

[Roll No. 925]

AYES—250

Abercrombie Harman
Ackerman Hastings (FL)
Andrews Heinrich
Baca Heller
Baird Herseth Sandlin
Baldwin Higgins
Bean Hill
Becerra Himes
Berkley Hinchey
Berman Hinojosa
Berry Hirono
Biggert Hodes
Bilbray Holden
Bishop (GA) Holt
Bishop (NY) Honda
Blackburn Hoyer
Blumenauer Inslee
Boren Israel
Boswell Jackson (IL)
Boucher Jackson-Lee
Boyd (TX)
Brady (PA) Johnson (GA)
Braley (IA) Johnson (IL)
Brown, Corrine Johnson, E. B.
Butterfield Kagen
Capito Kanjorski
Capps Kaptur
Cardoza Kennedy
Carnahan Kildee
Carney Kilpatrick (MI)
Carson (IN) Kind
Castle Kirk
Castor (FL) Kissell
Chaffetz Klein (FL)
Chandler Kosmas
Childers Kratovil
Chu Kucinich
Clarke Lance
Clay Langevin
Clever Larsen (WA)
Clyburn Larson (CT)
Cohen Latham
Conyers Lee (CA)
Cooper Levin
Costello Lewis (GA)
Courtney Lipinski
Crowley Loebsock
Cuellar Lofgren, Zoe
Cummings Lowey
Davis (AL) Luetkemeyer
Davis (CA) Luján
Davis (IL) Lynch
Davis (TN) Mack
DeFazio Maffei
DeGette Maloney
Delahunt Markey (MA)
DeLauro Massa
Dent Matheson
Dicks Matsui
Dingell McCarthy (NY)
Doggett McClintock
Doyle McCollum
Driehaus McCotter
Edwards (MD) McDermott
Edwards (TX) McIntyre
Ellison McMahon
Ellsworth McNerney
Engel Meek (FL)
Eshoo Meeks (NY)
Etheridge Michaud
Farr Miller (NC)
Fattah Miller, George
Filner Mollohan
Foster Moore (KS)
Frank (MA) Moore (WI)
Fudge Murphy (CT)
Garamendi Murphy (NY)
Goodlatte Murphy, Patrick
Grayson Murtha
Green, Al Nadler (NY)
Griffith Napolitano
Grijalva Neal (MA)
Gutierrez Oberstar
Hall (NY) Obey
Hare Oliver

NOES—169

Aderholt Barrett (SC)
Adler (NJ) Bartlett
Akin Barton (TX)
Alexander Bilirakis
Altmire Blunt
Arcuri Boccieri
Austria Boehner
Bachmann Bonner
Bachus Bono Mack

Burton (IN) Hunter
Buyer Inglis
Calvert Issa
Camp Jenkins
Campbell Johnson, Sam
Cao Jones
Carter Jordan (OH)
Cassidy Kilroy
Coble King (IA)
Coffman (CO) King (NY)
Cole Kingston
Conaway Kirkpatrick (AZ)
Connolly (VA) Kline (MN)
Costa Lamborn
Crenshaw LaTourette
Culberson Latta
Dahlkemper Lee (NY)
Davis (KY) Lewis (CA)
Deal (GA) Linder
Diaz-Balart, L. LoBiondo
Diaz-Balart, M. Lummis
Donnelly (IN) Lungren, Daniel
Dreier E.
Duncan Manullo
Ehlers Marchant
Emerson Markey (CO)
Fallin Marshall
Flake McCarthy (CA)
Fleming McCarly
Forbes McHenry
Fortenberry McKee
Foxy McMorris
Franks (AZ) Rodgers
Frelinghuysen Mica
Gallegly Miller (FL)
Garrett (NJ) Miller (MI)
Gerlach Miller, Gary
Giffords Minnick
Gingrey (GA) Mitchell
Granger Moran (KS)
Graves Murphy, Tim
Guthrie Myrick
Hall (TX) Neugebauer
Halvorson Nunes
Harper Nye
Hastings (WA) Olson
Hensarling Pence
Herger Perriello
Hoekstra Platts

ANSWERED "PRESENT"—1

NOT VOTING—14

Barrow
Bishop (UT)
Burgess
Cantor
Capuano
Gonzalez
Gordon (TN)
Green, Gene
Lucas
McGovern

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1208

Ms. KILROY and Mr. ADLER of New Jersey changed their vote from "aye" to "no."

So the Journal was approved.
The result of the vote was announced as above recorded.

ENHANCING SECURITY TO RAIL AND MASS TRANSIT LINES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 28, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON-LEE) that the House suspend the rules and agree to the resolution, H. Res. 28, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 3, not voting 14, as follows:

[Roll No. 926]

YEAS—417

Abercrombie Dahlkemper Jackson-Lee
Ackerman Davis (AL) (TX)
Aderholt Davis (CA)
Adler (NJ) Davis (IL)
Akin Davis (KY)
Alexander Davis (TN)
Altmire Deal (GA)
Andrews DeFazio
Arcuri DeGette
Austria Delahunt
Baca DeLauro
Bachmann Dent
Bachus Diaz-Balart, L.
Baird Diaz-Balart, M.
Baldwin Dicks
Barrett (SC) Dingell
Bartlett Doggett
Barton (TX) Donnelly (IN)
Bean Doyle
Becerra Dreier
Berkley Driehaus
Berman Duncan
Berry Edwards (MD)
Biggert Edwards (TX)
Bilbray Ehlers
Bilirakis Ellison
Bishop (GA) Ellsworth
Bishop (NY) Emerson
Blackburn Engel
Blumenauer Eshoo
Blunt Etheridge
Boccieri Fallin
Boehner Farr
Bonner Fattah
Bono Mack Filner
Boozman Fleming
Boren Forbes
Boswell Fortenberry
Boucher Foster
Boustany Foy
Boyd Frank (MA)
Brady (PA) Franks (AZ)
Brady (TX) Frelinghuysen
Braley (IA) Fudge
Bright Gallegly
Broun (GA) Garamendi
Brown (SC) Garrett (NJ)
Brown, Corrine Gerlach
Brown-Waite, Giffords
Ginny Gingrey (GA)
Buchanan Gohmert
Burton (IN) Goodlatte
Butterfield Granger
Buyer Graves
Calvert Grayson
Camp Green, Al
Campbell Green, Gene
Cantor Griffith
Cao Grijalva
Capito Guthrie
Capps Gutierrez
Cardoza Hall (NY)
Carney Hall (TX)
Carson (IN) Halvorson
Carter Hare
Cassidy Harman
Castle Harper
Castor (FL) Hastings (FL)
Chaffetz Hastings (WA)
Chandler Heinrich
Childers Heller
Chu Hensarling
Clarke Herger
Clay Herseth Sandlin
Clever Higgins
Clyburn Hill
Coble Himes
Coffman (CO) Hinchey
Cohen Hinojosa
Cole Mica
Conaway Hodes
Connolly (VA) Hoekstra
Conyers Holden
Cooper Holt
Costello Honda
Courtney Hoyer
Crenshaw Hunter
Crowley Inglis
Cuellar Inslee
Cummings Israel
Jackson (IL) Issa

Murphy (CT)	Rogers (KY)	Speier
Murphy (NY)	Rogers (MI)	Spratt
Murphy, Patrick	Rohrabacher	Stark
Murphy, Tim	Ros-Lehtinen	Stearns
Murtha	Roskam	Stupak
Myrick	Ross	Sullivan
Nadler (NY)	Rothman (NJ)	Sutton
Napolitano	Roybal-Allard	Tanner
Neal (MA)	Royce	Taylor
Neugebauer	Ruppersberger	Teague
Nunes	Rush	Terry
Nye	Ryan (OH)	Thompson (CA)
Oberstar	Ryan (WI)	Thompson (MS)
Obey	Salazar	Thompson (PA)
Olson	Sánchez, Linda	Thornberry
Olver	T.	Tiahrt
Ortiz	Sanchez, Loretta	Tiberi
Owens	Sarbanes	Tierney
Pallone	Scalise	Titus
Pascrell	Schakowsky	Tonko
Pastor (AZ)	Schauer	Towns
Paulsen	Schiff	Tsongas
Payne	Schmidt	Turner
Pence	Schock	Upton
Perlmutter	Schrader	Van Hollen
Perriello	Schwartz	Velázquez
Peters	Scott (GA)	Visclosky
Peterson	Scott (VA)	Walden
Petri	Sensenbrenner	Walz
Pingree (ME)	Serrano	Wamp
Pitts	Sessions	Wasserman
Platts	Sestak	Schultz
Poe (TX)	Shadegg	Waters
Polis (CO)	Shea-Porter	Watson
Pomeroy	Sherman	Watt
Posey	Shimkus	Waxman
Price (NC)	Shuler	Weiner
Putnam	Shuster	Welch
Quigley	Simpson	Westmoreland
Radanovich	Sires	Wexler
Rahall	Skelton	Whitfield
Rangel	Slaughter	Wilson (OH)
Rehberg	Smith (NE)	Wilson (SC)
Reichert	Smith (NJ)	Wittman
Reyes	Smith (TX)	Wolf
Richardson	Smith (WA)	Woolsey
Rodriguez	Snyder	Wu
Roe (TN)	Souder	Yarmuth
Rogers (AL)	Space	Young (FL)

NAYS—3

Flake Lummis Paul

NOT VOTING—14

Barrow	Gonzalez	Moran (VA)
Bishop (UT)	Gordon (TN)	Price (GA)
Burgess	Lucas	Rooney
Capuano	McGovern	Young (AK)
Carnahan	Melancon	

□ 1215

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.

The title was amended so as to read: "Resolution expressing the sense of the House of Representatives that the Transportation Security Administration should, in accordance with the congressional mandate provided for in the Implementing Recommendations of the 9/11 Commission Act of 2007 as well as other statutes, enhance security against terrorist attack and other security threats to our Nation's rail and mass transit systems and other modes of surface transportation."

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1880

Mr. CLAY. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1880.

The SPEAKER pro tempore (Mr. PAS- TOR of Arizona). Is there objection to the request of the gentleman from Mis- souri?

There was no objection.

PERMANENT ESTATE TAX RELIEF FOR FAMILIES, FARMERS, AND SMALL BUSINESSES ACT OF 2009

Mr. RANGEL. Mr. Speaker, pursuant to House Resolution 941, I call up the bill (H.R. 4154) to amend the Internal Revenue Code of 1986 to repeal the new carryover basis rules in order to prevent tax increases and the imposition of compliance burdens on many more estates than would benefit from repeal, to retain the estate tax with a \$3,500,000 exemption, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 941, the bill is considered read.

The text of the bill is as follows:

H.R. 4154

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 "Permanent Estate Tax Relief for Families, Farmers, and Small Businesses Act of 2009".

SEC. 2. RETENTION OF ESTATE TAX; REPEAL OF CARRYOVER BASIS.

(a) IN GENERAL.—Subtitles A and E of title V of the Economic Growth and Tax Relief Reconciliation Act of 2001, and the amendments made by such subtitles, are hereby repealed; and the Internal Revenue Code of 1986 shall be applied as if such subtitles, and amendments, had never been enacted.

(b) SUNSET NOT TO APPLY.—Section 901 of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall not apply to title V of such Act.

(c) CONFORMING AMENDMENTS.—

(1) Sections 511(d) and 521(b)(2) of the Economic Growth and Tax Relief Reconciliation Act of 2001, and the amendments made by such sections, are hereby repealed; and the Internal Revenue Code of 1986 shall be applied as if such sections, and amendments, had never been enacted.

(2) Subsection (c) of section 2511 of the Internal Revenue Code of 1986 is hereby repealed.

SEC. 3. MODIFICATIONS TO ESTATE AND GIFT TAXES.

(a) \$3,500,000 APPLICABLE EXCLUSION AMOUNT.—Subsection (c) of section 2010 of the Internal Revenue Code of 1986 (relating to applicable credit amount) is amended by striking all that follows "the applicable exclusion amount" and inserting ". For purposes of the preceding sentence, the applicable exclusion amount is \$3,500,000."

(b) FREEZE MAXIMUM ESTATE AND GIFT TAX RATES AT 45 PERCENT.—Subsection (c) of section 2001 of such Code is amended—

(1) by striking paragraph (2),

(2) by striking so much of paragraph (1) as precedes the table contained therein, and

(3) by striking the last 2 items in the table and inserting the following new item:

"Over	\$555,800,	plus 45 percent of
\$1,500,000.		the excess of such amount
		over \$1,500,000."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying, and gifts made, after December 31, 2009.

The SPEAKER pro tempore. The gentleman from New York (Mr. RANGEL)

and the gentleman from Michigan (Mr. CAMP) each will control 30 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. RANGEL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous material in the RECORD.

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

There was no objection.

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

I, along with Ways and Means Ranking Member DAVID CAMP, have asked the nonpartisan Joint Committee on Taxation to make available to the public a technical explanation of the bill. The technical explanation expresses the committee's understanding and the legislative intent behind this important legislation. It is available on the Joint Committee's Web site at www.jct.gov and is listed under document No. JCX-57-09.

Mr. Speaker, I rise in support of H.R. 4154, a bill that would provide permanent, responsible estate tax relief to taxpayers.

This is a rough time for us in this great country in terms of joblessness, hopelessness. And the Congress has to work together as one unit with the President in order to restore confidence among the millions of people that today find themselves without jobs. In order to do this, we have to work at everything that we can to make certain that those that are in the position to create jobs that we give them the tools to work with so that we can get people off the unemployment lines and back into business.

Members of Congress hear every day from their constituents how difficult it is to keep up with the current state of our tax laws as a result of the temporary nature of so many provisions in the Internal Revenue Code. So not only is there an argument in terms of what the rate should be in terms of estate tax relief, but there's an argument, for God's sake, do something. And that is why the Ways and Means Committee has agreed that we have to give a stable tax program that our business people can rely on and plan on so that we can bring stability to industry and get our people back to work.

The majority of the provisions included in 2001 and 2003 were made temporary because there was an intent that we review the estate tax. And Members are familiar with the extending of expiring tax provisions, ultimately reducing them, and we are here to make certain that the doubts as to where we're going to go will be eliminated.

So this week we have some certainty in our Tax Code as we enact a permanent extension of the 2009 estate tax exemption, and certainly people would see that it wasn't an easy decision to find what was compatible with most of