

PINGREE of Maine changed their vote from “yea” to “nay.”

Messrs. YOUNG of Alaska, LEWIS of California, PERRIELLO and SAM JOHNSON of Texas changed their vote from “nay” to “yea.”

So the motion to commit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. SIMPSON. Mr. Speaker, on rollcall No. 51, had I been present, I would have voted “yea.”

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 264, nays 158, not voting 10, as follows:

[Roll No. 52]

YEAS—264

|                |                 |                  |
|----------------|-----------------|------------------|
| Abercrombie    | DeLauro         | Kaptur           |
| Ackerman       | Diaz-Balart, L. | Kennedy          |
| Andrews        | Diaz-Balart, M. | Kildee           |
| Arcuri         | Dicks           | Kilpatrick (MI)  |
| Baca           | Dingell         | Kilroy           |
| Baird          | Doggett         | Kirkpatrick (AZ) |
| Baldwin        | Donnelly (IN)   | Klein (FL)       |
| Barrow         | Doyle           | Kosmas           |
| Bean           | Driehaus        | Kratovil         |
| Becerra        | Duncan          | Kucinich         |
| Berman         | Edwards (MD)    | Langevin         |
| Berry          | Edwards (TX)    | Larson (CT)      |
| Bilirakis      | Ellison         | LaTourette       |
| Bishop (GA)    | Ellsworth       | Lee (CA)         |
| Bishop (NY)    | Emerson         | Levin            |
| Blumenauer     | Engel           | Lewis (GA)       |
| Boccieri       | Eshoo           | Lipinski         |
| Boren          | Etheridge       | LoBiondo         |
| Boswell        | Farr            | Loebsack         |
| Boucher        | Fattah          | Logren, Zoe      |
| Boyd           | Filner          | Lowey            |
| Brady (PA)     | Foster          | Lujan            |
| Braley (IA)    | Frank (MA)      | Lynch            |
| Bright         | Fudge           | Maffei           |
| Brown, Corrine | Giffords        | Maloney          |
| Brown-Waite,   | Gonzalez        | Markey (CO)      |
| Ginny          | Gordon (TN)     | Markey (MA)      |
| Buchanan       | Grayson         | Marshall         |
| Butterfield    | Green, Al       | Massa            |
| Cao            | Green, Gene     | Matheson         |
| Capps          | Griffith        | Matsui           |
| Capuano        | Grijalva        | McCarthy (NY)    |
| Cardoza        | Gutierrez       | McClintock       |
| Carnahan       | Hall (NY)       | McCollum         |
| Carney         | Halvorson       | McDermott        |
| Carson (IN)    | Hare            | McGovern         |
| Chandler       | Harman          | McHugh           |
| Childers       | Hastings (FL)   | McIntyre         |
| Clarke         | Heinrich        | McMahon          |
| Clay           | Herseth Sandlin | McNerney         |
| Cleaver        | Higgins         | Meek (FL)        |
| Clyburn        | Hill            | Meeks (NY)       |
| Cohen          | Himes           | Michaud          |
| Connolly (VA)  | Hinchev         | Miller (NC)      |
| Conyers        | Hinojosa        | Miller, George   |
| Cooper         | Hirono          | Minnick          |
| Costa          | Hodes           | Mitchell         |
| Costello       | Holt            | Mollohan         |
| Courtney       | Honda           | Moore (KS)       |
| Crowley        | Hoyer           | Moore (WI)       |
| Cuellar        | Inslie          | Moran (VA)       |
| Cummings       | Israel          | Murphy (CT)      |
| Dahlkemper     | Jackson (IL)    | Murphy, Patrick  |
| Davis (AL)     | Jackson-Lee     | Murtha           |
| Davis (CA)     | (TX)            | Nadler (NY)      |
| Davis (IL)     | Johnson (GA)    | Napolitano       |
| Davis (TN)     | Johnson, E. B.  | Neal (MA)        |
| DeFazio        | Jones           | Nye              |
| DeGette        | Kagen           | Oberstar         |
| Delahunt       | Kanjorski       | Obey             |

|               |                  |               |
|---------------|------------------|---------------|
| Oliver        | Sánchez, Linda   | Tanner        |
| Ortiz         | T.               | Tauscher      |
| Pallone       | Sanchez, Loretta | Taylor        |
| Pascarell     | Sarbanes         | Teague        |
| Pastor (AZ)   | Schakowsky       | Thompson (CA) |
| Payne         | Schauer          | Thompson (MS) |
| Perriello     | Schiff           | Tierney       |
| Peters        | Schrader         | Titus         |
| Peterson      | Schwartz         | Tonko         |
| Pingree (ME)  | Scott (GA)       | Towns         |
| Polis (CO)    | Scott (VA)       | Tsongas       |
| Pomeroy       | Sensenbrenner    | Turner        |
| Posey         | Serrano          | Van Hollen    |
| Price (NC)    | Sestak           | Velázquez     |
| Rahall        | Shea-Porter      | Visclosky     |
| Rangel        | Sherman          | Wasserman     |
| Reyes         | Shuster          | Schultz       |
| Richardson    | Sires            | Waters        |
| Rodriguez     | Skeltton         | Watson        |
| Roe (TN)      | Slaughter        | Watt          |
| Rogers (AL)   | Smith (NJ)       | Waxman        |
| Rogers (KY)   | Smith (WA)       | Weiner        |
| Ros-Lehtinen  | Snyder           | Welch         |
| Ross          | Solis (CA)       | Wexler        |
| Rothman (NJ)  | Space            | Wilson (OH)   |
| Roybal-Allard | Speier           | Woolsey       |
| Ruppersberger | Spratt           | Wu            |
| Rush          | Stupak           | Yarmuth       |
| Ryan (OH)     | Sullivan         |               |
| Salazar       | Sutton           |               |

NAYS—158

|               |                 |               |
|---------------|-----------------|---------------|
| Adler (NJ)    | Gerlach         | Miller, Gary  |
| Akin          | Gingrey (GA)    | Moran (KS)    |
| Altmire       | Gohmert         | Murphy, Tim   |
| Austria       | Goodlatte       | Myrick        |
| Bachmann      | Granger         | Neugebauer    |
| Bachus        | Graves          | Nunes         |
| Barrett (SC)  | Guthrie         | Olson         |
| Bartlett      | Hall (TX)       | Paulsen       |
| Barton (TX)   | Harper          | Pence         |
| Berkley       | Hastings (WA)   | Perlmutter    |
| Biggert       | Heller          | Petri         |
| Bilbray       | Hensarling      | Pitts         |
| Bishop (UT)   | Herger          | Platts        |
| Blackburn     | Hoekstra        | Poe (TX)      |
| Blunt         | Holden          | Price (GA)    |
| Boehner       | Hunter          | Putnam        |
| Bonner        | Inglis          | Radanovich    |
| Bono Mack     | Issa            | Rehberg       |
| Boozman       | Jenkins         | Reichert      |
| Boustany      | Johnson (IL)    | Rogers (MI)   |
| Brady (TX)    | Johnson, Sam    | Rohrabacher   |
| Broun (GA)    | Jordan (OH)     | Rooney        |
| Brown (SC)    | Kind            | Roskam        |
| Burgess       | King (IA)       | Royce         |
| Burton (IN)   | King (NY)       | Ryan (WI)     |
| Buyer         | Kingston        | Scalise       |
| Calvert       | Kirk            | Schmidt       |
| Camp          | Kline (MN)      | Schock        |
| Cantor        | Lamborn         | Sessions      |
| Capito        | Lance           | Shadegg       |
| Carter        | Larsen (WA)     | Shimkus       |
| Cassidy       | Latham          | Shuler        |
| Castle        | Latta           | Smith (NE)    |
| Chaffetz      | Lee (NY)        | Smith (TX)    |
| Coble         | Lewis (CA)      | Souder        |
| Coffman (CO)  | Linder          | Stearns       |
| Cole          | Lucas           | Terry         |
| Conaway       | Luetkemeyer     | Thompson (PA) |
| Crenshaw      | Lummis          | Thornberry    |
| Culberson     | Lungren, Daniel | Tiahrt        |
| Davis (KY)    | E.              | Tiberi        |
| Deal (GA)     | Mack            | Upton         |
| Dent          | Manzullo        | Walden        |
| Dreier        | Marchant        | Walz          |
| Ehlers        | McCarthy (CA)   | Wamp          |
| Fallin        | McCaul          | Westmoreland  |
| Fleming       | McCotter        | Whitfield     |
| Forbes        | McHenry         | Wilson (SC)   |
| Fortenberry   | McMorris        | Wittman       |
| Fox           | Rodgers         | Wolf          |
| Franks (AZ)   | Melancon        | Young (AK)    |
| Frelinghuysen | Mica            | Young (FL)    |
| Galleghy      | Miller (FL)     |               |
| Garrett (NJ)  | Miller (MI)     |               |

NOT VOTING—10

|             |         |         |
|-------------|---------|---------|
| Aderholt    | Flake   | Simpson |
| Alexander   | Kissell | Stark   |
| Campbell    | McKeon  |         |
| Castor (FL) | Paul    |         |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1612

Ms. FOXX changed her vote from “yea” to “nay.”

So the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PETRI. Mr. Speaker, on rollcall No. 52, I inadvertently voted “nay.” I would like the RECORD to show that I meant to vote “yea.”

Stated against:

Mr. SIMPSON. Mr. Speaker, on rollcall No. 52, had I been present, I would have voted “nay.”

DEATH IN CUSTODY REPORTING ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 738.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 738.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 1, not voting 24, as follows:

[Roll No. 53]

YEAS—407

|              |                |                 |
|--------------|----------------|-----------------|
| Abercrombie  | Brady (PA)     | Costa           |
| Ackerman     | Brady (TX)     | Costello        |
| Adler (NJ)   | Braley (IA)    | Courtney        |
| Akin         | Bright         | Crenshaw        |
| Altmire      | Brown (SC)     | Crowley         |
| Andrews      | Brown, Corrine | Cuellar         |
| Arcuri       | Brown-Waite,   | Culberson       |
| Austria      | Ginny          | Cummings        |
| Baca         | Buchanan       | Dahlkemper      |
| Bachmann     | Burgess        | Davis (AL)      |
| Bachus       | Burton (IN)    | Davis (CA)      |
| Baird        | Butterfield    | Davis (IL)      |
| Baldwin      | Buyer          | Davis (KY)      |
| Barrett (SC) | Camp           | Davis (TN)      |
| Barrow       | Cantor         | Deal (GA)       |
| Bartlett     | Cao            | DeFazio         |
| Barton (TX)  | Capito         | DeGette         |
| Bean         | Capps          | Delahunt        |
| Becerra      | Capuano        | DeLauro         |
| Berkley      | Cardoza        | Dent            |
| Berman       | Carnahan       | Diaz-Balart, L. |
| Berry        | Carney         | Diaz-Balart, M. |
| Biggert      | Carson (IN)    | Dicks           |
| Bilbray      | Carter         | Dingell         |
| Bilirakis    | Cassidy        | Doggett         |
| Bishop (GA)  | Castle         | Donnelly (IN)   |
| Bishop (NY)  | Chaffetz       | Doyle           |
| Bishop (UT)  | Chandler       | Dreier          |
| Blackburn    | Childers       | Driehaus        |
| Blumenauer   | Clarke         | Duncan          |
| Blunt        | Clay           | Edwards (MD)    |
| Boccieri     | Cleaver        | Edwards (TX)    |
| Boehner      | Clyburn        | Ehlers          |
| Bonner       | Coble          | Ellison         |
| Bono Mack    | Coffman (CO)   | Emerson         |
| Boozman      | Cohen          | Engel           |
| Boren        | Cole           | Eshoo           |
| Boswell      | Conaway        | Etheridge       |
| Boucher      | Connolly (VA)  | Fallin          |
| Boustany     | Conyers        | Farr            |
| Boyd         | Cooper         | Fattah          |

Filner  
Fleming  
Forbes  
Fortenberry  
Foster  
Foxx  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Garrett (NJ)  
Gerlach  
Giffords  
Gingrey (GA)  
Gohmert  
Gonzalez  
Goodlatte  
Gordon (TN)  
Granger  
Graves  
Grayson  
Green, Al  
Green, Gene  
Griffith  
Grijalva  
Guthrie  
Gutierrez  
Hall (NY)  
Hall (TX)  
Halvorson  
Hare  
Harman  
Harper  
Hastings (FL)  
Hastings (WA)  
Heinrich  
Heller  
Hensarling  
Herger  
Herseht Sandlin  
Higgins  
Hill  
Himes  
Hinchoy  
Hinojosa  
Hirono  
Hodes  
Hoekstra  
Holden  
Holt  
Honda  
Hoyer  
Hunter  
Inglis  
Insee  
Israel  
Issa  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Jordan (OH)  
Kagen  
Kanjorski  
Kaptur  
Kennedy  
Kildee  
Kilpatrick (MI)  
Kilroy  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kirkpatrick (AZ)  
Klein (FL)  
Kline (MN)  
Kosmas  
Kratovil  
Kucinich  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Latham  
LaTourette  
Latta  
Lee (CA)  
Lee (NY)  
Levin  
Lewis (CA)  
Lewis (GA)

Linder  
Lipinski  
LoBiondo  
Loeb  
Lofgren, Zoe  
Lowey  
Lucas  
Luetkemeyer  
Luján  
Lummis  
Lungren, Daniel  
E.  
Lynch  
Mack  
Maffei  
Maloney  
Manzullo  
Marchant  
Markey (CO)  
Markey (MA)  
Marshall  
Massa  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McCollum  
McCotter  
McDermott  
McGovern  
McHenry  
McHugh  
McIntyre  
McMahon  
McMorris  
Rodgers  
McNerney  
Meek (FL)  
Meeks (NY)  
Melancon  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, George  
Minnick  
Mitchell  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Myrick  
Nadler (NY)  
Napolitano  
Neal (MA)  
Neugebauer  
Nunes  
Nye  
Oberstar  
Obey  
Olson  
Olver  
Ortiz  
Pallone  
Pascarella  
Pastor (AZ)  
Paulsen  
Payne  
Pence  
Perlmutter  
Perriello  
Peters  
Petri  
Pingree (ME)  
Pitts  
Platts  
Poe (TX)  
Polis (CO)  
Pomeroy  
Posey  
Price (GA)  
Price (NC)  
Putnam  
Rahall  
Rehberg  
Reichert  
Richardson  
Rodriguez  
Roe (TN)  
Rogers (AL)

Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothman (NJ)  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Salazar  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Scalise  
Schakowsky  
Schauer  
Schiff  
Schmidt  
Schock  
Schrader  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Sestak  
Shadegg  
Shea-Porter  
Sherman  
Shimkus  
Shuler  
Shuster  
Sires  
Skelton  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Snyder  
Solis (CA)  
Souder  
Space  
Speier  
Spratt  
Stearns  
Stupak  
Sullivan  
Sutton  
Tanner  
Tauscher  
Taylor  
Teague  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tierney  
Titus  
Tonko  
Townsend  
Tsongas  
Turner  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walden  
Walz  
Wamp  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch  
Westmoreland  
Wexler  
Whitfield  
Wilson (OH)  
Wilson (SC)  
Wittman  
Wolf  
Woolsey  
Wu  
Yarmuth  
Young (AK)  
Young (FL)

## NAYS—1

Ellsworth  
NOT VOTING—24

Aderholt  
Alexander  
Broun (GA)  
Calvert  
Campbell  
Castor (FL)  
Flake  
Gallegly

Kissell  
Larson (CT)  
McKeon  
Miller, Gary  
Mollohan  
Paul  
Peterson  
Radanovich

Rangel  
Reyes  
Schwartz  
Simpson  
Slaughter  
Smith (WA)  
Stark  
Tiahrt

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1619

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SIMPSON. Mr. Speaker, on rollcall No. 53, had I been present, I would have voted "yea."

NOTICE OF INTENTION TO OFFER  
RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. CARTER. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

Whereas, the gentleman from New York, Charles B. Rangel, the fourth most senior Member of the House of Representatives, serves as chairman of the House Ways and Means Committee, a position of considerable power and influence within the House of Representatives; and,

Whereas, clause one of rule 23 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, 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."; and,

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; and,

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."; and,

Whereas, clause 5(a)(2)(A) of House Rule 25 defines a gift as, ". . . a gratuity, favor, dis-

count, entertainment, hospitality, loan, forbearance, or other item having monetary value" and prohibits the acceptance of such gifts except in limited circumstances; and,

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

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

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; and,

Whereas, the Committee on Ways and Means, which Representative Rangel chairs, has jurisdiction over the United States Tax Code; and,

Whereas, the House Committee on Standards of Official Conduct first announced on July 31, 2008 that it was reviewing allegations of misconduct by Representative Rangel; and,

Whereas, the House Committee on Standards of Official Conduct announced on September 24, 2008 that it had established an investigative subcommittee in the matter of Representative Rangel; and,

Whereas, The New York Times reported on November 24, 2008 that, "Congressional records and interviews show that Mr. Rangel was instrumental in preserving a lucrative tax loophole that benefited [Nabors Industries] an oil drilling company last year, while at the same time its chief executive was pledging \$1 million to the Charles B. Rangel School of Public Service at C.C.N.Y."; and,

Whereas, the House Committee on Standards of Official Conduct announced on December 9, 2008 that it had expanded the jurisdiction of the aforementioned investigative subcommittee to examine the allegations related to Representative Rangel's involvement with Nabors Industries; and,

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."; and,

Whereas, Roll Call newspaper reported on September 16, 2008 that, "Rangel said he would hire a forensic accountant to review all of his disclosure forms going back 20 years, and to provide a report to the House Committee on Standards of Official Conduct, which Rangel said will then make public."; and,

Whereas, nearly five months after Representative Rangel pledged to provide a public forensic accounting of his tax and federal financial disclosure records, he has failed to do so; and,

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."; and,

Whereas, on May 24, 2006, then Minority Leader 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.

Whereas, by the conduct giving rise to this resolution, Representative Charles B. Rangel has dishonored himself and brought discredit to the House; and,