENT.—The Office of Human Resources of the Architect of the Capitol shall provide timely notification to the Office of Personnel Management of any election filed under paragraph (1).

(c) CONTINUITY OF BENEFITS.—

(1) PAY.—The rate of basic pay of a covered individual as an employee of a contractor, or successor contractor, during a period of continuous service may not be reduced to a rate less than the rate of basic pay paid to that individual as an employee of the Architect of the Capitol on the day before the transfer date, except for cause.

(2) RETIREMENT AND LIFE INSURANCE BENEFITS.—

(A) IN GENERAL.—For purposes of chapters 83, 84, and 87 of title 5, United States Code—

(i) any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) the rate of basic pay of the covered individual during the period described under clause (i) shall be deemed to be the rate of basic pay of that individual as an employee of the Architect of the Capitol on the date on which the Architect of the Capitol enters into the food services contract.

(B) TREATMENT AS CIVIL SERVICE RETIREMENT OFFSET EMPLOYEES.—In the case of a covered individual who on the day before the transfer date is subject to subchapter III of chapter 83 of title 5, United States Code, but whose employment with the Architect of the Capitol is not employment for purposes of title II of the Social Security Act and chapter 21 of the Internal Revenue Code of 1986—

(i) the employment described under subparagraph (A)(i) shall, for purposes of subchapter III of chapter 83 of title 5, United States Code, be deemed to be—

(I) employment of an individual described under section 8402(b)(2) of title 5, United States Code; and

(II) Federal service as defined under section 8349(c) of title 5, United States Code; and

(ii) the basic pay described under subparagraph (A)(ii) for employment described under subparagraph (A)(i) shall be deemed to be Federal wages as defined under section 8334(k)(2)(C)(i) of title 5, United States Code.

(3) HEALTH INSURANCE BENEFITS.—For purposes of chapters 89, 89A, and 89B of title 5, United States Code, any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol.

(4) LEAVE.—

(A) CREDIT OF LEAVE.—Subject to section 6304 of title 5, United States Code, annual and sick leave balances of any covered individual shall be credited to the leave accounts of that individual as an employee of the contractor, or any successor contractor. A food services contract may include provisions