

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

Mr. HOBSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, I appreciate the gentleman yielding.

Mr. Chairman, the reason I am standing here is to engage the chairman of the Energy and Water Development Appropriations Subcommittee in a colloquy.

First of all, I want to just take a second to commend Chairman HOBSON and the ranking member and the Appropriations Subcommittee staff for their outstanding work in the difficulty in bringing some of these measures before the floor, for their hard work.

Mr. Chairman, my Florida district includes the coastline along Flagler County, which has been dramatically devastated by recent hurricanes and damaging storms. The beach has steadily eroded; and sections of our historic and scenic national highway A1A have been washed away by the storms. Because some of the road has fallen into the Atlantic Ocean, the Florida Department of Transportation has installed a temporary seawall in those areas.

Initially, we had some problems in reaching a local consensus on the best way to restore the beach and secure this scenic and coastal highway. However, with hurricane season approaching, if this vital highway falls, our only emergency route in this area could be lost.

Earlier this month, I brought together our local leaders and decision-makers to discuss the problem and identify solutions. A consensus has been reached that we must complete a feasibility study and cooperate with the Corps of Engineers so the critical restoration work can be expedited. State and local officials will also be working together with Federal officials to explore cost-effective alternative restoration technologies.

I would like to, finally, ask the chairman if he would continue to work with me on this very important project for my district and also in conference to provide the critical resources to protect and restore the coastal areas and devastated beaches in Flagler County, Florida.

Mr. HOBSON. I have seen the pictures that you have given me, and I certainly understand the problem there in Florida. We will try to work with you every way we can. Because I have

seen it. It has fallen in, and it has got to be fixed.

Mr. MICA. Mr. Chairman, I thank the gentleman and the subcommittee.

Mr. HOBSON. Mr. Chairman, I yield 2 minutes to the gentleman from New Hampshire (Mr. BRADLEY).

Mr. BRADLEY of New Hampshire. Mr. Chairman, first, I would like to take this opportunity to praise Chairman HOBSON and the ranking member, Mr. VISCLOSKY, for putting together this well-balanced bill. I applaud the chairman for his efforts in bringing this measure to the floor.

I rise, though, to ask a question of you, Mr. Chairman, because I am concerned with the provision added to the bill during the committee markup. The bill as currently written provides \$10 million for the Department of Energy's Clean Cities Program. This program is devoted to the advancement and usage of alternative fuels.

In my home State of New Hampshire, the Granite State Clean Cities Coalition has done wonderful things, including the construction of a biodiesel filling station for off-road vehicles, support for the development of 10 public on-road biodiesel fueling stations, and the creation of natural gas refueling stations for the University of New Hampshire's bus fleet.

At a time when gasoline is well above \$3 a gallon, I believe now more than ever we need to support programs that promote the use of alternative fuels and vehicles. However, during the committee markup, a provision was added that would set aside \$8 million of the Clean Cities \$10 million for E-85 ethanol infrastructure.

While I fully support the development of new E-85 stations, however, the Clean Cities Program has always been fuel neutral, awarding funds through a competitive process based on the merit of each project. I fear that allocating 80 percent of the program's funds for only one type of alternative fuel alters the competitive intent of that program.

Mr. Chairman, I would respectfully ask to be able to work with you during the committee of conference to try and rectify this issue. I thank you for yielding.

Mr. HOBSON. We will work with you. But I want you to understand that this was part of an amendment we accepted because we do want to encourage more E-85 use, and we were getting some complaints that there was not enough money out there.

But I understand what it has done to this program. In conference we will try to work to see if we can get some more money on the program.

Mr. Chairman, may I ask how much time remains?

The Acting CHAIRMAN. The gentleman has 1 minute remaining.

Mr. HOBSON. I would like to yield back on that and strike the last word if I might.

The Acting CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes.

Mr. HOBSON. Let me take just a moment to say that this has been a very spirited debate out here this evening. But I think at the end of the day we have got a good bill. I would encourage support for the committee's positions.

Mr. Chairman, I think we have cut back the number of earmarks this year in an amount of over \$200 million. We have stayed within our 302(b) amount, and we have tried to take on the administration where we think appropriate, because I do not think everything they do is correct.

□ 2115

On the other hand, I do not think everything we do is correct, and we try to take that on where we can.

Mr. VISCLOSKY. Mr. Chairman, will the gentleman yield?

Mr. HOBSON. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate the chairman yielding, and I appreciate your leadership on this bill.

This is a finely crafted piece of legislation and, again, I congratulate the Chair and all the members of the committee and the staff, and I would encourage the membership to strongly support this legislation. It has been a pleasure to work with the gentleman from Ohio.

Mr. HOBSON. Thank you. I appreciate working with you, too, sir.

Mr. Chairman, I yield back the balance of my time, and I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PRICE of Georgia) having assumed the chair, Mr. MCHUGH, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5427) making appropriations for energy and water development for the fiscal year ending September 30, 2007, and for other purposes, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken later today.

RESPECT FOR AMERICA'S FALLEN HEROES ACT

Mr. BUYER. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 5037) to amend titles 38 and 18, United States Code, to prohibit certain demonstrations at cemeteries under the control of the National Cemetery Administration and at Arlington National Cemetery, and for other purposes.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Respect for America's Fallen Heroes Act".

SEC. 2. PROHIBITION ON CERTAIN DEMONSTRATIONS AT CEMETERIES UNDER THE CONTROL OF THE NATIONAL CEMETERY ADMINISTRATION AND AT ARLINGTON NATIONAL CEMETERY.

(a) PROHIBITION.—

(1) IN GENERAL.—Chapter 24 of title 38, United States Code, is amended by adding at the end the following new section:

"§2413. Prohibition on certain demonstrations at cemeteries under control of the National Cemetery Administration and at Arlington National Cemetery

"(a) PROHIBITION.—No person may carry out—

"(1) a demonstration on the property of a cemetery under the control of the National Cemetery Administration or on the property of Arlington National Cemetery unless the demonstration has been approved by the cemetery superintendent or the director of the property on which the cemetery is located; or

"(2) with respect to such a cemetery, a demonstration during the period beginning 60 minutes before and ending 60 minutes after a funeral, memorial service, or ceremony is held, any part of which demonstration—

"(A)(i) takes place within 150 feet of a road, pathway, or other route of ingress to or egress from such cemetery property; and

"(ii) includes, as part of such demonstration, any individual willfully making or assisting in the making of any noise or diversion that disturbs or tends to disturb the peace or good order of the funeral, memorial service, or ceremony; or

"(B) is within 300 feet of such cemetery and impedes the access to or egress from such cemetery.

"(b) DEMONSTRATION.—For purposes of this section, the term 'demonstration' includes the following:

"(1) Any picketing or similar conduct.

"(2) Any oration, speech, use of sound amplification equipment or device, or similar conduct that is not part of a funeral, memorial service, or ceremony.

"(3) The display of any placard, banner, flag, or similar device, unless such a display is part of a funeral, memorial service, or ceremony.

"(4) The distribution of any handbill, pamphlet, leaflet, or other written or printed matter other than a program distributed as part of a funeral, memorial service, or ceremony."

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"2413. Prohibition on certain demonstrations at cemeteries under control of National Cemetery Administration and at Arlington National Cemetery."

(b) CONSTRUCTION.—Nothing in section 2413 of title 38, United States Code (as amended by subsection (a)), shall be construed as limiting the authority of the Secretary of Veterans Affairs, with respect to property under control of the National Cemetery Administration, or the Secretary of the Army, with respect to Arlington National Cemetery, to issue or enforce regulations that prohibit or restrict conduct that is not specifically covered by section 2413 of such title (as so added).

SEC. 3. PENALTY FOR VIOLATION OF PROHIBITION ON UNAPPROVED DEMONSTRATIONS AT CEMETERIES UNDER THE CONTROL OF THE NATIONAL CEMETERY ADMINISTRATION AND AT ARLINGTON NATIONAL CEMETERY.

(a) PENALTY.—Chapter 67 of title 18, United States Code, is amended by adding at the end the following new section:

"§1387. Demonstrations at cemeteries under the control of the National Cemetery Administration and at Arlington National Cemetery

"Whoever violates section 2413 of title 38 shall be fined under this title, imprisoned for not more than one year, or both."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"1387. Demonstrations at cemeteries under the control of the National Cemetery Administration and at Arlington National Cemetery."

SEC. 4. SENSE OF CONGRESS ON STATE RESTRICTION OF DEMONSTRATIONS NEAR MILITARY FUNERALS.

It is the sense of Congress that each State should enact legislation to restrict demonstrations near any military funeral.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. BUYER) and the gentleman from Texas (Mr. REYES) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

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

Mr. Speaker, I rise this evening in great anticipation that we will pass H.R. 5037, as amended, and send the Respect for America's Fallen Heroes Act to the President for his signature by Memorial Day.

Each family of the United States military now attends to their loved ones funeral with a wrenching worry that it will be met possibly with a protest or a demonstration. With the approach of our Nation's annual day of remembrance, it is altogether fitting that we approve this bill to protect the sanctity of our military funerals at our national cemeteries and Arlington National Cemetery.

H.R. 5037, as amended, reflects a compromise agreement with the Senate that would prohibit demonstrations taking place within 150 feet of a road, pathway or other routes of ingress or egress from the national cemeteries and Arlington National Cemetery 60 minutes before and 60 minutes after the military funeral.

On May 9 the House voted 408-3 to pass H.R. 5037, thus demonstrating overwhelming bipartisan support for protecting military funerals. This bill does not unconstitutionally draw distinctions on what demonstrations are and are not allowed based on the content of the speech. It would not interfere with the VA Secretary's existing ability to regulate on VA property other conduct that is not specifically referenced in this legislation.

Penalties associated with the violations of this legislation are fair and proportionate. A violation would be a class A misdemeanor under title 18 of the United States Code and result in fines of up to \$100,000 and imprisonment of not more than one year or both. The penalty balances proportionality with the need for deterrence that has been demonstrated in outrageous disruptions that we as a Nation can no longer tolerate.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I would like to first of all thank our chairman, Mr. BUYER, as well as Senator CRAIG and Senator AKAKA for their speedy work in finalizing this legislation before the Memorial Day recess. I would also like to thank my good friend and colleague, Mr. ROGERS, for co-sponsoring this legislation and being a really moving force behind this effort.

Mr. Speaker, as we gather to mourn our honored dead, passage of H.R. 5037, the Respect for America's Fallen Heroes Act, will send a clear message to those who have lost a loved one in service to our Nation that their right to grieve in peace will be respected.

Organized protests have disrupted the sanctity of funerals conducted throughout the United States for our military men and women killed while serving in our current military operations in Iraq and Afghanistan. Servicemembers who have made the ultimate sacrifice deserve to be buried with honor and dignity. The families of these courageous men and women deserve funerals that allow them to say goodbye to their loved ones and to mourn their loss in peace.

H.R. 5037 is narrowly tailored to protect military families at this sacred time from verbal attacks while also protecting our freedom of speech. Furthermore, provisions in this legislation are in line with judicial precedents specific to time, to place and manner of demonstrations.

The Senate amendments to this bill limit the area in which demonstrations are restricted to within 150 feet of methods of ingress and egress from cemetery property or within 300 feet of such cemetery in a manner that impedes the access to or egress from the cemetery. The Senate version of the bill is more narrowly drafted to ensure free speech is protected, but it still fulfills the original intent of the House passed bill.

In my congressional district of El Paso, Texas, our community has mourned the loss of 20 servicemembers who have given their lives while serving in our current missions in Iraq and Afghanistan. As a Vietnam combat veteran myself and member of the House Veterans' Affairs and House Armed Services Committees, I want to assure the families of our deceased servicemembers that this Congress will ensure our Nation's heroes are given the dignified burial that they deserve.

Mr. Speaker, next Monday, our Nation will come together to remember and to honor our servicemembers who have made the ultimate sacrifice while in service to our country.

I want to commend the House and the Senate leadership for moving this bipartisan legislation so quickly so that it can be signed into law before Memorial Day. I ask all of my colleagues to join us in honoring our fallen servicemembers by voting in favor of H.R. 5037.

Mr. Speaker, I reserve the balance of my time.

Mr. BUYER. Mr. Speaker, I yield 7 minutes to the gentleman from Michigan (Mr. ROGERS), a fellow comrade of mine, a former Army captain.

Mr. ROGERS of Michigan. Mr. Speaker, I want to thank my good friend and colleague, a former veteran and great servant to his country, Mr. REYES, for your help and your impetus and your leadership on this particular bill. We could not have done it without you and your leadership. Thank you, sir.

To Chairman BUYER, thank you very much for your time and counsel and your hard work and dedicating your staff to making this happen here this evening.

To Senators FRIST and CRAIG, thank you very, very much for your quick action, your good work, your wise counsel and actually improving the bill a tad bit as they send it back to this Chamber.

The majority leader and the Speaker deserve our thanks as well for understanding the importance of this. We do not do things fast around here, and I think our Founding Fathers thought this was a pretty good idea. But this is one that we came together on a bipartisan effort and realized this we must quickly rise up to stand with the families who are grieving with the loss of great American patriots.

I just want to tell quickly, Mr. Speaker, the story of why this happened and why we got here, at least one example of many examples.

I visited a young family down at Brook Army Medical Center in Texas. Three great American soldiers who were from Michigan, a National Guard unit, were attacked by an IED and were recovering from some very severe wounds. You go down and you get to meet their families, and they are bonding together to support their loved ones who are literally fighting for their lives every single day.

Unfortunately, of course, at that time, SGT Joshua Youmans succumbed to his wounds and died. Prior to that, just a week before, after he had come back, he got to hold in his hands for the first time his daughter before he passed away. His wife was the most courageous woman I have ever met during that whole time. So we gather up to go to the celebration of the life of SGT Joshua Youmans, a time to celebrate his service, his sacrifice, the family's grieving, a community's thanks and appreciation for service given to their country.

When you pull up, you see this pretty hateful stuff. On the outside of the church were protestors who were taunting and harassing the family, this young widow, her young daughter McKenzie, their family, trying to walk in and give some dignity and respect and celebration to a life of a great American who signed up on his own to defend this Nation because he believed and a family's celebration of their love

for him and the joys that they experienced in his short time on this Earth.

What a contrast it was. When she got up to give the eulogy for her husband, protesters outside yelling hateful chants, harassing, saying, "Thank God for the death of SGT Joshua Youmans," flags wrapped around their feet as they paraded and shouted.

Through all of that, this very courageous woman who had just lost the love of her life gets up to eulogize her husband. One side of the church is packed with the National Guard unit, some of the toughest, greatest Americans you will ever have the privilege to meet. Without a dry eye in the house, she proceeded to tell of her love for her husband and how proud she was that she was an Army wife and how she could not wait to look in the eyes of her daughter and tell her about the great patriot, a great American, a great hero, her father, the one she would never get to know.

We knew that day that we must do better by those families. They deserve the right to bury their loved ones in peace and with dignity. This is really America's time to stand up and say to every member of the United States military, to every family who worries every single day, this is America's time to put their arms around those families and protect them and give them the right that they deserve to peacefully and with dignity pay their last respects to great American heroes.

I want to thank all of the folks who have worked so hard on this, even my staff member Andy Keiser, who dedicated an immense amount of time to make this happen. This happens shortly before Monday. What Monday is, is that day where we stand up and say, we remember and we are thankful for all the sacrifices for all of those who came before us to make this country great and have given their lives in defense of our Nation.

This bill is important for so many reasons. It protects the families here. It certainly protects the first amendment here as well. But it also sends a very clear signal to the men and women risking their lives today that we will not forsake you. We will stand by you. And we will give you your last rights, God forbid it should happen. And we will stand with the families of America who have lost so much and deserve our love, our respect and America's dignity.

Thank you all for participating in this. And again, I just want to thank you, Mr. REYES, for your hard work, your dedication and your passion for this issue and your passion for America's soldiers. Thanks for doing it.

Mr. BUYER. Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, we have had regrettably over 2,400 casualties; 2,400-plus stories like the one my colleague from Michigan just related; over 2,400 courageous stories of Americans that have paid the

ultimate sacrifice so that people can have the right to freedom of speech.

It is very ironic that we have to pass this kind of legislation. But it is also very necessary so that communities around our great Nation can mourn their dead.

□ 2130

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. BACA), who has been a true leader on veterans issues and especially from the Congressional Hispanic Caucus.

Mr. BACA. Mr. Speaker, I stand in support of H.R. 5037.

First of all, I want to thank the chairman, Mr. BUYER, for his support and his leadership and his vision in protecting and speaking on behalf of our veterans. I think it is important that we have someone who has served in the military who will stand up for a lot of our veterans. As you see in Congress today, we do not have a lot of individuals who have served in the military or are willing to stand up with it.

The other individual I would like to thank is SYLVESTRE REYES, because he truly has served as a veteran, has served in the committee and stands up for important legislation that talks about the Fallen Heroes Act. Right now, that is important for a lot of us.

I want to thank both of you for standing up and your leadership on behalf of all veterans of America, because we owe it to our veterans.

Many of our veterans who serve our country serve with honor and dignity. They believe in this country. They believe in standing up for the freedoms we enjoy today. A lot of them do not know what is going to happen to them, but they serve with honor and dignity because they believe in the freedoms that we enjoy today and the freedoms that we will enjoy tomorrow.

But if a fallen hero falls, we have the responsibility as Americans to make sure that we protect them and that they have the right to bury their families with honor and with dignity. As Americans, we have that responsibility because, ultimately, they give the sacrifice for us so that we can enjoy those freedoms, those freedoms that we take for granted every day of our life, whether to buy a home, go to school, go to college, enjoy the freedom of speech, enjoy whatever we need. We have the same responsibility to those individuals who have fallen.

To the parents and the relatives, to a wife or anyone else who is there, I think this bill is the right thing to do because we need to respect with honor and dignity those who are willing to sacrifice for us. Too often, we forget.

As we look at the flag right behind you, Mr. Speaker, it is a flag that we honor. It is a flag that many individuals have stood for. It is our veterans who have done that, and when they receive that flag, and many of them receive that flag, it should be done with honor and dignity, without any disruption of anyone picketing, and too often we forget that.

Mr. Speaker, I stand in support of this important legislation on behalf of all veterans who are willing to serve now and will serve us in the future. We owe it to them, and I appreciate what Mr. REYES has done and Mr. BUYER has done.

Mr. REYES. Mr. Speaker, I do not have any additional requests for time, and I yield back the balance of my time.

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

H.R. 5037, as amended, is well-considered legislation that carefully follows the United States Supreme Court and the Federal Circuit Court of Appeals precedents.

We have worked also cooperatively with the White House on this bill, and I would like to specifically thank Alex Mistri for his hard work. I thank the chief sponsors of the bill, Mr. ROGERS of Michigan and SYLVESTRE REYES of Texas, my comrade in arms, and JOE BACA, a veteran, JEFF MILLER of Florida, as well as our colleagues in the United States Senate, namely, Senators GRAHAM and CHAMBLISS, Senator FRIST, Senator VITTER, JIM INHOFE, LARRY CRAIG, the ranking member DANIEL AKAKA, for working with all of us to ensure that families contending with this most painful of tragedies does not face the sights and sounds of hateful disruption.

I also want to take this moment to thank Chairman JAMES SENSENBRENNER and the ranking member, JOHN CONYERS, of the House Judiciary Committee and Chairman STEVE CHABOT and Ranking Member JERRY NADLER on the Subcommittee on the Constitution for their cooperation and assistance on the bill's drafting and the constitutional considerations.

I agree with the comment earlier of Mr. ROGERS of Michigan that the Founders created this bicameral legislature to make things very difficult and challenging. When you look back, the Committee on Veterans' Affairs, we conducted our hearing back on April 6. We brought this legislation, after careful consideration, to the floor on May 9. It was sent over to the Senate. They worked their magic. They improved the bill. We bring it back and adopt it; and, hopefully, the President signs this into law Memorial Day. That is good work. That is the bipartisan cooperation that we have, and it is necessary to move veterans legislation.

I also want to take this moment to thank the National Commander Jeff Brown of the Patriot Guard Riders. These are individuals that saw an injustice and said that we will not permit people to dance on sacred ground and we will not wait for the government to act. We will defend these families and set the standards of dignity in our country with regard to military funerals.

I thank them. They have over 33,000 riders on motorcycles. When one of our soldiers falls, they grab the guidon and the American flag and they take on a

mission, and the mission is to protect these military families.

Well, it is also now our responsibility to help these Patriot Riders to set forth a law so that they will not interfere with our VA national cemeteries and Arlington National Cemetery. This is the right thing to do.

So I ask my colleagues to support this legislation to preserve the sanctity of our patriots' funerals at our national cemeteries and Arlington and to ensure that the only sound echoing over a grieving family are the bugler's notes, calling upon us to remember a life well-lived and a Nation well-served.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PRICE of Georgia). The question is on the motion offered by the gentleman from Indiana (Mr. BUYER) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 5037.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 832 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5427.

□ 2137

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5427) making appropriations for energy and water development for the fiscal year ending September 30, 2007, and for other purposes, with Mr. MCHUGH (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) had been postponed and the bill had been read through page 47, line 2.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. BISHOP of New York.

Amendment by Mr. HEFLEY of Colorado.

Amendment relating to Virginia by Mr. FLAKE of Arizona.

Amendment relating to Pennsylvania by Mr. FLAKE of Arizona.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. BISHOP OF NEW YORK

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. BISHOP) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 164, noes 258, answered "present" 1, not voting 9, as follows:

[Roll No. 202]

AYES—164

Ackerman	Grijalva	Napolitano
Allen	Gutierrez	Neal (MA)
Andrews	Harman	Oberstar
Baca	Hart	Obey
Baird	Hastings (FL)	Olver
Baldwin	Herseeth	Owens
Becerra	Higgins	Pallone
Berkley	Hinchey	Pascrell
Berman	Holt	Payne
Bishop (NY)	Honda	Pelosi
Blumenauer	Hoyer	Pomeroy
Boehrlert	Inslee	Price (NC)
Boswell	Israel	Rahall
Boyd	Jackson (IL)	Ramstad
Brady (PA)	Jackson-Lee	Rangel
Brown (OH)	(TX)	Rothman
Brown, Corrine	Jefferson	Roybal-Allard
Butterfield	Johnson (CT)	Ruppersberger
Capps	Johnson, E. B.	Ryan (OH)
Capuano	Kelly	Sabo
Cardin	Kildee	Sanchez, Linda
Cardoza	Kilpatrick (MI)	T.
Carnahan	Kind	Sanchez, Loretta
Carson	Kucinich	Sanders
Case	Langevin	Schakowsky
Chandler	Lantos	Schiff
Clay	Larsen (WA)	Schwartz (PA)
Cleaver	Larson (CT)	Scott (GA)
Clyburn	Leach	Scott (VA)
Conyers	Lee	Serrano
Cooper	Levin	Shays
Costello	Lewis (GA)	Sherman
Cramer	LoBiondo	Simmons
Crowley	Lofgren, Zoe	Slaughter
Cummings	Lowe	Smith (NJ)
Davis (AL)	Maloney	Smith (WA)
Davis (CA)	Markey	Solis
Davis (FL)	Matsui	Stark
Davis (IL)	McCollum (MN)	Sweeney
Delahunt	McDermott	Tauscher
DeLauro	McGovern	Thompson (CA)
Doggett	McIntyre	Tierney
Emanuel	McKinney	Towns
Engel	McNulty	Udall (CO)
Eshoo	Meehan	Van Hollen
Etheridge	Meek (FL)	Velázquez
Farr	Meeks (NY)	Wasserman
Fattah	Michaud	Schultz
Ferguson	Millender-	Waters
Filner	McDonald	Watson
Fitzpatrick (PA)	Miller (NC)	Watt
Ford	Miller, George	Waxman
Frank (MA)	Moore (KS)	Weiner
Frelinghuysen	Moore (WI)	Wexler
Gerlach	Moran (VA)	Woolsey
Green, Al	Nadler	Wu

NOES—258

Abercrombie	Bean	Bonner
Aderholt	Beauprez	Bono
Akin	Berry	Boozman
Alexander	Biggart	Boren
Bachus	Bilirakis	Boucher
Baker	Bishop (GA)	Boustany
Barrett (SC)	Bishop (UT)	Bradley (NH)
Barrow	Blackburn	Brady (TX)
Bartlett (MD)	Blunt	Brown (SC)
Barton (TX)	Boehner	Brown-Waite,
Bass	Bonilla	Ginny