

Pence	Ros-Lehtinen	Terry	Petri	Sali	Taylor	Schwartz	Stearns	Wasserman
Peterson (PA)	Roskam	Thornberry	Pickering	Saxton	Thornberry	Scott (GA)	Stupak	Schultz
Petri	Royce	Tiahrt	Pitts	Scalise	Upton	Scott (VA)	Sutton	Waters
Pickering	Ryan (WI)	Tiberi	Price (GA)	Schmidt	Walden (OR)	Serrano	Tancredo	Watson
Pitts	Sali	Turner	Pryce (OH)	Sensenbrenner	Walsh (NY)	Sestak	Tanner	Watt
Platts	Saxton	Upton	Radanovich	Sessions	Wamp	Shadegg	Tauscher	Waxman
Poe	Scalise	Walberg	Regula	Shays	Weldon (FL)	Shea-Porter	Terry	Weiner
Porter	Schmidt	Walden (OR)	Reichert	Shimkus	Wilson (NM)	Sherman	Thompson (CA)	Welch (VT)
Price (GA)	Sensenbrenner	Walsh (NY)	Renzi	Shuster	Wilson (SC)	Shuler	Thompson (MS)	Weller
Pryce (OH)	Sessions	Wamp	Rogers (AL)	Smith (TX)	Young (AK)	Simpson	Tiahrt	Westmoreland
Putnam	Shadegg	Weldo (FL)	Royce	Souder		Sires	Towns	Wexler
Radanovich	Shays	Weller	Ryan (WI)	Sullivan		Skelton	Tsongas	Whitfield (KY)
Ramstad	Shimkus	Westmoreland				Slaughter	Turner	Whitfield (OH)
Regula	Shuster	Whitfield (KY)				Smith (NE)	Udall (CO)	Wittman (VA)
Rehberg	Simpson	Wilson (NM)	Abercrombie	Emanuel	Loebsack	Smith (NJ)	Udall (NM)	Wolf
Reichert	Smith (NE)	Wilson (SC)	Ackerman	Engel	Loftgren, Zoe	Smith (WA)	Van Hollen	Woolsey
Renzi	Smith (NJ)	Wittman (VA)	Aderholt	Eshoo	Lowey	Snyder	Velazquez	Wu
Reynolds	Smith (TX)	Wolf	Allen	Etheridge	Lynch	Solis	Visclosky	Wynn
Rogers (AL)	Souder	Young (AK)	Altmire	Fallin	Mahoney (FL)	Space	Walberg	Yarmuth
Rogers (KY)	Stearns	Young (FL)	Andrews	Farr	Maloney (NY)	Spratt	Walz (MN)	Young (FL)
Rogers (MI)	Sullivan		Arcuri	Fattah	Manzullo	Stark		
Rohrabacher	Tancredo		Baca	Feeney	Marchant			

NOES—311

NOT VOTING—10

Bishop (NY)	Lewis (GA)	Sires
Campbell (CA)	McCaul (TX)	Speier
Conaway	Richardson	
Jones (OH)	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1747

So the motion to table was agreed to. The result of the vote was announced as above recorded.

MOTION TO ADJOURN

Mr. PRICE of Georgia. Madam Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn. The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. PRICE of Georgia. Madam Speaker, I demand a recorded vote. A recorded vote was ordered. The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to adjourn will be followed by resumed 5-minute voting. The vote was taken by electronic device, and there were—ayes 111, noes 311, not voting 11, as follows:

[Roll No. 285]

AYES—111

Akin	Culberson	Keller
Alexander	Davis, Tom	King (IA)
Bachmann	Deal (GA)	King (NY)
Bartlett (MD)	Doolittle	Knollenberg
Biggert	Dreier	LaHood
Bilbray	Duncan	Lamborn
Bishop (UT)	Emerson	LaTourette
Blackburn	English (PA)	Latta
Blunt	Everett	Linder
Bonner	Flake	Lucas
Bono Mack	Forbes	Lungren, Daniel
Boozman	Gallegly	E.
Boyd (FL)	Gilchrest	Mack
Brady (TX)	Goode	McCaul (TX)
Broun (GA)	Goodlatte	McCreery
Burton (IN)	Gordon	McHenry
Buyer	Granger	McHugh
Camp (MI)	Hall (TX)	Mica
Cannon	Hastings (WA)	Miller (FL)
Cantor	Herger	Miller, Gary
Carter	Hobson	Myrick
Chabot	Hunter	Nunes
Coble	Issa	Paul
Cole (OK)	Johnson (IL)	Pearce
Crenshaw	Johnson, Sam	Pence
Cubin	Jones (NC)	Peterson (PA)

Baird	Baldwin	Barrett (SC)	Barrow	Barton (TX)	Bean	Becerra	Berkley	Berman	Berry	Bilirakis	Bishop (GA)	Blumenauer	Boren	Boswell	Boucher	Boustany	Boyd (KS)	Brady (PA)	Bralley (IA)	Brown (SC)	Brown, Corrine	Brown-Waite,	Ginny	Buchanan	Burgess	Butterfield	Calvert	Capito	Capps	Capuano	Cardoza	Carmahan	Carney	Carson	Castle	Castor	Cazayoux	Chandler	Clarke	Clay	Cleaver	Clyburn	Cohen	Conyers	Cooper	Costa	Costello	Courtney	Cramer	Crowley	Cuellar	Cummings	Davis (AL)	Davis (CA)	Davis (IL)	Davis (KY)	Davis, David	Davis, Lincoln	DeFazio	DeGette	Delahunt	DeLauro	Dent	Diaz-Balart, L.	Diaz-Balart, M.	Dicks	Dingell	Doggett	Donnelly	Doyle	Drake	Edwards	Ehlers	Ellison	Ellsworth
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NOT VOTING—11

Bishop (NY)	Jones (OH)	Speier
Boehner	Richardson	Tiberi
Campbell (CA)	Ruppersberger	Tierney
Conaway	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1817

Mrs. MCCARTHY of New York, Messrs. WESTMORELAND, NEUGEBAUER, INGLIS of South Carolina, WHITFIELD of Kentucky, PUTNAM, SMITH of Nebraska, MCKEON, FRELINGHUYSEN, REHBERG, HENSARLING, BARTON of Texas, CALVERT, HAYES, LEWIS of California, KLINE of Minnesota, Ms. FOOX, Messrs. ADERHOLT, SHAD-EGG, Mrs. McMORRIS RODGERS, Messrs. DAVIS of Kentucky, SIMPSON, LATHAM, KINGSTON, HOEK-STR, ROGERS of Kentucky, LEWIS of Kentucky, BARRETT of South Carolina, DAVID DAVIS of Tennessee, REYNOLDS, BILIRAKIS, Ms. FALLIN, Messrs. ROHRABACHER, HELLER of Nevada, FEENEY, BOUSTANY, MCCARTHY of California, FRANKS of Arizona, FERGUSON, Mrs. MUSGRAVE, Mrs. DRAKE, Messrs. GINGREY, WALBERG, PLATTS, CAPUANO, and GARRETT of New Jersey changed their vote from “aye” to “no.”

Mrs. BACHMANN, Messrs. SALLI, BROUN of Georgia, McHUGH, MICA, BRADY of Texas, PRICE of Georgia, BISHOP of Utah, BURTON of Indiana, SULLIVAN, CULBERSON, BRADY of Texas, PEARCE, MACK and KING of Iowa changed their vote from “no” to “aye.”

So the motion to adjourn was rejected. The result of the vote was announced as above recorded.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Ladies and gentlemen of the House, I understand that there is substantial angst among the minority. I empathize with that angst. I've been there.

Having said that, I do not empathize with the abuse of process. And because

I do not empathize with the abuse of process, as I have said before, I am going to ask the Speaker to limit the time in which voting is allowed to that which is provided for in the rules. You did that; we're now going to do it.

Somebody said, "About time." I agree with you. Abuse of process is when, and everybody knows this could be done. On our side in the minority we could have kept open for 2 hours with having every 30 seconds somebody come down the aisle. We all know that's possible. I've known that was possible for some period of time. We try to accommodate people who want to change their vote. We try to accommodate people who want to vote. We try to accommodate people who are late.

The problem with accommodating people who are late, if we make it in order in effect, not because of the rules but because of the comity of the House, to allow what just happened, we can, you're correct, in effect do a filibuster by vote changing. We don't have filibusters in the House. They have it in the Senate. I don't think the Senate works particularly well.

You can have your motions. I haven't said anything. Our Members haven't said anything. You're certainly entitled to that. But what just happened, as I said, in my opinion, is an abuse of the Chair's forbearance. The Chair has the responsibility to determine when the vote is concluded.

The vote changing on a motion to adjourn, I know that probably all of you did polls on that and focus groups on whether or not you should vote "aye" or "nay" on that vote and that led to your changing your vote one way or the other, sometimes maybe twice because you were having difficulty deciding.

But I just want to let everybody know that while we cannot nor are we going to preclude you from doing your motions to adjourn, what just happened is not appropriate for the House, for either side, to simply use a device of changing votes, of voting late, of lining up in the aisle and coming down every 30 seconds or so with a "one more vote." That, in my opinion, is not appropriate for the House to pursue.

Mr. Gingrich sent out a letter, as we have said before, said he was going to call votes 15 minutes and 2 minutes later. You've all heard from Mr. Gingrich lately. He has a lot of advice and counsel. I don't always follow it. But on this, he made the point that I'm making, that we have now had, I don't know, 20, 25 motions to adjourn in which we voted on, reconsiderations to be voted on. Nobody has said anything about that.

But I want to tell my friend, the minority leader, that, as I have said before, my inclination at this point in time will be to ask the presiding officer to limit the votes to the 17 minutes, the 15 minutes that is provided and 2 minutes which have been historically accorded.

I yield to my friend.

Mr. BOEHNER. I appreciate the gentleman yielding.

I know this has been a difficult several days, but I just want to remind everyone that there are some serious process fouls that are going on. And the majority leader, the Speaker, members of the majority during 2005 and 2006 made significant efforts to be critical of the then-majority, some of it, frankly, earned.

But what is happening here, the process that's being used for the big housing bill, the process that's being discussed for the supplemental spending bill closes the minority out of any amendments and any motion to recommend.

I just hope that the majority leader and the members of the majority understand, and I think many of you who have been here for some time understand clearly, the grievance that we have. We don't have many ways to express our grievance on the housing bills because we have no amendment that we can offer. We have no substitute that we're allowed to offer, no motion to recommend. As a result, all we're asking for is to be treated fairly.

The gentleman will know, and other members of the majority and minority will remember, that in 1994 when we took the majority, some of our leaders wanted to treat the minority the way they had been treated. I argued to no end that we should treat the minority the way that we had asked to be treated when we were in the minority. I didn't always win. I'll be the first one to admit that, but I would suggest that given the statements that have been made in 2005 and 2006 about how the then-minority was treated, all I would suggest to you is just treat us the way you asked to be treated, simple as that.

Mr. HOYER. As I indicated at the outset, I understand your feelings. I said angst, but I understand your feelings. My point is that I understand while you have been making motions to adjourn and making your points, you've made it every time you've stood up. I have made the point that I remember voting on omnibus appropriation bills numerous times, 4 months, 5 months after the appropriations process should have been concluded, long after the year began, which were omnibus bills which we could not change. So we understood that that was, we didn't think, fair.

We understood that we sat here for an hour and 45 minutes while we were winning a vote, and no vote ever changed during an hour and 45 minutes, and the vote was not closed down until, in fact, you changed votes on your side and we lost. We understood that. We didn't like that. We thought that was unfair. I didn't think it was against the rules. I've said that. But I thought it was unfair.

All I am saying to my friend, the minority leader, and to my friends on the minority side, that what just occurred is not an acceptable, in our opinion—

my opinion, forget about our opinion, I haven't talked to anybody else—in my opinion, way for us to operate the House. The motions, yes, but simply changing votes for the purpose of delay could take an hour, could take 2 hours depending upon how many times people wanted to change.

Mr. Gingrich, we don't hold to it, we understand that, but he said 15 minutes plus 2. I have said that before and some people cheered. Fifteen minutes plus 2, or 5 minutes plus 2 if it's a 5-minute vote, is what we have set as the norm and the comity and the fairness to individuals to exercise their deliberative judgment.

Mr. NEAL of Massachusetts. Would the gentleman yield?

Mr. HOYER. I would be glad to yield to my friend.

Mr. NEAL of Massachusetts. Mr. Leader, most of us are institutionalists here, and we have great regard for this body, and I think we're all a bit discouraged when the regular order does not proceed, and my friend, the minority leader, spoke eloquently of what he feels to be a process that's been limited.

But the concern that many of us have is that for 6 years at the Ways and Means Committee, the minority could not pass one amendment. Not one amendment passed in what should be the most deliberative committee in this House, and there were no protestations from the other side that were ever raised.

In this instance here on the housing bill, there were two Republican amendments that were accepted. The vote was 30-5, I believe, or 35-5. So there was a process. Actually, people got to talk at the Ways and Means Committee who disagreed with the outcome of the bill, and I understand how the minority feels in this instance.

But I wish that there had been some voices raised during those years about what was happening to shut down the process in the Ways and Means Committee, and Mr. McCRERY has moved vigorously to change the tone, as Mr. RANGEL has included him in everything at the committee level.

Mr. HOYER. Reclaiming my time, it was not my purpose to stand here and exchange recriminations or look at history. I think both sides could do that.

It was my purpose to stand and say what we have just done we cannot allow because we would stop the business of the House. We're slowing down the business of the House, and that's allowable, but we're not going to allow the business of the House to be stopped by, we believe, conduct inconsistent with the rules.

Dilatory tactics are not allowed under the rules. Dilatory tactics are specifically provided for as being conduct which need not be countenanced by the House.

Mr. BOEHNER. Would the gentleman yield?

Mr. HOYER. I would be glad to yield to my friend.

Mr. BOEHNER. With all due respect, the minority in this House has a right to be heard.

Mr. HOYER. That's correct.

Mr. BOEHNER. No amendments, no substitutes, no motions to recommit. Last night, we get rid of all the Special Orders. At some point, the majority has an obligation to treat the minority with respect. It is not happening, and that's why we're going to continue to wage this fight to be heard on this floor and represent nearly half of the American people that we're here to represent.

□ 1830

Mr. HOYER. I thank the gentleman for his comments. I think my comments go as spoken. I expect you to continue to follow those actions which you think are necessary, but I did want to put you on notice because I don't want anything to happen that you're not on notice of.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. HOYER. I yield to my friend.

Mr. HASTINGS of Washington. I thank the majority leader for yielding.

Under the rules of the House, the Members have the right to vote if they're in the well. You're certainly not suggesting that the presiding officer or the Speaker is going to not abide by that privilege that a Member has when they're in the well of the House.

Mr. HOYER. I don't want to shock anybody on this floor. My belief is that comity requires that, not the rules. I believe comity ought to be followed to that extent. But if your contention is that you can have 200 people stand in that aisle and one every 20 seconds come in and take 20 seconds to change their vote and submit it and the Speaker is hostage to the 199 people waiting to step into the aisle while they're standing there, the answer to your question is yes, I believe the Speaker has the authority under the good order of the House, and I believe the presiding officer has the absolute authority.

Mr. LINDER, who is sitting here, shut down a vote. I think he was within the rules. There were two people in the well. Now, that was changed—

Mr. LINDER. I would object.

Mr. HOYER. You object to the action or the assertion?

Mr. LINDER. Will the gentleman yield?

Mr. HOYER. I certainly will.

Mr. LINDER. As a matter of fact, I was in the Chair and I was accused of shutting down the vote while people were in the well seeking to vote. And the next day the C-SPAN tapes proved you were wrong and I was right. The people coming in to vote were not even not only in the well, they were not even on the floor. They were shouting "one more." But Dick Arme reviewed the tapes to critique me and concluded that you were wrong and I was right.

Mr. HOYER. Let me correct my statement. They were not in the well.

They were coming down the aisle. But I think the point is the same. Somebody was seeking to vote. Mr. LINDER decided the vote was over. I think Mr. LINDER acted within the rules.

I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 5818, NEIGHBORHOOD STABILIZATION ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1174, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

POINT OF ORDER

Mr. KINGSTON. Madam Speaker, point of order. On that, I object.

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

Mr. KINGSTON. On resuming with 5-minute voting, I object.

The SPEAKER pro tempore. That order was entered some time ago. No objection was heard.

Mr. KINGSTON. Reserving my right to object.

The SPEAKER pro tempore. The gentleman's objection is not timely.

MOTION TO ADJOURN

Mr. KINGSTON. Madam Speaker, I move that the House do now adjourn.

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

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

RECORDED VOTE

Mr. KINGSTON. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote will be followed by 5-minute votes.

The vote was taken by electronic device, and there were—ayes 143, noes 272, not voting 18, as follows:

[Roll No. 286] AYES—143

Aderholt Bono Mack Carter
Akin Boozman Chabot
Alexander Boustany Clay
Bachmann Boyd (FL) Coble
Bachus Brady (TX) Cole (OK)
Barrett (SC) Broun (GA) Crenshaw
Bartlett (MD) Brown (SC) Cubin
Barton (TX) Brown-Waite, Davis, David
Biggert Ginny Davis, Tom
Bilbray Burton (IN) Deal (GA)
Bilirakis Buyer Doolittle
Bishop (UT) Calvert Drake
Blackburn Camp (MI) Dreier
Blunt Cannon Duncan
Boehner Cantor Emerson
Bonner Capito English (PA)

Everett Lewis (KY) Rohrabacher
Fallin Linder Royce
Ferguson Lucas Ryan (WI)
Flake Lungren, Daniel Scalise
Forbes E. Schmidt
Franks (AZ) Mack Sensenbrenner
Frelinghuysen McCarthy (CA) Sessions
Gallegly McCrery Shadegg
Garrett (NJ) McHenry Shays
Gilchrest McHugh Shimkus
Gingrey McKeon Shuster
Goode Miller (FL) Simpson
Goodlatte Miller (MI) Smith (NE)
Granger Miller, Gary Smith (TX)
Hastings (WA) Musgrave Souder
Hayes Myrick Stearns
Hensarling Neugebauer Tancredo
Herger Paul Taylor
Hobson Pearce Thornberry
Hoekstra Pence Tiberi
Inglis (SC) Peterson (PA) Upton
Issa Petri Walden (OR)
Johnson (IL) Pickering Walsh (NY)
Johnson, Sam Pitts Wamp
King (IA) Price (GA) Weller
King (NY) Pryce (OH) Westmoreland
Kingston Putnam Whitfield (KY)
Kline (MN) Radanovich Wilson (NM)
Knollenberg Regula Wilson (SC)
LaHood Rehberg Young (AK)
Lamborn Reichert Young (FL)
Latta Rogers (AL)
Lewis (CA) Rogers (KY)

NOES—272

Abercrombie Doggett Kind
Ackerman Donnelly Kirk
Allen Doyle Klein (FL)
Altmire Edwards Kucinich
Andrews Ehlers Kuhl (NY)
Arcuri Ellison Lampson
Baca Ellsworth Langevin
Baird Emanuel Larsen (WA)
Baldwin Engel Larson (CT)
Barrow Eshoo Latham
Bean Etheridge Lee
Becerra Farr Levin
Berkley Fattah Lewis (GA)
Berman Feeney Lipinski
Bishop (GA) Filner LoBiondo
Blumenauer Fortenberry Loeb sack
Boren Fossella Lofgren, Zoe
Boswell Foxx Lowey
Boucher Frank (MA) Lynch
Boyda (KS) Gerlach Mahoney (FL)
Brady (PA) Giffords Maloney (NY)
Braley (IA) Gillibrand Manzullo
Brown, Corrine Gohmert Marchant
Buchanan Gonzalez Markey
Burgess Gordon Marshall
Butterfield Graves Matheson
Capps Green, Al Matsui
Capuano Green, Gene McCarthy (NY)
Cardoza Grijalva McCaul (TX)
Carnahan Gutierrez McCollum (MN)
Carney Hall (NY) McCotter
Carson Hare McDermott
Castle Harman McGovern
Castor Hastings (FL) McIntyre
Caza youx Heller McNerney
Chandler Herseth Sandlin McNulty
Clarke Higgins Meek (FL)
Cleaver Hill Meeks (NY)
Clyburn Hinchey Melancon
Cohen Hinojosa Mica
Conyers Hirono Michaud
Cooper Hodes Miller (NC)
Costa Holden Miller, George
Costello Holt Mitchell
Courtney Honda Mollohan
Cramer Hooley Moore (KS)
Crowley Hoyer Moore (WI)
Cuellar Hulshof Moran (KS)
Culberson Inslee Moran (VA)
Cummings Israel Murphy (CT)
Davis (AL) Jackson (IL) Murphy, Patrick
Davis (CA) Jackson-Lee Murphy, Tim
Davis (IL) (TX) Murtha
Davis (KY) Jefferson Nadler
Davis, Lincoln Johnson (GA) Napolitano
DeFazio Johnson, E. B. Neal (MA)
DeGette Jones (NC) Nunes
Delahunt Jordan Oberstar
DeLauro Kagen Obey
Dent Kanjorski Olver
Diaz-Balart, L. Kaptur Ortiz
Diaz-Balart, M. Kennedy Pallone
Dicks Kildee Pascrell
Dingell Kilpatrick Pastor