

[Roll No. 10]

AYES—236

Adams	Gowdy	Nunes
Anerholt	Granger	Nunnelee
Akin	Graves (GA)	Olson
Alexander	Graves (MO)	Palazzo
Amash	Griffin (AR)	Paul
Bachmann	Griffith (VA)	Paulsen
Bachus	Grimm	Pence
Barletta	Guinta	Petri
Bartlett	Guthrie	Pitts
Bass (NH)	Hall	Platts
Benishek	Hanna	Poe (TX)
Berg	Harper	Pompeo
Biggert	Harris	Posey
Bilbray	Hartzler	Price (GA)
Bilirakis	Hastings (WA)	Quayle
Bishop (UT)	Heck	Reed
Black	Heller	Rehberg
Blackburn	Hensarling	Reichert
Bonner	Hergert	Renacci
Bono Mack	Herrera Beutler	Ribble
Boren	Huelskamp	Rigell
Boustany	Huizenga (MI)	Rivera
Brady (TX)	Hultgren	Roby
Brooks	Hunter	Roe (TN)
Broun (GA)	Hurt	Rogers (AL)
Buchanan	Issa	Rogers (KY)
Bucshon	Jenkins	Rogers (MI)
Buerkle	Johnson (IL)	Rohrabacher
Burgess	Johnson (OH)	Rokita
Burton (IN)	Johnson, Sam	Rooney
Calvert	Jordan	Ros-Lehtinen
Camp	Kelly	Roskam
Campbell	King (IA)	Ross (AR)
Canseco	King (NY)	Ross (FL)
Cantor	Kingston	Royce
Capito	Kinzinger (IL)	Runyan
Carter	Kissell	Ryan (WI)
Cassidy	Kline	Scalise
Chabot	Labrador	Schilling
Chaffetz	Lamborn	Schmidt
Coble	Lance	Schock
Coffman (CO)	Landry	Schweikert
Cole	Lankford	Scott (SC)
Conaway	Latham	Scott, Austin
Cravaack	LaTourette	Sensenbrenner
Crawford	Latta	Shimkus
Crenshaw	Lee (NY)	Shuster
Culberson	Lewis (CA)	Simpson
Davis (KY)	LoBiondo	Smith (NJ)
Denham	Long	Smith (TX)
Dent	Lucas	Southerland
DesJarlais	Luetkemeyer	Stearns
Diaz-Balart	Lummis	Stivers
Dreier	Lungren, Daniel	Stutzman
Duffy	E.	Sullivan
Duncan (SC)	Mack	Terry
Duncan (TN)	Manzullo	Thompson (PA)
Ellmers	Marchant	Thornberry
Emerson	Marino	Tiberi
Farenthold	McCarthy (CA)	Tipton
Fincher	McCaul	Turner
Flake	McClintock	Upton
Fleischmann	McCotter	Walberg
Fleming	McHenry	Walden
Flores	McIntyre	Walsh (IL)
Forbes	McKeon	Webster
Fortenberry	McKinley	West
Foxx	McMorris	Westmoreland
Franks (AZ)	Rodgers	Whitfield
Frelinghuysen	Meehan	Wilson (SC)
Gallely	Mica	Wittman
Gardner	Miller (FL)	Wolf
Garrett	Miller (MI)	Womack
Gerlach	Miller, Gary	Woodall
Gibbs	Mulvaney	Yoder
Gibson	Murphy (PA)	Young (AK)
Gingrey (GA)	Myrick	Young (FL)
Gohmert	Neugebauer	Young (IN)
Goodlatte	Noem	
Gosar	Nugent	

NOES—181

Ackerman	Braley (IA)	Cleaver
Altmire	Brown (FL)	Clyburn
Andrews	Butterfield	Cohen
Baca	Capps	Connolly (VA)
Baldwin	Capuano	Conyers
Barrow	Cardoza	Cooper
Bass (CA)	Carnahan	Costa
Becerra	Carney	Costello
Berkley	Carson (IN)	Courtney
Berman	Castor (FL)	Critz
Bishop (GA)	Chandler	Crowley
Bishop (NY)	Chu	Cuellar
Blumenauer	Clarke (NY)	Cummings
Brady (PA)	Clay	Davis (CA)

DeFazio	Langevin	Richmond
DeGette	Larsen (WA)	Rothman (NJ)
DeLauro	Larson (CT)	Ruppersberger
Deutch	Lee (CA)	Rush
Dicks	Levin	Ryan (OH)
Dingell	Lewis (GA)	Sánchez, Linda
Doggett	Lipinski	T.
Donnelly (IN)	Loebsack	Sanchez, Loretta
Doyle	Lofgren, Zoe	Sarbanes
Edwards	Lowey	Schakowsky
Ellison	Lujan	Schiff
Engel	Lynch	Schrader
Eshoo	Markey	Schwartz
Farr	Matheson	Scott (VA)
Fattah	Matsui	Scott, David
Finer	McCarthy (NY)	Serrano
Frank (MA)	McCollum	Sewell
Fudge	McDermott	Sherman
Giffords	McGovern	Shuler
Gonzalez	McNerney	Sires
Green, Al	Meeks	Slaughter
Green, Gene	Michaud	Smith (WA)
Grijalva	Miller (NC)	Speier
Gutierrez	Miller, George	Stark
Hanabusa	Moore	Sutton
Harman	Moran	Thompson (CA)
Hastings (FL)	Murphy (CT)	Thompson (MS)
Heinrich	Nadler	Tierney
Higgins	Napolitano	Tonko
Himes	Neal	Towns
Hinchev	Olver	Tsongas
Hinojosa	Owens	Van Hollen
Hirono	Pallone	Velázquez
Holden	Pascrell	Visclosky
Holt	Pastor (AZ)	Walz (MN)
Hoyer	Payne	Wasserman
Inslee	Pelosi	Schultz
Israel	Perlmutter	Waters
Jackson (IL)	Peters	Watt
Jackson Lee	Peterson	Waxman
(TX)	Pingree (ME)	Weiner
Johnson (GA)	Polis	Welch
Johnson, E. B.	Price (NC)	Wilson (FL)
Kaptur	Quigley	Woolsey
Keating	Rahall	Wu
Kildee	Rangel	Yarmuth
Kind	Reyes	
Kucinich	Richardson	

ANSWERED "PRESENT"—2

Fitzpatrick	Sessions
	NOT VOTING—15

Austria	Davis (IL)	Jones
Barton (TX)	Dold	Maloney
Boswell	Garamendi	Pearce
Cicilline	Hayworth	Roybal-Allard
Clarke (MI)	Honda	Smith (NE)

□ 1104

So the resolution was agreed to.  
The result of the vote was announced as above recorded.  
A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. MCGOVERN. Madam Speaker, I am standing on the floor of the House of Representatives where Members of Congress get sworn in, and I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. MCGOVERN. Madam Speaker, under the rules of the House and the United States Constitution, can a committee of the House be presided over by someone who is not a Member of the House of Representatives and who is not a member of that committee?

The SPEAKER pro tempore. No. Only sworn Members may serve on committees.

RELATING TO THE STATUS OF CERTAIN ACTIONS TAKEN BY MEMBERS-ELECT

Mr. DREIER. Madam Speaker, pursuant to House Resolution 26, I send to

the desk as the designee of the majority leader a resolution and ask for its immediate consideration.

Mr. WEINER. I reserve a point of order, Madam Speaker.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the resolution. The Clerk read as follows:

H. RES. 27

Whereas, Representative-elect Sessions and Representative-elect Fitzpatrick were not administered the oath of office pursuant to the third clause in article VI of the Constitution until after the completion of legislative business on January 6, 2011; and

Whereas, the votes cast by Representative-elect Sessions and Representative-elect Fitzpatrick on rollcalls 3 through 8 therefore were nullities: Now, therefore, be it

Resolved, That—

(1) the votes recorded for Representative-elect Sessions and Representative-elect Fitzpatrick on rollcalls 3 through 8 be deleted and the vote-totals for each of those rollcalls be adjusted accordingly, both in the Journal and in the Congressional Record;

(2) the election of Representative-elect Sessions to a standing committee and his participation in its proceedings be ratified;

(3) the measures delivered to the Speaker for referral by Representative-elect Sessions be considered as introduced and retain the numbers assigned;

(4) any submissions to the Congressional Record by Representative-elect Sessions or Representative-elect Fitzpatrick be considered as valid;

(5) any cosponsor lists naming Representative-elect Sessions or Representative-elect Fitzpatrick be considered as valid; and

(6) any non-voting participation by Representative-elect Sessions or Representative-elect Fitzpatrick in proceedings on the floor be ratified.

POINT OF ORDER

Mr. WEINER. Madam Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. WEINER. Madam Speaker, I make a point of order that the consideration of this resolution is in violation of the House rules that we just passed in which a new section was created to rule XXI that required at least 3 days' notice to consider legislation, that it be posted on the Internet and we have a chance to review it. It is particularly important in this case since we're dealing with a constitutional issue, one that is without precedent, and I insist on the point of order.

The SPEAKER pro tempore. The Chair must observe that the rule cited applies to bills and joint resolutions; and pursuant to House Resolution 26, all points of order are waived.

PARLIAMENTARY INQUIRY

Mr. WEINER. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WEINER. Am I to understand that under the rules that were just passed, they are already exempting this resolution, which is of a question of the interpretation of the Constitution of the United States, that it is already being waived, that that new rule requiring 3 days is already being waived?