

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELAZQUEZ) that the House suspend the rules and pass the bill, H.R. 1834, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 343, nays 55, not voting 36, as follows:

[Roll No. 910]

YEAS—343

Abercrombie	DeFazio	Kissell
Ackerman	DeGette	Klein (FL)
Aderholt	DeLauro	Kline (MN)
Adler (NJ)	Dent	Kosmas
Alexander	Diaz-Balart, L.	Kratovil
Altmire	Diaz-Balart, M.	Kucinich
Andrews	Dicks	Lance
Arcuri	Dingell	Langevin
Austria	Doggett	Larsen (WA)
Baca	Donnelly (IN)	Larsen (CT)
Bachus	Dreier	Latham
Baird	Driehaus	LaTourette
Baldwin	Edwards (MD)	Lee (CA)
Barrett (SC)	Edwards (TX)	Lee (NY)
Barrow	Ehlers	Levin
Bean	Ellsworth	Lewis (CA)
Becerra	Emerson	Lewis (GA)
Berkley	Engel	Lipinski
Berman	Eshoo	LoBiondo
Biggart	Etheridge	Loeb
Bilbray	Farr	Loftgren, Zoe
Bilirakis	Fattah	Lowe
Bishop (GA)	Filner	Lucas
Bishop (NY)	Fleming	Luetkemeyer
Bishop (UT)	Forbes	Lujan
Blumenauer	Fortenberry	Lungren, Daniel
Blunt	Foster	E.
Bocchieri	Frank (MA)	Lynch
Bonner	Frelinghuysen	Mack
Bono Mack	Fudge	Maffei
Boozman	Garamendi	Maloney
Boren	Gerlach	Markey (CO)
Boucher	Giffords	Markey (MA)
Boustany	Gohmert	Marshall
Brady (PA)	Gonzalez	Massa
Brady (TX)	Gordon (TN)	Matheson
Bralley (IA)	Graves	Matsui
Bright	Grayson	McCarthy (CA)
Brown, Corrine	Green, Al	McCarthy (NY)
Buchanan	Green, Gene	McCollum
Burgess	Griffith	McCotter
Butterfield	Grijalva	McDermott
Buyer	Guthrie	McGovern
Calvert	Hall (NY)	McHenry
Camp	Hall (TX)	McIntyre
Cantor	Halvorson	McKeon
Cao	Hare	McMahon
Capito	Harman	McMorris
Capps	Hastings (FL)	Rodgers
Capuano	Heinrich	McNerney
Cardoza	Heller	Meek (FL)
Carnahan	Herseth Sandlin	Michaud
Carney	Higgins	Miller (MI)
Cassidy	Hill	Miller (NC)
Castle	Himes	Minnick
Castor (FL)	Hinojosa	Mitchell
Chaffetz	Hirono	Mollohan
Chandler	Hodes	Moore (KS)
Childers	Hoekstra	Moore (WI)
Chu	Holden	Moran (VA)
Clarke	Holt	Murphy (CT)
Clay	Honda	Murphy (NY)
Cleaver	Hoyer	Murphy, Patrick
Clyburn	Hunter	Murphy, Tim
Coffman (CO)	Insee	Murtha
Cohen	Israel	Myrick
Cole	Issa	Napolitano
Connolly (VA)	Jackson (IL)	Neal (MA)
Conyers	Jenkins	Nye
Cooper	Johnson (GA)	Oberstar
Costa	Johnson (IL)	Obey
Costello	Johnson, Sam	Olson
Courtney	Jones	Olver
Crenshaw	Kagen	Ortiz
Crowley	Kanjorski	Owens
Cuellar	Kaptur	Pallone
Cummings	Kennedy	Pastor (AZ)
Dahlkemper	Kildee	Paulsen
Davis (AL)	Kilpatrick (MI)	Perlmutter
Davis (CA)	Kilroy	Peters
Davis (IL)	Kind	Peterson
Davis (KY)	King (NY)	Petri
Davis (TN)	Kirk	Pingree (ME)
Deal (GA)	Kirkpatrick (AZ)	Platts

Polis (CO)	Schock	Thompson (CA)
Pomeroy	Schrader	Thompson (MS)
Price (NC)	Schwartz	Thompson (PA)
Quigley	Scott (GA)	Tiberi
Radanovich	Scott (VA)	Tierney
Rahall	Sensenbrenner	Titus
Rehberg	Serrano	Tonko
Reichert	Sessions	Towns
Reyes	Sestak	Tsongas
Richardson	Shea-Porter	Turner
Rodriguez	Sherman	Upton
Roe (TN)	Shuler	Van Hollen
Rogers (AL)	Shuster	Velazquez
Rogers (KY)	Simpson	Visclosky
Rogers (MI)	Sires	Walden
Rooney	Skelton	Walz
Roskam	Slaughter	Wasserman
Rothman (NJ)	Smith (NE)	Schultz
Roybal-Allard	Smith (NJ)	Waters
Ruppersberger	Smith (TX)	Watson
Rush	Smith (WA)	Watt
Ryan (OH)	Space	Waxman
Ryan (WI)	Speier	Weiner
Salazar	Spratt	Wexler
Sanchez, Linda	Stark	Wilson (OH)
T.	Stupak	Wilson (SC)
Sanchez, Loretta	Sullivan	Wittman
Sarbanes	Sutton	Woolsey
Schakowsky	Tanner	Wu
Schauer	Taylor	Yarmuth
Schiff	Teague	Young (AK)
Schmidt	Terry	

NAYS—55

Akin	Harper	Pence
Bachmann	Hensarling	Pitts
Bartlett	Herger	Poe (TX)
Barton (TX)	Inglis	Posey
Boehner	Jordan (OH)	Price (GA)
Broun (GA)	King (IA)	Putnam
Brown-Waite,	Kingston	Rohrabacher
Ginny	Lamborn	Royce
Burton (IN)	Latta	Scalise
Campbell	Linder	Shadegg
Coble	Lummis	Shimkus
Conaway	Manzullo	Souder
Culberson	Marchant	Stearns
Duncan	McClintock	Thornberry
Foxx	Mica	Tiahrt
Garrett (NJ)	Miller (FL)	Westmoreland
Gingrey (GA)	Moran (KS)	Whitfield
Goodlatte	Neugebauer	Wolf
Granger	Paul	

NOT VOTING—36

Berry	Gallegly	Nunes
Blackburn	Gutierrez	Pascrell
Boswell	Hastings (WA)	Payne
Boyd	Hinchee	Perriello
Brown (SC)	Jackson-Lee	Rangel
Carson (IN)	(TX)	Ros-Lehtinen
Carter	Johnson, E. B.	Ross
Delahunt	McCauley	Snyder
Doyle	Meeke (NY)	Wamp
Ellison	Melancon	Welch
Fallin	Miller, Gary	Young (FL)
Flake	Miller, George	
Franks (AZ)	Nadler (NY)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SCHRADER) (during the vote). There are 2 minutes remaining in this vote.

□ 1637

Messrs. BOOZMAN and COFFMAN of Colorado changed their vote from “nay” to “yea.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. GEORGE MILLER of California. Mr. Speaker, I was unavoidably absent for medial reasons today, and missed recorded votes on the House floor.

Had I been present, I would have voted in the following manner: “Yes” on rollcall No. 902 on ordering the previous question; “yes”

on rollcall No. 903 on agreeing to the resolution; “yes” on rollcall No. 904 on Passage of the Reserve Officers Association Modernization Act of 2009; “yes” on rollcall No. 905 on Passage of H.R. 2781; “yes” on rollcall No. 906 on Passage of H. Con. Res. 212; “yes” on rollcall No. 907 on the Motion to Table the Appeal of the Ruling of the Chair; “no” on rollcall No. 908 on the Motion to Recommit H.R. 3961; “yes” on rollcall No. 909 on Passage of H.R. 3961 the Medicare Physician Payment Reform Act of 2009; and “yes” on rollcall No. 910 on Passage of H.R. 1834, the Native American Business Development Enhancement Act of 2009

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3904

Mr. LOEBSACK. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 3904.

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

There was no objection.

#### PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, I was absent on November 17 and November 18 because of official business in my district dealing with the honoring of a former President and as well the launch. Had I been present for S. 1314, I would have voted “aye”; for H.R. 3539 I would have voted “aye”; for H.R. 3767 I would have voted “aye”; for H.R. 3360 I would have voted “aye”; for H. Res. 841 I would have voted “aye”; and for H. Res. 891 I would have voted “aye.”

#### SUPPORTING THE OBSERVANCE OF NATIONAL DIABETES MONTH

Mrs. CAPPs. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce be discharged from further consideration of House Resolution 914 and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 914

Whereas there are nearly 24,000,000 people in the United States with diabetes and 57,000,000 with pre-diabetes;

Whereas diabetes contributed to the deaths of over 300,000 people in the United States in 2007, making diabetes the seventh leading cause of death;

Whereas every minute, 3 people are diagnosed with diabetes;

Whereas each day approximately 4,384 people are diagnosed with diabetes and approximately 1,600,000 new cases of diabetes were diagnosed in people 20 years or older in 2007;

Whereas between 1990 and 2001, diabetes prevalence in the United States increased by more than 60 percent;

Whereas over 24 percent of diabetes is undiagnosed, down from 30 percent in 2005 and 50 percent 10 years ago;

Whereas over 10 percent of adults and nearly a quarter (23.1 percent) of people in the United States age 60 and older have diabetes;

Whereas diabetes is a serious chronic condition that affects people of every age, race, income level, and ethnicity;

Whereas Hispanic, African, Asian, Pacific Islanders, and Native Americans are disproportionately affected by diabetes and suffer at rates much higher than the general population;

Whereas 15,000 youth in the United States are diagnosed with type 1 diabetes annually and about 3,700 youth are diagnosed with type 2 diabetes annually;

Whereas 1 in 3 people in the United States born in the year 2000 will develop diabetes in their lifetime, this statistic grows to nearly 1 in 2 for minority populations;

Whereas diabetes costs the United States an estimated \$174,000,000,000 in 2007 and \$1 in every \$10 spent on health care is attributed to diabetes and its complications;

Whereas approximately \$1 out of every \$4 Medicare dollars is spent on the care of people with diabetes;

Whereas every day 230 people with diabetes undergo an amputation, 120 people enter end-stage kidney disease programs, and 55 people go blind from diabetes;

Whereas there is not yet a cure for diabetes;

Whereas there are proven means to reduce the incidence of and delay the onset of type 2 diabetes;

Whereas people with diabetes live healthy, productive lives with the proper management and treatment; and

Whereas National Diabetes Month is celebrated in November: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) supports the goals and ideals of National Diabetes Month, including encouraging people in the United States to fight diabetes through raising public awareness about stopping diabetes and increasing education about the disease;

(2) recognizes the importance of early detection, awareness of the symptoms of diabetes, and the risk factors for type II diabetes, which include being over the age of 45, coming from certain ethnic backgrounds, being overweight, having a low physical activity level, high blood pressure, and a family history of diabetes or a history of diabetes during pregnancy; and

(3) supports decreasing the prevalence of diabetes, developing better treatments, and working toward an eventual cure for type I and type II diabetes through increased research, treatment and prevention.

Ms. SHEA-PORTER. Mr. Speaker, I rise today in strong support of H. Res. 914, recognizing November as National Diabetes Awareness Month. I would also like to thank Congresswoman DEGETTE for sponsoring this resolution.

Because someone in my family has diabetes, I know how awful it is. Diabetes affects nearly 24 million adults and children nationwide. Even more frightening is the fact that an additional 57 million more are at risk for Type II diabetes. According to the New Hampshire Department of Health and Human Services, diabetes is currently the 7th leading cause of death in New Hampshire. Approximately 7.2 percent of the population between 18–64 years of age have been diagnosed with diabetes.

We need to increase awareness about this epidemic. Not only is it a health issue, but it is a financial issue. Diabetes treatment costs total \$174 billion a year in this country. If we

place emphasis on prevention, we can drastically reduce these costs.

We must be more aggressive in preventing, diagnosing, and treating this disease. We also must continue striving for a cure.

Raising awareness and increasing funding to tackle the root of the problem is essential. As a proud cosponsor of this resolution, I urge my colleagues to join me in supporting the fight against diabetes.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mrs. CAPPS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on House Resolution 914.

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

There was no objection.

#### TERMS OF SERVICE IN THE OFFICE OF COMPLIANCE

Mrs. DAVIS of California. Mr. Speaker, I ask unanimous consent to discharge the Committee on House Administration from further consideration of the bill (S. 1860) to permit each current member of the Board of Directors of the Office of Compliance to serve for 3 terms, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

S. 1860

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

#### SECTION 1. ADDITIONAL TERM FOR MEMBERS OF BOARD OF DIRECTORS OF OFFICE OF COMPLIANCE.

Notwithstanding the second sentence of section 301(e)(1) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(e)(1)), any individual serving as a member of the Board of Directors of the Office of Compliance as of September 30, 2009, may serve for 3 terms.

Mrs. DAVIS of California. Mr. Speaker, the statute we are amending limits the terms of the current Board of Directors of the Office of Compliance to two consecutive five year terms. The Board consists of five legal practitioners from around the country, each of whom is an expert in labor and employment matters. They were originally appointed in 1999 and 2000, and reappointed to second terms in 2004 and 2005. The terms of three Board members expired last month, and the terms of the remaining two Board members will expire this coming May. The Congressional Accountability Act does not allow for holdovers, so the current Board has already lost its quorum.

The Government Accountability Office (GAO) found in 2004 that term limits for Board members caused a loss of leadership, and negatively impacted the Office's continuity of

operations. To avoid that negative impact, the Committee proposes to amend the law to allow the current Board to serve for an additional term.

This particular Board has demonstrated extraordinary productivity and balance in its handling of multiple cases, and its issuance of a number of substantive regulations. The current Board operates collegially, and appreciates the operating environment in which they perform their responsibilities. Over the last decade, the Board has met its statutory mandate without cause for concern from the Congress. The Board has been a neutral body, committed to advancing safety, health, and workplace rights, while working with the Congress to promulgate regulations that reflect the unique nature of the Legislative Branch.

The Congress amended the Congressional Accountability Act five years ago to allow for a second term. The GAO's 2004 report on the operations of the Board noted that, in comparable administrative regulatory agencies, such as the Equal Employment Opportunity Commission, the Federal Labor Relations Board, and the National Labor Relations Board, there were no limitations on board members serving consecutive terms.

The Board members have provided an excellent balance, and unnecessary change to the composition of this Board creates a risk of loss of such balance. The Committee therefore recommends that the term limits for the current Board members be extended by an additional five year term. By enacting S. 1860, we will accomplish this purpose.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mrs. DAVIS of California. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks in the RECORD on S. 1860.

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

There was no objection.

#### CONDITIONAL ADJOURNMENT TO MONDAY, NOVEMBER 23, 2009

Mrs. DAVIS of California. Mr. Speaker, I ask unanimous consent that when the House adjourns today on a motion offered pursuant to this order, it adjourn to meet at 3 p.m. on Monday, November 23, 2009, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 214, in which case the House shall stand adjourned pursuant to that concurrent resolution.

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

There was no objection.

#### CONGRATULATING SCHENECTADY COUNTY COMMUNITY COLLEGE ON ITS 40TH ANNIVERSARY

(Mr. TONKO asked and was given permission to address the House for 1