

Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space

NOT VOTING—16

Brady (TX)
Burgess
Conyers
Cubin
Dreier
Grijalva

Hastings (FL)
Hulshof
Issa
Jackson-Lee
(TX)
King (NY)

Lampson
Pence
Pitts
Poe
Sestak

□ 1400

Messrs. BERMAN, JOHNSON of Georgia, MURTHA, RODRIGUEZ, GUTIERREZ, MURPHY of Connecticut, ROSS, BAIRD, Mrs. CAPPS, and Mr. RUPPERSBERGER changed their vote from “yea” to “nay.”

Messrs. CANNON, CARTER, WILSON of South Carolina, SIMPSON, WOLF, GERLACH, and TANCREDO changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. HUNTER. 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 283, noes 133, not voting 17, as follows:

[Roll No. 608]

AYES—283

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bilbray
Billirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bono Mack
Boren
Boswell
Boucher
Boyd (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Butterfield
Capito

Capps
Capuano
Cardoza
Carmahan
Carney
Carson
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Berman
Clay
Cleaver
Clyburn
Cohen
Costello
Courtney
Cramer
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis, Lincoln
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.

Dicks
Dingell
Doggett
Donnelly
Doyle
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Fallin
Farr
Fattah
Finer
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gohmert
Gonzalez

Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hayes
Herseht Sandlin
Higgins
Hill
Hinchoy
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoolley
Hoyer
Inslee
Israel
Jackson (IL)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Marchant
Markey

NOES—133

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Biggart
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Boyd (FL)
Broun (GA)
Brown (SC)
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Clarke
Coble
Cole (OK)
Conaway
Cooper

Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McMorris
Rodgers
McNerney
McNulty
Meek (FL)
Meeke (NY)
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nader
Napolitano
Neal (MA)
Oberstar
Obey
Oliver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Regula
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Linda
T.

Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Stark
Stearns
Stupak
Sutton
Tanner
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Welch (VT)
Weller
Wexler
Whitfield (KY)
Wilson (OH)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

Radanovich
Rehberg
Reichert
Renzi
Reynolds
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Scalise

NOT VOTING—17

Brady (TX)
Burgess
Conyers
Cubin
Dreier
Grijalva

Hastings (FL)
Hulshof
Issa
Jackson-Lee
(TX)
King (NY)

Lampson
Pence
Peterson (PA)
Pitts
Poe
Sestak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1411

Messrs. BURTON of Indiana, MICA, CRENSHAW, and ROGERS of Michigan changed their vote from “aye” to “no.”

Mrs. FALLIN and Mrs. McMORRIS RODGERS changed their vote from “no” to “aye.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. BOEHNER. Mr. Speaker, I have a privileged resolution at the desk, and I ask for its immediate consideration in the House.

The SPEAKER pro tempore (Mr. ROSS). The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 1460

Whereas the Committee on Ways and Means has jurisdiction over the United States Tax Code;

Whereas The New York Times reported on September 5, 2008, that, “Representative Charles B. Rangel has earned more than \$75,000 in rental income from a villa he has owned in the Dominican Republic since 1988, but never reported it on his federal or state tax returns, according to a lawyer for the congressman and documents from the resort”;

Whereas in an article in the September 5, 2008 edition of The New York Times, his attorney confirmed that Representative Rangel’s annual congressional Financial Disclosure statements failed to disclose the rental income from his resort villa;

Whereas The New York Times reported on September 6, 2008 that, “Representative Charles B. Rangel paid no interest for more than a decade on a mortgage extended to him to buy a villa at a beachfront resort in the Dominican Republic, according to Mr. Rangel’s lawyer and records from the resort. The loan, which was extended to Mr. Rangel in 1988, was originally to be paid back over seven years at a rate of 10.5 percent. But within two years, interest on the loan was waived for Mr. Rangel.”;

Whereas clause 5(a)(2)(A) of Rule 25 of the Rules of the House defines a gift as, “. . . a gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value” and prohibits the acceptance of such gifts except in limited circumstances;

Whereas Representative Rangel's acceptance of thousands of dollars in interest forgiveness is a violation of the House gift ban;

Whereas Representative Rangel's failure to disclose the aforementioned gifts and income on his Personal Financial Disclosure Statements violates House rules and federal law;

Whereas Roll Call newspaper reported on September 15, 2008 that, "The inconsistent reports are among myriad errors, discrepancies and unexplained entries on Rangel's personal disclosure forms over the past eight years that make it almost impossible to get a clear picture of the Ways and Means chairman's financial dealings.";

Whereas Representative Rangel's failure to report the aforementioned gifts and income on Federal, State and local tax returns is a violation of the tax laws of those jurisdictions;

Whereas disclosure of these improper acts follows an announcement on July 31, 2008 by the House Committee on Standards of Official Conduct that it is reviewing unrelated allegations that Representative Rangel has violated House gift rules, financial disclosure regulations and rules barring the use of official resources to solicit funds for private ventures;

Whereas an editorial in The New York Times on September 15, 2008 stated, "Mounting embarrassment for taxpayers and Congress makes it imperative that Representative Charles Rangel step aside as chairman of the Ways and Means Committee while his ethical problems are investigated.";

Whereas clause 1 of rule XXXIII of the Rules of the House of Representatives provides, "A Member, Delegate, Resident Commissioner, officer, or employee of the House shall conduct himself at all times in a manner that shall reflect creditably on the House";

Whereas on May 24, 2006, Speaker Nancy Pelosi cited "high ethical standards" in a letter to Representative William Jefferson asking that he resign his seat on the Committee on Ways and Means in light of ongoing investigations into alleged financial impropriety by Representative Jefferson: Now, therefore, be it

Resolved, That—

(1) pursuant to its authority under clause 3(a)(2) of House Rule XI, the Committee on Standards of Official Conduct, within 10 days of adoption of this resolution, shall establish an Investigative Subcommittee in the matter of Representative Charles B. Rangel or report to the House the reasons for its failure to do so; and

(2) upon adoption of this resolution and pending completion of the aforementioned investigation, Representative Rangel is hereby removed as chairman of the Committee on Ways and Means.

□ 1415

The SPEAKER pro tempore. The resolution presents a question of the privileges of the House.

MOTION TO TABLE OFFERED BY MR. HOYER

Mr. HOYER. Mr. Speaker, I move to table the resolution.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to table will be followed by 5-minute votes on

ordering the previous question on House Resolution 1441, by the yeas and nays; and adoption of House Resolution 1441, if ordered.

The vote was taken by electronic device, and there were—yeas 226, nays 176, answered "present" 11, not voting 20, as follows:

[Roll No. 609]
YEAS—226

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

NAYS—176

Aderholt	Bilbray	Boustany
Akin	Bilirakis	Broun (GA)
Alexander	Bishop (UT)	Brown (SC)
Bachmann	Blackburn	Brown-Waite,
Bachus	Blunt	Ginny
Bartlett (MD)	Boehner	Buchanan
Barton (TX)	Bono Mack	Buyer
Biggert	Boozman	Calvert

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

ANSWERED "PRESENT"—11

Barrett (SC)	Doyle	McCaul (TX)
Bonner	Green, Gene	Roybal-Allard
Burton (IN)	Hastings (WA)	Scott (VA)
Delahunt	Kline (MN)	

NOT VOTING—20

Brady (TX)	Hastings (FL)	Lampson
Burgess	Hulshof	Pence
Conyers	Issa	Pitts
Cubin	Jackson-Lee	Poe
Dreier	(TX)	Renzi
Fossella	Kennedy	Sestak
Grijalva	King (NY)	Snyder

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on this vote.

□ 1436

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

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3036, NO CHILD LEFT INSIDE ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1441, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.