

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agreed to a concurrence resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 45. Concurrent resolution encouraging the Government of Iran to allow Joshua Fattal, Shane Bauer, and Sarah Shourd to reunite with their families in the United States as soon as possible.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 3326) "An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appointees Mr. INOUE, Mr. BYRD, Mr. LEAHY, Mr. HARKIN, Mr. DORGAN, Mr. DURBIN, Mrs. FEINSTEIN, Ms. MIKULSKI, Mr. KOHL, Mrs. MURRAY, Mr. SPECTER, Mr. COCHRAN, Mr. BOND, Mr. MCCONNELL, Mr. SHELBY, Mr. GREGG, Mrs. HUTCHISON, Mr. BENNETT, and Mr. BROWNBACK to be the conferees on the part of the Senate.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 52 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1216

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BLUMENAUER) at 12 o'clock and 16 minutes p.m.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 701

Mr. BOREN. Mr. Speaker, I ask unanimous consent that I remove my name from H. Res. 701.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 799;

Adopting House Resolution 799, if ordered; and

Suspending the rules with regard to: House Resolution 701 and House Resolution 795.

The first electronic vote will be conducted as a 15-minute vote. Remaining

electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2997, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 799, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 237, nays 180, not voting 15, as follows:

[Roll No. 756]

YEAS—237

- Abercrombie
- Ackerman
- Adler (NJ)
- Altmire
- Andrews
- Arcuri
- Baca
- Baldwin
- Barrow
- Bean
- Becerra
- Berkley
- Berman
- Berry
- Bishop (GA)
- Bishop (NY)
- Blumenauer
- Bocchieri
- Boswell
- Boucher
- Boyd
- Brady (PA)
- Brown, Corrine
- Butterfield
- Capps
- Capuano
- Cardoza
- Carnahan
- Carson (IN)
- Castor (FL)
- Chandler
- Childers
- Chu
- Clarke
- Clay
- Cleaver
- Clyburn
- Cohen
- Connolly (VA)
- Cooper
- Costa
- Costello
- Courtney
- Crowley
- Cuellar
- Cummings
- Dahlkemper
- Davis (AL)
- Davis (CA)
- Davis (IL)
- Davis (TN)
- DeFazio
- DeGette
- Delahunt
- DeLauro
- Dicks
- Dingell
- Doggett
- Donnelly (IN)
- Doyle
- Driehaus
- Edwards (MD)
- Edwards (TX)
- Ellison
- Ellsworth
- Eshoo
- Etheridge
- Farr
- Fattah
- Filner
- Frank (MA)
- Fudge
- Giffords
- Gonzalez
- Gordon (TN)
- Grayson
- Green, Al
- Green, Gene
- Grijalva
- Gutierrez
- Hall (NY)
- Halvorson
- Hare
- Harman
- Hastings (FL)
- Heinrich
- Herseht Sandlin
- Higgins
- Hill
- Himes
- Hinchey
- Hinojosa
- Hirono
- Hodes
- Holden
- Holt
- Honda
- Hoyer
- Insee
- Israel
- Jackson (IL)
- Jackson-Lee
- (TX)
- Johnson (GA)
- Johnson, E.B.
- Kagen
- Kanjorski
- Kaptur
- Kennedy
- Kildee
- Kilpatrick (MI)
- Kilroy
- Kind
- Kirkpatrick (AZ)
- Kissell
- Klein (FL)
- Kosmas
- Kucinich
- Langevin
- Larsen (WA)
- Lee (CA)
- Levin
- Lewis (GA)
- Lipinski
- Loebsack
- Lofgren, Zoe
- Lowey
- Lujan
- Lynch
- Maffei
- Markey (CO)
- Markey (MA)
- Marshall
- Massa
- Matheson
- Matsui
- McCarthy (NY)
- McCollum
- McDermott
- McGovern
- McIntyre
- McMahon
- McNerney
- Meek (FL)
- Meeks (NY)
- Melancon
- Michaud
- Miller (NC)
- Miller, George
- Mollohan
- Moore (KS)
- Moore (WI)
- Moran (VA)
- Murphy (CT)
- Murphy (NY)
- Murphy, Patrick
- Murtha
- Nadler (NY)
- Napolitano
- Neal (MA)
- Oberstar
- Obey
- Olver
- Ortiz
- Pallone
- Pascrell
- Pastor (AZ)
- Payne
- Perlmutter
- Perriello
- Peters
- Peterson
- Pingree (ME)
- Polis (CO)
- Pomeroy
- Price (NC)
- Quigley
- Rahall
- Rangel
- Reyes
- Richardson
- Rodriguez
- Ross
- Rothman (NJ)
- Roybal-Allard
- Ruppersberger
- Rush
- Ryan (OH)
- Salazar
- Sanchez, Linda
- T. Sanchez, Loretta
- Sarbanes
- Schakowsky
- Schauer
- Markey (CO)
- Markey (MA)
- Marshall
- Massa
- Matheson
- Matsui
- McCarthy (NY)
- McCollum
- McDermott
- McGovern
- McIntyre
- McMahon
- McNerney
- Meek (FL)
- Meeks (NY)
- Melancon
- Michaud
- Miller (NC)
- Miller, George
- Mollohan
- Moore (KS)
- Moore (WI)
- Moran (VA)
- Murphy (CT)
- Murphy (NY)
- Murphy, Patrick
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- Rahall
- Rangel
- Reyes
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- Rodriguez
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- Rothman (NJ)
- Roybal-Allard
- Ruppersberger
- Rush
- Ryan (OH)
- Salazar
- Sanchez, Linda
- T. Sanchez, Loretta
- Sarbanes
- Schakowsky
- Schauer

- Schiff
- Schrader
- Schwartz
- Scott (GA)
- Scott (VA)
- Serrano
- Sestak
- Shea-Porter
- Sherman
- Shuler
- Sires
- Skelton
- Slaughter
- Snyder
- Space
- Speier
- Spratt
- Stark
- Stupak
- Sutton
- Tanner
- Teague
- Thompson (CA)
- Thompson (MS)
- Tierney
- Titus
- Tonko
- Towns
- Van Hollen
- Velázquez
- Visclosky
- Walz
- Wasserman
- Schultz
- Waters
- Watson
- Watt
- Waxman
- Weiner
- Welch
- Wexler
- Wilson (OH)
- Woolsey
- Wu
- Yarmuth

NAYS—180

- Aderholt
- Akin
- Alexander
- Austria
- Bachus
- Baird
- Barrett (SC)
- Bartlett
- Barton (TX)
- Biggert
- Bilbray
- Bilirakis
- Bishop (UT)
- Blackburn
- Blunt
- Boehner
- Bonner
- Bono Mack
- Boozman
- Boren
- Boustany
- Brady (TX)
- Bright
- Broun (GA)
- Brown (SC)
- Brown-Waite, Ginny
- Buchanan
- Burgess
- Burton (IN)
- Buyer
- Calvert
- Camp
- Campbell
- Cantor
- Cao
- Capito
- Carter
- Cassidy
- Castle
- Chaffetz
- Coble
- Coffman (CO)
- Cole
- Conaway
- Culberson
- Davis (KY)
- Deal (GA)
- Dent
- Diaz-Balart, L.
- Dreier
- Duncan
- Ehlers
- Emerson
- Fallin
- Flake
- Fleming
- Forbes
- Fortenberry
- Foster
- Foxx
- Franks (AZ)
- Gallely
- Garrett (NJ)
- Gerlach
- Gingrey (GA)
- Gohmert
- Goodlatte
- Granger
- Graves
- Griffith
- Guthrie
- Hall (TX)
- Harper
- Hastings (WA)
- Heller
- Hensarling
- Herger
- Hoekstra
- Hunter
- Inglis
- Issa
- Jenkins
- Johnson (IL)
- Jones
- Jordan (OH)
- King (IA)
- King (NY)
- Kingston
- Kirk
- Kline (MN)
- Kratovil
- Lamborn
- Lance
- Latham
- LaTourette
- Latta
- Lee (NY)
- Lewis (CA)
- Linder
- LoBiondo
- Lucas
- Luetkemeyer
- Lummis
- Lungren, Daniel
- E.
- Mack
- Manzullo
- Marchant
- McCarthy (CA)
- McCaul
- McClintock
- McCotter
- McHenry
- McKeon
- McMorris
- Rodgers
- Mica
- Miller (FL)
- Miller (MI)
- Miller, Gary
- Minnick
- Mitchell
- Moran (KS)
- Murphy, Tim
- Myrick
- Nunes
- Nye
- Olson
- Paul
- Paulsen
- Pence
- Petri
- Pitts
- Platts
- Poe (TX)
- Posey
- Price (GA)
- Putnam
- Rehberg
- Reichert
- Roe (TN)
- Rogers (AL)
- Rogers (KY)
- Rogers (MI)
- Rohrabacher
- Rooney
- Ros-Lehtinen
- Roskam
- Royce
- Ryan (WI)
- Scalise
- Schmidt
- Schock
- Sensenbrenner
- Sessions
- Shadegg
- Shimkus
- Shuster
- Simpson
- Smith (NE)
- Smith (NJ)
- Smith (TX)
- Smith (WA)
- Souder
- Stearns
- Sullivan
- Taylor
- Terry
- Thompson (PA)
- Thornberry
- Tiahrt
- Tiberi
- Turner
- Upton
- Walden
- Wamp
- Whitfield
- Wilson (SC)
- Wittman
- Wolf
- Young (AK)
- Young (FL)

NOT VOTING—15

- Bachmann
- Bralley (IA)
- Carney
- Conyers
- Crenshaw
- Diaz-Balart, M.
- Engel
- Frelinghuysen
- Johnson, Sam
- Larson (CT)
- Maloney
- Neugebauer
- Radanovich
- Tsongas
- Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1245

Ms. FALLIN and Mr. ROGERS of Alabama changed their vote from "yea" to "nay."

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. BRALEY of Iowa. Mr. Speaker, on rollcall No. 756, I was unavoidably detained and missed the vote. Had I been present, I would have voted "yea."

Mr. LARSON of Connecticut. Mr. Speaker, on rollcall No. 756, had I been present, I would have voted "yea."

Mr. CONYERS. Mr. Speaker, on October 7, 2009, I regret that I was not present for the following vote:

On the Motion on Ordering the Previous Question for the Rule on the Conference Report on H.R. 2997. Had I been present, I would have voted "yea."

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. DREIER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 178, not voting 13, as follows:

[Roll No. 757]

AYES—241

| | | |
|----------------|-----------------|------------------|
| Abercrombie | DeGette | Kanjorski |
| Ackerman | Delahunt | Kaptur |
| Adler (NJ) | DeLauro | Kennedy |
| Altmire | Dicks | Kildee |
| Andrews | Dingell | Kilpatrick (MI) |
| Arcuri | Doggett | Kilroy |
| Baca | Donnelly (IN) | Kirkpatrick (AZ) |
| Baird | Doyle | Kissell |
| Baldwin | Driehaus | Klein (FL) |
| Barrow | Edwards (MD) | Kosmas |
| Bean | Edwards (TX) | Kucinich |
| Becerra | Ellison | Langevin |
| Berkley | Ellsworth | Larsen (WA) |
| Berman | Engel | Lee (CA) |
| Berry | Eshoo | Levin |
| Bishop (GA) | Etheridge | Lewis (GA) |
| Bishop (NY) | Farr | Lipinski |
| Blumenauer | Fattah | Loebsack |
| Boccieri | Filner | Lofgren, Zoe |
| Boren | Foster | Lowey |
| Boswell | Frank (MA) | Lujan |
| Boucher | Fudge | Lynch |
| Boyd | Giffords | Maffei |
| Brady (PA) | Gonzalez | Markey (CO) |
| Braley (IA) | Gordon (TN) | Markley (MA) |
| Brown, Corrine | Grayson | Marshall |
| Butterfield | Green, Al | Massa |
| Capps | Green, Gene | Matheson |
| Capuano | Griffith | Matsui |
| Cardoza | Grijalva | McCarthy (NY) |
| Carnahan | Gutierrez | McCollum |
| Carson (IN) | Hall (NY) | McDermott |
| Castor (FL) | Halvorson | McGovern |
| Chandler | Hare | McIntyre |
| Childers | Harman | McMahon |
| Chu | Hastings (FL) | McNerney |
| Clarke | Heinrich | Meek (FL) |
| Clay | Herseth Sandlin | Meeks (NY) |
| Cleaver | Higgins | Melancon |
| Clyburn | Hill | Melchior |
| Cohen | Himes | Miller (NC) |
| Connolly (VA) | Hinchee | Miller, George |
| Conyers | Hinojosa | Mollohan |
| Cooper | Hirono | Moore (KS) |
| Costa | Hodes | Moore (WI) |
| Costello | Holden | Moran (VA) |
| Courtney | Holt | Murphy (CT) |
| Crowley | Hoyer | Murphy (NY) |
| Cuellar | Insee | Murphy, Patrick |
| Cummings | Israel | Nadler (NY) |
| Dahlkemper | Jackson (IL) | Napolitano |
| Davis (AL) | Jackson-Lee | Neal (MA) |
| Davis (CA) | (TX) | Oberstar |
| Davis (IL) | Johnson (GA) | Obey |
| Davis (TN) | Johnson, E. B. | Olver |
| DeFazio | Kagen | Ortiz |

| | | |
|---------------|------------------|---------------|
| Pallone | Sánchez, Linda | Tanner |
| Pascarell | T. | Teague |
| Pastor (AZ) | Sanchez, Loretta | Thompson (CA) |
| Payne | Sarbanes | Thompson (MS) |
| Perlmutter | Schakowsky | Tierney |
| Perriello | Schauer | Titus |
| Peters | Schiff | Tonko |
| Peterson | Schrader | Towns |
| Pingree (ME) | Schwartz | Van Hollen |
| Polis (CO) | Scott (GA) | Velázquez |
| Pomeroy | Scott (VA) | Visclosky |
| Price (NC) | Serrano | Walz |
| Quigley | Sestak | Wasserman |
| Rahall | Shea-Porter | Schultz |
| Rangel | Sherman | Waters |
| Reyes | Sires | Watson |
| Richardson | Skelton | Watt |
| Rodriguez | Slaughter | Waxman |
| Ross | Smith (WA) | Weiner |
| Rothman (NJ) | Snyder | Welch |
| Roybal-Allard | Space | Wexler |
| Ruppersberger | Speier | Wilson (OH) |
| Rush | Spratt | Woolsey |
| Ryan (OH) | Stark | Wu |
| Salazar | Stupak | Yarmuth |
| | Sutton | |

NOES—178

| | | |
|-----------------|-----------------|---------------|
| Aderholt | Gerlach | Myrick |
| Akin | Gingrey (GA) | Nunes |
| Alexander | Gohmert | Nye |
| Austria | Goodlatte | Olson |
| Bachus | Granger | Paul |
| Barrett (SC) | Graves | Paulsen |
| Bartlett | Guthrie | Pence |
| Barton (TX) | Hall (TX) | Petri |
| Biggart | Harper | Pitts |
| Bilbray | Hastings (WA) | Platts |
| Bilirakis | Heller | Poe (TX) |
| Bishop (UT) | Hensarling | Posey |
| Blackburn | Herger | Price (GA) |
| Blunt | Hoekstra | Putnam |
| Boehner | Hunter | Rehberg |
| Bonner | Inglis | Reichert |
| Bono Mack | Issa | Roe (TN) |
| Boozman | Jenkins | Rogers (AL) |
| Boustany | Johnson (IL) | Rogers (KY) |
| Brady (TX) | Jones | Rogers (MI) |
| Doyle | Jordan (OH) | Rohrabacher |
| Bright | Kind | Rooney |
| Broun (GA) | King (IA) | Ros-Lehtinen |
| Brown (SC) | King (NY) | Roskam |
| Brown-Waite, | Kingston | Royce |
| Ginny | Kirk | Ryan (WI) |
| Buchanan | Kline (MN) | Scalise |
| Burgess | Kratovil | Schmidt |
| Burton (IN) | Lamborn | Schock |
| Buyer | Lance | Sensenbrenner |
| Calvert | Camp | Sessions |
| Calvert | Campbell | Shadegg |
| Cantor | Cantor | Shimkus |
| Cao | Cao | Shuler |
| Capito | Capito | Shuster |
| Carter | Carter | Simpson |
| Cassidy | Cassidy | Smith (NE) |
| Castle | Castle | Smith (NJ) |
| Chaffetz | Chaffetz | Smith (TX) |
| Coble | Coble | Souder |
| Coffman (CO) | Coffman (CO) | Stearns |
| Cole | Cole | Sullivan |
| Conaway | Conaway | Taylor |
| Culberson | Culberson | Terry |
| Davis (KY) | Davis (KY) | Thompson (PA) |
| Deal (GA) | Deal (GA) | Thornberry |
| Dent | Dent | Tiahrt |
| Diaz-Balart, L. | Diaz-Balart, L. | Tiberi |
| Dreier | Dreier | Turner |
| Duncan | Duncan | Upton |
| Ehlers | Ehlers | Walden |
| Emerson | Emerson | Wamp |
| Fallin | Fallin | Westmoreland |
| Flake | Flake | Whitfield |
| Fleming | Fleming | Wilson (SC) |
| Forbes | Forbes | Wittman |
| Forbenberry | Forbenberry | Wolf |
| Fox | Fox | Young (AK) |
| Franks (AZ) | Franks (AZ) | Young (FL) |
| Galleghy | Galleghy | |
| Garrett (NJ) | Garrett (NJ) | |

NOT VOTING—13

| | |
|-----------------|--------------|
| Bachmann | Honda |
| Carney | Johnson, Sam |
| Crenshaw | Larson (CT) |
| Diaz-Balart, M. | Maloney |
| Frelinghuysen | Murtha |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in the vote.

□ 1253

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.

Stated for:

Mr. LARSON of Connecticut. Mr. Speaker, in rollcall No. 757, had I been present, I would have voted "aye."

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. CARTER. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

Whereas the gentleman from New York, Charles B. Rangel, the fourth most senior Member of the House of Representatives, serves as chairman of the House Ways and Means Committee, a position of considerable power and influence within the House of Representatives;

Whereas clause one of Rule XXIII of the Rules of the House of Representatives provides, "A Member, Delegate, Resident Commissioner, officer, or employee of the House shall conduct himself at all times in a manner that shall reflect creditably on the House";

Whereas The New York Times reported on September 5, 2008, that, "Representative Charles B. Rangel has earned more than \$75,000 in rental income from a villa he has owned in the Dominican Republic since 1988, but never reported it on his federal or state tax returns, according to a lawyer for the congressman and documents from the report";

Whereas in an article in the September 5, 2008 edition of The New York Times, his attorney confirmed that Representative Rangel's annual congressional Financial Disclosure statements failed to disclose the rental income from his resort villa;

Whereas The New York Times reported on September 6, 2008 that, "Representative Charles B. Rangel paid no interest for more than a decade on a mortgage extended to him to buy a villa at a beachfront resort in the Dominican Republic, according to Mr. Rangel's lawyer and records from the resort. The loan, which was extended to Mr. Rangel in 1988, was originally to be paid back over seven years at a rate of 10.5 percent. But within two years, interest on the loan was waived for Mr. Rangel";

Whereas clause 5(a)(2)(A) of House Rule 25 defines a gift as, ". . . a gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value" and prohibits the acceptance of such gifts except in limited circumstances;

Whereas Representative Rangel's acceptance of thousands of dollars in interest forgiveness is a violation of the House gift ban;

Whereas Representative Rangel's failure to disclose the aforementioned gifts and income on his Personal Financial Disclosure Statements violates House rules and federal law;

Whereas Representative Rangel's failure to report the aforementioned gifts and income on federal, state and local tax returns is a violation of the tax laws of those jurisdictions;