

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

NAYS—178

Aderholt	Brown-Waite,	Deal (GA)
Akin	Ginny	Dent
Alexander	Buchanan	Diaz-Balart, L.
Bachmann	Burgess	Diaz-Balart, M.
Bachus	Burton (IN)	Doolittle
Baker	Buyer	Drake
Barrett (SC)	Calvert	Dreier
Barton (TX)	Camp (MI)	Duncan
Biggert	Campbell (CA)	Ehlers
Billbray	Cannon	Emerson
Bilirakis	Cantor	English (PA)
Bishop (UT)	Capito	Everett
Blackburn	Carter	Fallin
Blunt	Castle	Feeney
Boehner	Chabot	Ferguson
Bonner	Coble	Flake
Bono	Cole (OK)	Forbes
Boozman	Conaway	Fortenberry
Boustany	Culberson	Fossella
Brady (TX)	Davis (KY)	Fox
Broun (GA)	Davis, David	Franks (AZ)
Brown (SC)	Davis, Tom	Gallely

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

ANSWERED "PRESENT"—12

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

NOT VOTING—31

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

□ 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.

Res. 614) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3221, NEW DIRECTION FOR ENERGY INDEPENDENCE, NATIONAL SECURITY, AND CONSUMER PROTECTION ACT, AND FOR CONSIDERATION OF H.R. 2776, RENEWABLE ENERGY AND ENERGY CONSERVATION TAX ACT OF 2007

Ms. CASTOR, from the Committee on Rules, submitted a privileged report (Rept. No. 110-300) on the resolution (H. Res. 615) providing for consideration of the bill (H.R. 3221) moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and for consideration of the bill (H.R. 2776) to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation, which was referred to the House Calendar and ordered to be printed.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 775. An act to establish a National Commission on the Infrastructure of the United States; to the committee on Transportation and Infrastructure.

S. 1983. An act to amend the Federal Insecticide, Fungicide, and Rodenticide Act to renew and amend the provisions for the enhanced review of covered pesticide products, to authorize fees for certain pesticide products, to extend and improve the collection of maintenance fees, and for other purposes; to the Committee on Agriculture.

ENROLLED BILL SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found a truly enrolled bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3206. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through December 15, 2007, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced her signature to enrolled bills of the Senate of the following titles:

S. 1. An act to provide greater transparency in the legislative process.

S. 375. An act to waive application of the Indian Self-Determination and Education

Assistance Act to a specific parcel of real property transferred by the United States to 2 Indian tribes in the State of Oregon, and for other purposes.

S. 975. An act Granting the consent and approval of Congress to an interstate forest fire protection compact.

S. 1099. An act to amend chapter 89 of title 5, United States Code, to make individuals employed by the Roosevelt Campobello International Park Commission eligible to obtain Federal health insurance.

S. 1716. To amend the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007, to strike a requirement relating to forage producers.

ADJOURNMENT

Ms. CASTOR. 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 ayes appeared to have it.

Mr. ISSA. 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 270, nays 121, not voting 41, as follows:

[Roll No. 823]

YEAS—270

Abercrombie	Cramer	Inslee
Ackerman	Crowley	Israel
Aderholt	Cuellar	Issa
Alexander	Davis (AL)	Jackson (IL)
Allen	Davis (CA)	Jackson-Lee
Altmire	Davis (IL)	(TX)
Andrews	Davis, Lincoln	Jefferson
Arcuri	Davis, Tom	Johnson (GA)
Baca	DeFazio	Johnson, E. B.
Baird	DeGette	Jones (NC)
Baldwin	Delahunt	Jones (OH)
Barrett (SC)	DeLauro	Jordan
Barrow	Dent	Kagen
Bartlett (MD)	Diaz-Balart, L.	Kanjorski
Bean	Diaz-Balart, M.	Kaptur
Becerra	Dingell	Keller
Berkley	Doggett	Kennedy
Berman	Doyle	Kildee
Bishop (GA)	Dreier	Kilpatrick
Bishop (NY)	Ellison	Kind
Bishop (UT)	Emanuel	Klein (FL)
Blumenauer	Emerson	Knollenberg
Bono	Engel	Kucinich
Boswell	Eshoo	Kuhl (NY)
Boucher	Etheridge	Langevin
Boustany	Farr	Larsen (WA)
Boyd (FL)	Fattah	Larson (CT)
Boyd (KS)	Feeney	Lee
Brady (PA)	Ferguson	Levin
Bralley (IA)	Filner	Lewis (GA)
Brown, Corrine	Frank (MA)	Lipinski
Brown-Waite,	Frelinghuysen	Loeback
Ginny	Gerlach	Loftgren, Zoe
Buchanan	Gilchrest	Lowey
Burton (IN)	Gillmor	Lynch
Butterfield	Gonzalez	Mack
Buyer	Granger	Mahoney (FL)
Camp (MI)	Green, Al	Maloney (NY)
Capps	Grijalva	Manzullo
Capuano	Hall (NY)	Marchant
Cardoza	Harman	Markey
Carnahan	Hastings (FL)	Marshall
Carson	Hastings (WA)	Matheson
Castle	Heller	Matsui
Castor	Hergert	McCarthy (CA)
Chabot	Hereth Sandlin	McCaul (TX)
Chandler	Hill	McCollum (MN)
Clay	Hinchoy	McGovern
Cleaver	Hinojosa	McHugh
Clyburn	Hirono	McIntyre
Cohen	Hodes	McKeon
Conyers	Holden	McMorris
Cooper	Holt	Rodgers
Costa	Honda	McNerney
Costello	Hooley	Meek (FL)
Courtney	Hoyer	Meeks (NY)

Michaud	Reyes	Spratt
Miller (NC)	Rodriguez	Stearns
Miller, Gary	Rogers (AL)	Stupak
Miller, George	Rogers (KY)	Sullivan
Mitchell	Ros-Lehtinen	Sutton
Moore (KS)	Roskam	Tancredo
Moore (WI)	Ross	Tanner
Murphy (CT)	Rothman	Tauscher
Murphy, Patrick	Roybal-Allard	Taylor
Nadler	Ruppersberger	Thompson (CA)
Napolitano	Rush	Thompson (MS)
Neal (MA)	Ryan (OH)	Tierney
Nunes	Ryan (WI)	Towns
Oberstar	Salazar	Udall (NM)
Obey	Sánchez, Linda	Van Hollen
Olver	T.	Velázquez
Ortiz	Sanchez, Loretta	Visclosky
Pallone	Sarbanes	Walberg
Pastor	Schakowsky	Walz (MN)
Payne	Schiff	Wamp
Pence	Scott (GA)	Wasserman
Perlmutter	Scott (VA)	Schultz
Peterson (MN)	Sensenbrenner	Waters
Peterson (PA)	Serrano	Watson
Petri	Shays	Weiner
Pickering	Shea-Porter	Welch (VT)
Pomeroy	Sherman	Wexler
Porter	Shuster	Whitfield
Price (NC)	Simpson	Wicker
Pryce (OH)	Sires	Wilson (NM)
Radanovich	Skelton	Wilson (OH)
Ramstad	Smith (NJ)	Wilson (SC)
Rangel	Smith (WA)	Woolsey
Regula	Snyder	Wynn
Rehberg	Solis	Yarmuth
Reichert	Space	

NAYS—121

Akin	Franks (AZ)	Murphy, Tim
Bachmann	Galleghy	Myrick
Bachus	Garrett (NJ)	Neugebauer
Barton (TX)	Giffords	Pascarella
Berry	Gillibrand	Pearce
Biggert	Gingrey	Pitts
Bilirakis	Gohmert	Platts
Blackburn	Goode	Poe
Blunt	Goodlatte	Price (GA)
Bonner	Graves	Putnam
Boozman	Green, Gene	Rahall
Broun (GA)	Hall (TX)	Renzi
Brown (SC)	Hastert	Reynolds
Burgess	Hensarling	Rogers (MI)
Calvert	Hobson	Rohrabacher
Campbell (CA)	Hoekstra	Royce
Cannon	Hulshof	Sali
Cantor	Inglis (SC)	Schmidt
Capito	Jindal	Schwartz
Carney	Johnson (IL)	Sessions
Carter	King (IA)	Shadegg
Coble	King (NY)	Shuler
Cole (OK)	Kingston	Smith (NE)
Conaway	Kline (MN)	Souder
Culberson	Lamborn	Terry
Davis (KY)	Latham	Thornberry
Davis, David	LaTourette	Tiahrt
Deal (GA)	Lewis (CA)	Tiberi
Donnelly	Lewis (KY)	Turner
Drake	LoBiondo	Udall (CO)
Duncan	Lungren, Daniel	Upton
Ehlers	E.	Walden (OR)
Ellsworth	McCarthy (NY)	Walsh (NY)
English (PA)	McCotter	Watt
Everett	McHenry	Weller
Fallin	Melancon	Westmoreland
Flake	Mica	Wolf
Forbes	Miller (FL)	Wu
Fortenberry	Miller (MI)	Young (AK)
Fossella	Mollohan	Young (FL)
Fox	Moran (KS)	

NOT VOTING—41

Baker	Gutierrez	McNulty
Bilbray	Hare	Moran (VA)
Boehner	Hayes	Murtha
Boren	Higgins	Musgrave
Brady (TX)	Hunter	Paul
Clarke	Johnson, Sam	Saxton
Crenshaw	Kirk	Sestak
Cubin	LaHood	Shimkus
Cummings	Lampson	Slaughter
Davis, Jo Ann	Lantos	Smith (TX)
Dicks	Linder	Stark
Doolittle	Lucas	Waxman
Edwards	McCrery	Weldon (FL)
Gordon	McDermott	

So the motion to adjourn was agreed to.