

into a trust and then telling his son to secretly sell his stock.

They walked away with hundreds of millions of dollars at the time that the company was imploding. But they ran downstairs and they told the employees, it is a great company; we are on the verge of big breakthroughs; buy more stock. Jail is too good for those people.

And the lives that they have wrecked, we heard testimony in this Congress from those people who worked for that company who lost their future, who lost their life savings, who lost their retirement, who lost their plans.

Jail is too good for Ken Lay and his ilk. But we have got to stop it now when we have the opportunity in the rewrite of the pension bill. That is what this motion is about. I urge people in the name of fairness and decency, for working people in this country, to vote for the Miller motion to instruct.

Ms. WATERS. Mr. Speaker, I rise in strong support of the Motion to Instruct Conferees authored by my California colleague, Mr. GEORGE MILLER. While the underlying bill, H.R. 2830, purported to strengthen the defined benefit system, the numerous technical changes that were proposed for the funding rules that apply to defined benefit plans will change how the liabilities under the pension plan are valued and the accounting for contributions made. First of all, let me say that I fully opposed the bill that passed on December 15, 2005 by a vote of 294 to 132 because it would cause millions of Americans to receive reductions in their pension plan. Furthermore, its provisions would facilitate the freezing or complete termination of pension plans by corporate boards.

Under the so-called Pension Protection Act, if an employer funds a tax-qualified pension plan under 80 percent, then the covered workers cannot receive benefit increases, COLAs, or lump sum pension payments. Executives can continue to provide themselves lavish benefits under non-qualified plans without any restrictions. Only if funding drops below 60 percent, are executives prohibited from transferring corporate assets to executive compensation.

This Motion by the Gentleman seeks to fix a major source of these potential dangers to our hard-working constituents. It ensures that corporate heads do not profit at the peril of their workers—they will have to adhere to the same retirement rules as do their employees. The situation surrounding Exxon Mobil's outgoing CEO, R. Lee Raymond whereby he was slated to bail out of the corporation with a "golden parachute" of a \$98 million in lump sum pension payment is a slap in the face of the notions of corporate ethics and duty to employees and shareholders. Raymond's total retirement package, including stock options and severance pay—is valued at \$400 million. This is just one more example of out of control executive pay at American companies.

As the Motion to Instruct states, Conferees should craft its report to apply the same benefit restrictions between workers and CEOs and use the earlier effective date of the House bill, December 31, 2005.

Mr. Speaker, in my state of California, seven oil companies control more than 95 per-

cent of the state's refining capacity. That translates to thousands of workers whose benefits will be jeopardized by this bill. We need to force corporations to institute fairness in their pension programs where employees are not treated like animals.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from California (Mr. GEORGE MILLER).

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

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

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:

Motion to instruct on H.R. 4297, by the yeas and nays;

Motion to instruct on H.R. 2830, by the yeas and nays;

Ordering the previous question on H. Res. 789, by the yeas and nays;

Agreeing to H. Res. 789, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

MOTION TO INSTRUCT CONFEREES ON H.R. 4297, TAX RELIEF EXTENSION ACT OF 2005

The SPEAKER pro tempore. The pending business is the vote on the motion to instruct on H.R. 4297 offered by the gentleman from Connecticut (Mr. LARSON) on which the yeas and nays are ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

The vote was taken by electronic device, and there were—yeas 197, nays 224, not voting 11, as follows:

[Roll No. 121]

YEAS—197

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Becerra

Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boswell

Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite,
Ginny
Butterfield

Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)

Jackson-Lee
(TX)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-
McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascarell
Pastor
Payne
Pelosi

Peterson (MN)
Pombo
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Royal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Smith (WA)
Snyder
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

NAYS—224

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Biggart
Billirakis
Bishop (UT)
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot

Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxy
Franks (AZ)
Frelinghuysen
Kelly
Garrett (NJ)
Gerlach

Gibbons
Gilchrest
Gillmor
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)

King (NY)	Ney	Sensenbrenner	Bonner	Hobson	Pelosi	Beauprez	Gohmert	Neugebauer
Kingston	Northup	Sessions	Bono	Holden	Peterson (MN)	Biggert	Granger	Northup
Kirk	Norwood	Shadegg	Boozman	Holt	Pickering	Bishop (UT)	Graves	Norwood
Kline	Nunes	Shaw	Boren	Honda	Pitts	Blackburn	Harris	Nunes
Knollenberg	Nussle	Shays	Boswell	Hooley	Platts	Blunt	Hart	Otter
Kolbe	Otter	Sherwood	Boucher	Hostettler	Poe	Boehner	Hastings (WA)	Oxley
Kuhl (NY)	Oxley	Shimkus	Boyd	Hoyer	Pombo	Bonilla	Hayes	Pearce
LaHood	Paul	Shuster	Bradley (NH)	Hyde	Pomeroy	Boustany	Hefley	Pence
Latham	Pearce	Simmons	Brady (PA)	Inslee	Porter	Brady (TX)	Hensarling	Peterson (PA)
LaTourette	Pence	Simpson	Brown (OH)	Israel	Price (NC)	Brown (SC)	Herger	Petri
Lewis (CA)	Peterson (PA)	Smith (NJ)	Brown, Corrine	Jackson (IL)	Pryce (OH)	Burton (IN)	Hulshof	Price (GA)
Lewis (KY)	Petri	Smith (TX)	Brown-Waite,	Jackson-Lee	Rahall	Calvert	Hunter	Putnam
Linder	Pickering	Sodrel	Ginny	(TX)	Ramstad	Camp (MI)	Inglis (SC)	Radanovich
LoBiondo	Pitts	Souder	Burgess	Jindal	Rangel	Campbell (CA)	Issa	Reynolds
Lucas	Platts	Stearns	Butterfield	Johnson (CT)	Regula	Cannon	Istook	Rogers (AL)
Lungren, Daniel	Poe	Sullivan	Capito	Johnson (IL)	Rehberg	Cantor	Jenkins	Rogers (KY)
E.	Porter	Sweeney	Capps	Johnson, E. B.	Reichert	Carter	Johnson, Sam	Rogers (MI)
Mack	Price (GA)	Tancredo	Capuano	Jones (NC)	Renzi	Chocola	Keller	Ros-Lehtinen
Manzullo	Pryce (OH)	Taylor (NC)	Cardin	Jones (OH)	Reyes	Cole (OK)	King (IA)	Ryan (WI)
Marchant	Putnam	Terry	Cardoza	Kanjorski	Rohrabacher	Conaway	Kingston	Ryun (KS)
Marshall	Radanovich	Thomas	Carmanhan	Kaptur	Ross	Crenshaw	Kline	Sensenbrenner
McCaul (TX)	Ramstad	Thornberry	Carson	Kelly	Rothman	Cubin	Knollenberg	Sessions
McCotter	Regula	Tiahrt	Case	Kennedy (MN)	Roybal-Allard	Culberson	Kolbe	Shadegg
McCrery	Rehberg	Tiberi	Castle	Kennedy (RI)	Royce	Davis (KY)	Latham	Sherwood
McHenry	Reichert	Turner	Chabot	Kildee	Ruppersberger	Deal (GA)	Lewis (CA)	Shuster
McHugh	Renzi	Walden (OR)	Chandler	Kilpatrick (MI)	Rush	DeLay	Lewis (KY)	Smith (TX)
McKeon	Reynolds	Walsh	Clay	Kind	Ryan (OH)	Diaz-Balart, L.	Linder	Stearns
McMorris	Rogers (AL)	Wamp	Cleaver	King (NY)	Sabo	Diaz-Balart, M.	Lucas	Taylor (NC)
Melancon	Rogers (KY)	Weldon (FL)	Clyburn	Kirk	Salazar	Doolittle	Mack	Terry
Mica	Rogers (MI)	Weldon (PA)	Coble	Kucinich	Sánchez, Linda	Drake	McCaul (TX)	Thomas
Miller (FL)	Rohrabacher	Weller	Conyers	Kuhl (NY)	T.	Dreier	McCrery	Thornberry
Miller (MI)	Ros-Lehtinen	Westmoreland	Cooper	LaHood	Sanchez, Loretta	Duncan	McHenry	Tiahrt
Miller, Gary	Royce	Whitfield	Costa	Langevin	Sanders	Ehlers	McKeon	Tiberi
Moran (KS)	Ryan (WI)	Wicker	Costello	Lantos	Saxton	English (PA)	McMorris	Weldon (FL)
Murphy	Ryun (KS)	Wilson (SC)	Cramer	Larsen (WA)	Schakowsky	Feeney	Mica	Weller
Musgrave	Saxton	Wolf	Crowley	Larson (CT)	Schiff	Flake	Miller (FL)	Westmoreland
Myrick	Schmidt	Young (AK)	Cuellar	LaTourette	Schmidt	Foxx	Miller, Gary	Wicker
Neugebauer	Schwarz (MI)	Young (FL)	Cummings	Leach	Schwartz (PA)	Franks (AZ)	Murphy	Wilson (SC)
			Davis (AL)	Lee	Schwarz (MI)	Frelinghuysen	Musgrave	Young (AK)
			Davis (CA)	Levin	Scott (GA)	Gingrey	Myrick	
			Davis (FL)	Lewis (GA)	Scott (VA)			
			Davis (IL)	Lipinski	Serrano			
			Davis (TN)	LoBiondo	Shaw			
			Davis, Jo Ann	Lofgren, Zoe	Shays			
			Davis, Tom	Lowey	Sherman			
			DeFazio	Lungren, Daniel	Shimkus			
			DeGette	E.	Simmons			
			Delahunt	Lynch	Simpson			
			DeLauro	Maloney	Smith (NJ)			
			Dent	Manzullo	Smith (WA)			
			Dicks	Marchant	Snyder			
			Dingell	Markey	Sodrel			
			Doggett	Marshall	Solís			
			Doyle	Matheson	Souder			
			Edwards	Matsui	Spratt			
			Emanuel	McCarthy	Stark			
			Emerson	McCollum (MN)	Strickland			
			Engel	McCotter	Stupak			
			Eshoo	McDermott	Sullivan			
			Etheridge	McGovern	Sweeney			
			Everett	McHugh	Tancredo			
			Farr	McIntyre	Tanner			
			Fattah	McKinney	Tauscher			
			Ferguson	McNulty	Taylor (MS)			
			Filner	Meehan	Thompson (CA)			
			Fitzpatrick (PA)	Meek (FL)	Thompson (MS)			
			Foley	Meeks (NY)	Tierney			
			Forbes	Melancon	Towns			
			Ford	Michaud	Turner			
			Fortenberry	Millender-	Udall (CO)			
			Fossella	McDonald	Udall (NM)			
			Frank (MA)	Miller (MI)	Upton			
			Galleghy	Miller (NC)	Van Hollen			
			Garrett (NJ)	Miller, George	Velázquez			
			Gerlach	Mollohan	Visclosky			
			Gibbons	Moore (KS)	Walden (OR)			
			Gilchrest	Moore (WI)	Walsh			
			Gillmor	Moran (KS)	Wamp			
			Gonzalez	Moran (VA)	Wasserman			
			Goode	Murtha	Schultz			
			Goodlatte	Nadler	Waters			
			Gordon	Napolitano	Watson			
			Green (WI)	Neal (MA)	Watt			
			Green, Al	Ney	Waxman			
			Green, Gene	Nussle	Weiner			
			Grijalva	Oberstar	Weldon (PA)			
			Gutierrez	Obey	Wexler			
			Gutknecht	Olver	Whitfield			
			Hall	Ortiz	Wilson (NM)			
			Harman	Owens	Wolf			
			Hastings (FL)	Pallone	Woolsey			
			Hayworth	Pascrell	Wu			
			Herseht	Pastor	Wynn			
			Higgins	Paul	Young (FL)			
			Hinchey	Payne				

NOT VOTING—11

Blackburn	Gordon	Osborne
Buyer	Hinojosa	Slaughter
Evans	Hoekstra	Solis
Gingrey	Jefferson	

□ 2040

Messrs. DELAY, BARROW, PICKERING, HOBSON, GUTKNECHT, PETERSON of Pennsylvania, and MCHUGH changed their vote from “yea” to “nay.”

Mr. SMITH of Washington changed his vote from “nay” to “yea.”

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 2830, PENSION PROTECTION ACT OF 2005

The SPEAKER pro tempore. The pending business is the vote on the motion to instruct on H.R. 2830 offered by the gentleman from California (Mr. GEORGE MILLER) on which the yeas and nays are ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 299, nays 125, not voting 8, as follows:

[Roll No. 122]

YEAS—299

Abercrombie	Baldwin	Berman
Ackerman	Barrow	Berry
Aderholt	Bartlett (MD)	Bilirakis
Allen	Bass	Bishop (GA)
Andrews	Bean	Bishop (NY)
Baca	Becerra	Blumenauer
Baird	Berkley	Boehlt

NAYS—125

Akin	Bachus	Barrett (SC)
Alexander	Baker	Barton (TX)

NOT VOTING—8

Buyer	Hoekstra	Skelton
Evans	Jefferson	Slaughter
Hinojosa	Osborne	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 2049

Mrs. CAPITO, Messrs. GILCHREST, FERGUSON, POE, TURNER, FOSSELLA, PORTER, PICKERING and Ms. PRYCE of Ohio changed their vote from “nay” to “yea.”

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 121 and rollcall No. 122, had I been present, I would have voted “yea” on 121 and “yea” on 122.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 90. Concurrent resolution conveying the sympathy of Congress to the families of the young women murdered in the State of Chihuahua, Mexico, and encouraging increased United States involvement in bringing an end to these crimes.