

Whereas during proceedings of the House on August 3, 2007, with the gentleman from Pennsylvania (Mr. Murtha) presiding, a question occurred on approval of the Journal of the previous day's proceedings;

Whereas following the vote, the gentleman from Wisconsin, Representative Sensenbrenner, inquired "Could the chair tell me how many Members rose to request a recorded vote and [the] total number of Members present in the House upon which the chair made his decision?";

Whereas Representative Murtha replied, "It is up to the chair. Let me tell you this, the vote will show that the approval would be approved by the House as it has been.";

Whereas the Speaker, as the presiding officer, has a duty to be a fair and impartial arbiter of the proceedings of the House, held to the highest ethical standards in deciding the various questions as they arise with impartiality and courtesy toward all Members, regardless of party affiliation;

Whereas a presiding officer of the House cannot achieve the requisite standard of impartiality while attempting to influence the outcome of a vote, predict the outcome of a vote, or express a preference for a particular outcome of a vote;

Whereas when the chair imbues his parliamentary statements with a partisan hue or with language more appropriate to a participant in the debate than to its presiding officer, Members' essential confidence in the impartiality of the chair is impaired: Now, therefore, be it

*Resolved*, That by his actions on August 3, 2007, the gentleman from Pennsylvania, Mr. Murtha, has brought dishonor and discredit to the United States House of Representatives by misusing the powers of the chair.

□ 2100

The SPEAKER pro tempore. The resolution constitutes a question of privilege.

MOTION TO TABLE

Mr. HOYER. Madam Speaker, I move to table the resolution.

POINT OF ORDER

Mr. BOEHNER. Madam Speaker, I raise a point of order that the gentleman from Maryland engaged in debate.

The SPEAKER pro tempore. The question is on the motion to table.

PARLIAMENTARY INQUIRY

Mr. BOEHNER. Parliamentary inquiry, Madam Speaker.

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

Mr. BOEHNER. Madam Speaker, isn't it correct that the gentleman from Maryland engaged in debate, which allows the House to then proceed with up to 1 hour of debate on this resolution?

The SPEAKER pro tempore. The gentleman was not recognized as the Chair had not yet ruled that the resolution constituted a question of privilege.

The question is on the motion to table.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 211, nays 178, answered "present" 12, not voting 31, as follows:

[Roll No. 822]

YEAS—211

Abercrombie  
Ackerman  
Allen  
Altmire  
Andrews  
Arcuri  
Baca  
Baird  
Baldwin  
Barrow  
Bean  
Becerra  
Berkley  
Berman  
Berry  
Bishop (GA)  
Bishop (NY)  
Boswell  
Boucher  
Boyd (FL)  
Boyda (KS)  
Brady (PA)  
Braley (IA)  
Brown, Corrine  
Butterfield  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson  
Castor  
Chandler  
Clay  
Cleaver  
Clyburn  
Cohen  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Cramer  
Crowley  
Cuellar  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis, Lincoln  
DeFazio  
DeGette  
DeLahunt  
DeLauro  
Dingell  
Doggett  
Donnelly  
Doyle  
Ellison  
Ellsworth  
Emanuel  
Engel  
Eshoo  
Etheridge  
Farr  
Fattah  
Filner  
Frank (MA)  
Giffords  
Gillibrand  
Gonzalez  
Green, Al  
Green, Gene  
Grijalva  
Hall (NY)  
Harman  
Hastings (FL)  
Herseth Sandlin  
Hill  
Hinchev  
Hinojosa  
Hirono  
Hodes  
Holden  
Holt  
Honda  
Hooley  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (GA)  
Johnson, E. B.  
Jones (OH)  
Kagen  
Kanjorski  
Kaptur  
Kennedy  
Kildee  
Kilpatrick  
Kind  
Klein (FL)  
Kucinich  
Lampson  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee  
Levin  
Lewis (GA)  
Lipinski  
Loebsack  
Lofgren, Zoe  
Lowey  
Lynch  
Mahoney (FL)  
Maloney (NY)  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (NY)  
McCollum (MN)  
McGovern  
McIntyre  
McNerney  
McNulty  
Meek (FL)  
Meeke (NY)  
Melancon  
Michaud  
Miller (NC)  
Miller, George  
Mitchell  
Mollohan  
Moore (WI)  
Murphy (CT)  
Murphy, Patrick  
Murphy, Tim  
Nadler  
Napolitano  
Neal (MA)  
Oberstar  
Obey  
Olver  
Ortiz  
Pallone  
Pascarell  
Pastor  
Payne  
Perlmutter  
Pomeroy  
Price (NC)  
Holt  
Rahall  
Rangel  
Reyes  
Rodriguez  
Ross  
Rothman  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Salazar  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Shea-Porter  
Sherman  
Shuler  
Sires  
Skelton  
Smith (WA)  
Snyder  
Solis  
Space  
Spratt  
Stupak  
Sutton  
Tanner  
Tauscher  
Taylor  
Thompson (CA)  
Thompson (MS)  
Tierney  
Towns  
Udall (CO)  
Udall (NM)  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Weiner  
Welch (VT)  
Wexler  
Wilson (OH)  
Woolsey  
Wu  
Wynn  
Yarmuth

NAYS—178

Deal (GA)  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Doolittle  
Drake  
Dreier  
Duncan  
Ehlers  
Emerson  
English (PA)  
Everett  
Fallin  
Feeney  
Ferguson  
Flake  
Forbes  
Fortenberry  
Fossella  
Foxy  
Franks (AZ)  
Gallegly

Garrett (NJ)  
Gerlach  
Gillmor  
Gingrey  
Gohmert  
Goode  
Goodlatte  
Granger  
Graves  
Hall (TX)  
Hastert  
Hastings (WA)  
Heller  
Hensarling  
Herger  
Hoekstra  
Hulshof  
Inglis (SC)  
Issa  
Jindal  
Jordan  
Keller  
King (IA)  
King (NY)  
Kirk  
Kline (MN)  
Knollenberg  
Kuhl (NY)  
Latham  
LaTourette  
Lewis (CA)  
Lewis (KY)  
Linder  
Lucas  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
McCarthy (CA)  
McCaul (TX)  
McCotter  
McCrery  
McHenry  
McHugh  
McKeon  
McMorris  
Rodgers  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moran (KS)  
Musgrave  
Myrick  
Neugebauer  
Nunes  
Pearce  
Pence  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Poe  
Porter  
Price (GA)  
Pryce (OH)  
Putnam  
Walsh (NY)  
Regula  
Rehberg  
Reichert  
Renzi  
Reynolds  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Roskam  
Royce  
Ryan (WI)  
Sali  
Saxton  
Schmidt  
Sensenbrenner  
Sessions  
Shadegg  
Shays  
Shimkus  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Souder  
Stearns  
Sullivan  
Tancredo  
Terry  
Thornberry  
Tiahrt  
Tiberi  
Turner  
Upton  
Walberg  
Walden (OR)  
Walsh (NY)  
Wamp  
Weldon (FL)  
Weller  
Westmoreland  
Whitfield  
Wilson (NM)  
Wilson (SC)  
Wolf

ANSWERED "PRESENT"—12

Bartlett (MD)  
Frelinghuysen  
Gilchrest  
Hobson  
Johnson (IL)  
Jones (NC)  
Kingston  
LoBiondo  
Rohrabacher  
Wicker  
Young (AK)  
Young (FL)

NOT VOTING—31

Blumenauer  
Boren  
Clarke  
Crenshaw  
Cubin  
Cummings  
Davis, Jo Ann  
Dicks  
Edwards  
Gordon  
Gutierrez  
Hare  
Hayes  
Higgins  
Hunter  
Johnson, Sam  
LaHood  
Lamborn  
Lantos  
McDermott  
Moore (VA)  
Moran (KS)  
Murtha  
Paul  
Peterson (MN)  
Radanovich  
Sestak  
Shuster  
Slaughter  
Stark  
Waxman

□ 2119

Mr. LOBIONDO changed his vote from "nay" to "present."

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Ms. CASTOR, from the Committee on Rules, submitted a privileged report (Rept. No. 110-298) on the resolution (H. Res. 613) providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Ms. CASTOR, from the Committee on Rules, submitted a privileged report (Rept. No. 110-299) on the resolution (H.