

Woolsey Wynn Young (AK)
Wu Yarmuth Young (FL)

[Roll No. 866]

Slaughter Tiberi Welch (VT)
Smith (NE) Tierney Weldon (FL)
Smith (NJ) Turner Weller
Smith (WA) Udall (CO) Wexler
Snyder Udall (NM) Whitfield
Souder Upton Wicker
Space Van Hollen Wilson (NM)
Spratt Visclosky Wilson (OH)
Stark Walberg Wilson (SC)
Stearns Walden (OR) Wolf
Sutton Walsh (NY) Woolsey
Tanner Walz (MN) Wu
Tauscher Wamp Wynn
Taylor Wasserman Yarmuth
Terry Schultz Young (AK)
Thompson (MS) Watson Young (FL)
Thornberry Watt
Tiahrt Waxman

YEAS—334

NOT VOTING—102
Ackerman Fallon Mitchell
Baker Gallegly Moran (KS)
Barton (TX) Garrett (NJ) Murtha
Bean Gonzalez Nadler
Berkley Granger Napolitano
Berry Hall (TX) Neal (MA)
Blumenauer Hastert Perlmutter
Bonner Hastings (WA) Platts
Bono Heller Pryce (OH)
Boswell Hensarling Rahall
Boyd (FL) Herger Ramstad
Boyd (KS) Higgins Reynolds
Butterfield Hinchey Rodriguez
Calvert Hooley Rogers (KY)
Campbell (CA) Hunter Rohrabacher
Cannon Israel Roskam
Capps Issa Rothman
Capuano Johnson (IL) Rush
Carney Johnson, Sam Salazar
Chandler Kaptur Sessions
Clay Kilpatrick Shimkus
Conyers King (NY) Simpson
Costello Lee Skelton
Cubin Linder Smith (TX)
Culberson Lipinski Solis
Davis (AL) Lofgren, Zoe Stupak
Davis, Jo Ann Lucas Sullivan
Deal (GA) Lynch Tancredo
DeGette Maloney (NY) Thompson (CA)
Doolittle Marchant Towns
Doyle Matheson Velázquez
Emerson McCarthy (CA) Waters
Eshoo Meeks (NY) Weiner
Everett Miller, Gary Westmoreland

Abercrombie Farr
Aderholt Fattah
Akin Feeney
Alexander Ferguson
Allen Filner
Altmire Flake
Andrews Fortes
Arcuri Fortenberry
Baca Fossella
Bachmann Foyx
Bachus Frank (MA)
Baird Franks (AZ)
Baldwin Frelinghuysen
Barrett (SC) Gerlach
Barrow Giffords
Bartlett (MD) Gilchrest
Bean Gillibrand
Becerra Gingrey
Berman Gohmert
Biggert Miller (MI)
Billray Goode
Bilirakis Goodlatte
Bishop (GA) Gordon
Bishop (NY) Graves
Bishop (UT) Green, Al
Blackburn Grijalva
Blunt Gutierrez
Boehner Hall (NY)
Boozman Hare
Boren Harman
Boucher Hastings (FL)
Boustany Hayes
Brady (PA) Herseth Sandlin
Brady (TX) Hill
Braley (IA) Hinojosa
Broun (GA) Hirono
Brown (SC) Hobson
Brown, Corrine Hodes
Brown-Waite, Hoekstra
Ginny Holden
Buchanan Holt
Burgess Honda
Burton (IN) Hoyer
Buyer Hulshof
Camp (MI) Hunter
Cantor Inglis (SC)
Capito Inslee
Cardoza Jackson (IL)
Carnahan Jackson-Lee
Carson (TX)
Carter Jefferson
Castle Jindal
Castor Johnson (GA)
Chabot Johnson, E. B.
Clarke Jones (NC)
Cleaver Jones (OH)
Clyburn Jordan
Coble Kagen
Cohen Kanjorski
Cole (OK) Keller
Conaway Kennedy
Cooper Kildee
Costa Kind
Courtney King (IA)
Cramer Kingston
Crenshaw Kirk
Crowley Klein (FL)
Cuellar Kline (MN)
Cummings Knollenberg
Davis (CA) Kuhl (NY)
Davis (IL) LaHood
Davis (KY) Lamborn
Davis, David Lampson
Davis, Lincoln Langevin
Davis, Tom Lantos
DeFazio Larsen (WA)
Delahunt Larson (CT)
DeLauro Latham
Dent LaTourette
Diaz-Balart, L. Levin
Diaz-Balart, M. Lewis (CA)
Dicks Lewis (GA)
Dingell Lewis (KY)
Doggett LoBiondo
Donnelly Loeb sack
Drake Lowey
Dreier Lungren, Daniel
Duncan E.
Edwards Mack
Ehlers Mahoney (FL)
Ellison Manzullo
Ellsworth Markey
Emanuel Marshall
Engel Matsui
English (PA) McCarthy (NY)
Etheridge McCaul (TX)

NAYS—1

Kucinich
NOT VOTING—98
Ackerman Fallon Mitchell
Baker Gallegly Moran (KS)
Barton (TX) Garrett (NJ) Murtha
Berkley Gonzalez Nadler
Berry Granger Napolitano
Blumenauer Hall (TX) Neal (MA)
Bonner Hastert Perlmutter
Bono Hastings (WA) Platts
Boswell Heller Pryce (OH)
Boyd (FL) Hensarling Rahall
Boyd (KS) Herger Ramstad
Butterfield Higgins Rodriguez
Calvert Hinchey Rogers (KY)
Campbell (CA) Hooley Rohrabacher
Cannon Israel Roskam
Capps Issa Rothman
Capuano Johnson (IL) Rush
Carney Johnson, Sam Salazar
Chandler Kaptur Sessions
Clay Kilpatrick Shimkus
Conyers King (NY) Simpson
Costello Lee Smith (TX)
Cubin Linder Solis
Culberson Lipinski Stupak
Davis (AL) Lofgren, Zoe Sullivan
Davis, Jo Ann Lucas Tancredo
Deal (GA) Lynch Thompson (CA)
DeGette Maloney (NY) Towns
Doolittle Marchant Velázquez
Doyle Matheson Waters
Emerson McCarthy (CA) Weiner
Eshoo Meeks (NY) Westmoreland
Everett Miller, Gary

□ 1855

Mr. KING of Iowa changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on Monday, September 10, 2007, I was absent during the recorded vote on H. Res. 257—Supporting the goals and ideals of Pancreatic Cancer Awareness Month. Had I been present, I would have voted “yea” on the motion to suspend the rules and agree to H. Res. 257.

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 865 on September 10, 2007 I was unavoidably detained. Had I been present, I would have voted “yea.”

RECOGNIZING SEPTEMBER 11 AS A DAY OF REMEMBRANCE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 643, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. HOYER) that the House suspend the rules and agree to the resolution, H. Res. 643.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 334, nays 1, not voting 98, as follows:

□ 1903

So (two-thirds being in the affirmative) the rules were suspended and 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:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 866 on September 10, 2007 I was unavoidably detained. Had I been present, I would have voted “yea.”

Mrs. NAPOLITANO. Mr. Speaker, on Monday, September 10, 2007, I was absent during the recorded vote on H. Res. 643. Had I been present, I would have voted “yea” on the motion to suspend the rules and agree to H. Res. 643.

Mrs. BOYDA of Kansas. Mr. Speaker, in order to commemorate September 11 day in Kansas, I was unable to cast my vote for H. Res. 643. Had I been present for Rollcall Vote 866, I would have voted in the affirmative.

May God continue to bless the United States of America.

PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, I took a leave of absence on September 10, 2007, as I was attending to personal business. The following list describes how I would have voted had I been in attendance today.

"Yea"—H. Res. 257—Supporting the goals and ideals of Pancreatic Cancer Awareness Month (Representative PLATTS—Oversight and Government Reform).

"Yea"—H. Res. 643—Recognizing September 11 as a day of remembrance, extending sympathies to those who lost their lives on September 11, 2001, and their families, honoring the heroic actions of our Nation's first responders and Armed Forces, and reaffirming the commitment to defending the people of the United States against any and all future challenges (Representatives HOYER and BOEHNER).

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, due to official business in the 13th Congressional District of Michigan, I was unable to attend to several votes. Had I been present, I would have voted "yea" on final passage of H. Res. 257, Supporting the goals and ideals of Pancreatic Cancer Awareness Month, and voted "yea" on House Resolution 643, which recognizes September 11 as a day of remembrance.

ANNOUNCEMENT REGARDING 9/11 REMEMBRANCE CEREMONY

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

Mr. HOYER. Mr. Speaker, ladies and gentlemen of the House, as you know, we will not be in session tomorrow night.

Many of us remember some 6 years ago when we first had a meeting in the Capitol Police headquarters, many of us, after the traumatic morning and afternoon; and we resolved that we would show to the country a unity and a resolve that the terrorist attack would neither cow us nor deter us from the defense of freedom and liberty and our country and its people.

We are now, of course, 6 years later and continue to be involved in a battle to defeat those who by terror would intimidate us and hurt our people and our country and our way of life.

In a moment we will be led by Speaker PELOSI and Leader BOEHNER to the front steps of the Capitol. We will have a brief ceremony to again show to the country and, indeed, to the world that while we may have differences in debate, there are no differences in our unity of purpose to defend our country, our Constitution, and our people, and to ensure that the friends of liberty around the world will know that they have a friend in the United States of America.

So I would ask all of you to join us as Speaker PELOSI and Leader BOEHNER lead us out to the front steps on the House side. We will organize there, stand, and we will be led in the "Star-Spangled Banner" by the United States Marine Corps Band. We will have some comments by the Speaker and by the leader, and then we will conclude, as we did on that evening 6 years ago, with the singing of "God Bless America." I think that was one of the most moving moments in my service in the

House of Representatives. I am sure that many of you feel the same way.

So, Mr. Speaker, the House will remain in session, but we would ask all Members to join, as I said, Speaker PELOSI, Leader BOEHNER, and myself on the front steps of the Capitol. We will proceed now.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. DAVIS) is recognized for 5 minutes.

(Mr. DAVIS of Kentucky addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE UNJUST PROSECUTION OF FORMER BORDER PATROL AGENTS RAMOS AND COMPEAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, today is the 237th day of incarceration for two former U.S. Border Patrol agents. Agent Ramos and Compean were convicted in March of 2006 for shooting a Mexican drug smuggler who brought 743 pounds of marijuana across our border into Texas. These agents have now been in prison for more than 7 months.

Since the agents' conviction, thousands of American citizens and dozens of Members of Congress have asked President Bush to pardon these two men. Mr. Speaker, many in this country are disappointed that the present sentence of Scooter Libby was commuted while these two law enforcement officers are still in prison. Mr. Libby did not spend one day in prison; yet two decorated Border Patrol agents with exemplary records, who were doing their duty to protect the American people from an illegal alien drug smuggler, are serving 11- and 12-year prison sentences. By attempting to apprehend an illegal alien drug smuggler, these agents were enforcing our laws, not breaking them.

Mr. Speaker, I want to thank Judiciary Chairman JOHN CONYERS for his concern and interest in this case. I also want to thank Foreign Affairs Subcommittee Chairman BILL DELAHUNT, who, prior to the August recess, held a hearing to examine the Mexican Government's influence in this case. I am hopeful that Chairman JOHN CONYERS will see to it that the House Judiciary Committee will hold a hearing within the next 30 to 45 days to fully examine this case.

While the Senate Judiciary Committee held a hearing on this case in July, additional questions remain about how this prosecution was initiated and how the U.S. Attorney's Office proceeded in this case. Since that time, it has become clear that not only did the prosecution prevent the jury from hearing evidence that the smuggler brought a second load of drugs across our border, but the smuggler was given free access to our country during and after the second smuggling incident.

The American people want to know, why did the U.S. Attorney's Office continue to prosecute these two border agents even after the credibility of the drug smuggler was shattered? This is a question that U.S. Attorney Johnny Sutton needs to answer. By shedding light on the questionable actions of the prosecution in this case, I am hopeful that this gross miscarriage of justice can be corrected.

Before closing, Mr. Speaker, I call on the White House again to look seriously at the situation. These two border agents are Hispanic Americans who have served this Nation, and they have a right to justice. This is an example of an injustice.

□ 1915

TRIBUTE TO FOUR OF NEWARK'S FINEST

The SPEAKER pro tempore (Mr. KAGEN). Under a previous order of the House, the gentleman from New Jersey (Mr. PAYNE) is recognized for 5 minutes.

Mr. PAYNE. Mr. Speaker, it is with a heavy heart that I come to the House floor today.

Over the August recess, four young, promising Newark, New Jersey residents were savagely gunned down execution style in a city playground while enjoying the last days of summer.

On August 14, 2007, in my city of Newark, Terrance Aerial, age 18, Dashon Harvey and Iofemi Hightower, both age 20, were senselessly murdered. Natasha Aerial, age 19, is still recovering in the hospital.

I stand here today to pay tribute to their lives. While three were cut short, were full of courage and determination and continue to inspire the residents of Newark.

Active in their community, these youths stayed above the fray. Dashon, Iofemi and Natasha were avid music lovers and played in their Newark High School marching bands while they attended high school. Terrance, full of charisma, became an ordained minister at age 13.

Their hard work paid off; all became students at Delaware State University. Natasha and Dashon were juniors, Terrance was a freshman, and Iofemi was about to begin classes.

In a testament to how they lived their lives, Natasha, who has undergone many major surgeries and is still