

Clay	Kagen	Rangel	Kirk	Myrick
Cleaver	Kanjorski	Reyes	Kline (MN)	Neugebauer
Clyburn	Kaptur	Richardson	Knollenberg	Nunes
Cohen	Kennedy	Rodriguez	Kuhl (NY)	Paul
Conyers	Kildee	Ross	LaHood	Pearce
Cooper	Kilpatrick	Rothman	Lamborn	Pence
Costa	Kind	Royal-Allard	Latham	Shuster
Costello	Klein (FL)	Ruppersberger	LaTourette	Simpson
Courtney	Kucinich	Rush	Lewis (CA)	Smith (NE)
Cramer	Lampson	Ryan (OH)	Lewis (KY)	Pitts
Crowley	Langevin	Salazar	Linder	Smith (NJ)
Cuellar	Lantos	Sánchez, Linda	LoBiondo	Platts
Cummings	Larsen (WA)	T.	Lucas	Poe
Davis (AL)	Larson (CT)	Sanchez, Loretta	Price (GA)	Sullivan
Davis (CA)	Lee	Sarbanes	Lungren, Daniel	Tancredo
Davis (IL)	Levin	Schakowsky	E.	Terry
Davis, Lincoln	Lewis (GA)	Schiff	McCotter	Thornberry
DeFazio	Lipinski	Schwartz	McCarthy (CA)	Putnam
DeGette	Loebbeck	Scott (GA)	McCaul (TX)	Tiahrt
Delahunt	Lofgren, Zoe	Scott (VA)	Reichert	Tiberi
DeLauro	Lowey	Serrano	McCrery	Regula
Dicks	Lynch	Sestak	McHenry	Turner
Dingell	Mahoney (FL)	Shea-Porter	McHugh	Upton
Doggett	Maloney (NY)	Sherman	McKeon	Rehberg
Donnelly	Markey	Shuler	McMorris	Walberg
Doyle	Marshall	Sires	Rohrabacher	Renzi
Ellsworth	Matheson	Skelton	Rodgers	Walden (OR)
Emanuel	Matsui	Slaughter	Ros-Lehtinen	Walsh (NY)
Eshoo	McCarthy (NY)	Smith (WA)	Mica	Tiberti
Etheridge	McCullom (MN)	Snyder	Miller (FL)	Reynolds
Farr	McDermott	Solis	Miller (MI)	Rogers (AL)
Fattah	McGovern	Space	Miller, Gary	Rogers (KY)
Filner	McIntyre	Spratt	Moran (KS)	Weldon (FL)
Frank (MA)	McNerney	Stark	Murphy, Tim	Weller
Giffords	McNulty	Stupak	NOT VOTING—18	Weller
Gillibrand	Meek (FL)	Sutton	Brown, Corrine	Westmoreland
Gonzalez	Melancon	Tanner	Carson	Wicker
Gordon	Michaud	Tauscher	Cubin	Wilson (NM)
Green, Al	Miller (NC)	Taylor	Davis, Jo Ann	Wilson (SC)
Green, Gene	Miller, George	Thompson (CA)	Edwards	Wolf
Grijalva	Mitchell	Thompson (MS)	Ellison	Young (AK)
Gutierrez	Mollohan	Tierney	Johnson, E. B.	Young (FL)
Hall (NY)	Moore (KS)	Towns	Engel	Meeks (NY)
Hare	Moore (WI)	Udall (CO)	Herger	Musgrave
Harman	Moran (VA)	Udall (NM)	Hinojosa	Peterson (PA)
Hastings (FL)	Murphy (CT)	Murphy, Patrick	Davis, Jo Ann	Smith (TX)
Herseth Sandlin	Van Hollen	Velázquez	Edwards	Jindal
Higgins	Murtha	Visclosky	Ellison	Souder
Hinchey	Nadler	Walz (MN)	Johnson, E. B.	Whitfield
Hirono	Napolitano	Walz (MN)	Engel	Meeks (NY)
Hodes	Neal (MA)	Wasserman	Herger	Musgrave
Holden	Oberstar	Schultz	Hinojosa	Peterson (PA)
Holt	Obey	Waterson	Davis, Jo Ann	Smith (TX)
Honda	Olver	Watson	Edwards	Jindal
Hooley	Ortiz	Watt	Ellison	Souder
Hoyer	Pallone	Waxman	Johnson, E. B.	Whitfield
Inslee	Pascarella	Weiner	Engel	Meeks (NY)
Israel	Pastor	Welch (VT)	Herger	Musgrave
Jackson (IL)	Payne	Wexler	Hinojosa	Peterson (PA)
Jackson-Lee (TX)	Perlmutter	Wilson (OH)	Davis, Jo Ann	Smith (TX)
Jones (OH)	Peterson (MN)	Woolsey	Edwards	Jindal
	Pomeroy	Wu	Ellison	Johnson, E. B.
	Price (NC)	Wynn	Johnson, E. B.	Whitfield
	Rahall	Yarmuth	Engel	Meeks (NY)

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Aderholt	Cannon	Foxx	Franks (AZ)	Frelinghuysen
Akin	Cantor	Franks (AZ)	Frelinghuysen	Galllegly
Alexander	Capito	Galllegly	Garrett (NJ)	Garrett (NJ)
Bachmann	Carter	Galllegly	Garrett (NJ)	Gerlach
Bachus	Castle	Garrett (NJ)	Garrett (NJ)	Gilchrest
Baker	Chabot	Gerlach	Gerlach	Gingrey
Barrett (SC)	Coble	Gilchrest	Gilchrest	Gingrey
Barrow	Cole (OK)	Gingrey	Gohmert	Gohmert
Bartlett (MD)	Conaway	Gohmert	Goodlatte	Goodlatte
Barton (TX)	Crenshaw	Goodlatte	Davis (KY)	Granger
Biggert	Culberson	Davis (KY)	Davis (KY)	Graves
Bilbray	Davis	Davis (KY)	Davis (KY)	Hastert
Bilirakis	David	Davis (KY)	Davis (KY)	Hastert
Bishop (UT)	Davis, Tom	Davis, Tom	Hastert	Hastert
Blackburn	Deal (GA)	Deal (GA)	Hastings (WA)	Hastings (WA)
Blunt	Dent	Dent	Hastings (WA)	Hayes
Boehner	Diaz-Balart, L.	Diaz-Balart, L.	Hayes	Heller
Bonner	Diaz-Balart, M.	Diaz-Balart, M.	Heller	Hensarling
Bono	Doolittle	Doolittle	Hensarling	Hill
Boozman	Drake	Drake	Hill	Hobson
Boustany	Dreier	Dreier	Hobson	Hoekstra
Brady (TX)	Duncan	Duncan	Hoekstra	Hulshof
Brown (GA)	Ehlers	Ehlers	Hulshof	Emerson
Brown (SC)	Emerson	Emerson	Emerson	English (SC)
Brown-Waite, Ginny	English (PA)	English (PA)	English (PA)	Issa
Buchanan	Everett	Everett	Everett	Johnson (IL)
Burgess	Fallin	Fallin	Fallin	Johnson, Sam
Burton (IN)	Feeney	Feeney	Feeney	Jones (NC)
Buyer	Ferguson	Ferguson	Jordan	Jordan
Calvert	Flake	Flake	Keller	King (IA)
Camp (MI)	Forbes	Forbes	King (IA)	King (NY)
Campbell (CA)	Fortenberry	Fortenberry	King (NY)	Kingston
	Fossella	Fossella	Kingston	

NOT VOTING—18

Brown, Corrine
Carson
Cubin
Davis, Jo Ann
Edwards
Ellison

Engel
Herger
Hinojosa
Hunter
Jindal
Johnson, E. B.

Meeks (NY)
Musgrave
Peterson (PA)
Smith (TX)
Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1130

So the previous question was ordered. The result of the vote was announced as above recorded.

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1665

Mr. UDALL of Colorado. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1665.

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

There was no objection.

CONTINUING APPROPRIATIONS, FISCAL YEAR 2008

Mr. OBEY. Mr. Speaker, pursuant to House Resolution 677, I call up the joint resolution (H.J. Res. 52) making continuing appropriations for the fiscal year 2008, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The text of House Joint Resolution 52 is as follows:

H.J. RES. 52

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in

the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2008, and for other purposes, namely:

SEC. 101. Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2007 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this joint resolution, that were conducted in fiscal year 2007, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Department of Defense Appropriations Act, 2007 (division A of Public Law 109-289).

(2) The Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295).

(3) The Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5).

SEC. 102. (a) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for (1) the new production of items not funded for production in fiscal year 2007 or prior years; (2) the increase in production rates above those sustained with fiscal year 2007 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P-1 line item in a budget activity within an appropriation account and an R-1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2007.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

(c) Notwithstanding this section, the Secretary of Defense may, following notification of the congressional defense committees, initiate projects or activities required to be undertaken for force protection purposes using funds available from the Iraq Freedom Fund.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 104. Except as otherwise provided in section 102, no appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2007.

SEC. 105. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 106. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act for fiscal year 2008, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation for any project or activity provided for in this joint resolution;

(2) the enactment into law of the applicable appropriations Act for fiscal year 2008 without any provision for such project or activity; or (3) November 16, 2007.

SEC. 107. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. Appropriations made and funds made available by or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this joint resolution may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this joint resolution, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2008 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this joint resolution that would impinge on final funding prerogatives.

SEC. 110. This joint resolution shall be implemented so that only the most limited funding action of that permitted in the joint resolution shall be taken in order to provide for continuation of projects and activities.

SEC. 111. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2007, and for activities under the Food Stamp Act of 1977, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2007, to be continued through the date specified in section 106(3).

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2007 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

SEC. 112. Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2007, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 113. Funds appropriated by this joint resolution may be obligated and expended notwithstanding section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 114. Notwithstanding section 20106 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5), the Secretary of Agriculture is authorized to enter into or renew contracts under section 521(a)(2) of the Housing Act of 1949 (42 U.S.C. 1490a(a)(2)) for 1 year.

SEC. 115. The authority provided by section 3a of the Act of March 3, 1927 (commonly

known as the "Cotton Statistics and Estimates Act") (7 U.S.C. 473a) shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 116. The authority of the Secretary of Agriculture to carry out the adjusted gross income limitation contained in section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308-3a) shall continue through the end of the period specified in subsection (e) of such section or the date specified in section 106(3) of this joint resolution, whichever occurs later.

SEC. 117. The provisions of title VIII of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005 (Public Law 108-447, division B) that apply during fiscal year 2007 shall continue to apply through the date specified in section 106(3) of this joint resolution.

SEC. 118. The authority provided by section 1202 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) shall continue in effect through the earlier of the date of enactment of the National Defense Authorization Act for Fiscal Year 2008 or the date specified in section 106(3) of this joint resolution.

SEC. 119. The authority provided by section 1477(d) of title 10, United States Code, as amended by section 3306 of Public Law 110-28, shall continue in effect through the date of enactment of the National Defense Authorization Act for Fiscal Year 2008.

SEC. 120. The authority provided by section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375) shall continue in effect through the earlier of the date of enactment of the National Defense Authorization Act for Fiscal Year 2008 or the date specified in section 106(3) of this joint resolution.

SEC. 121. The authority provided by section 1022 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136), as amended by section 1022 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163), shall continue in effect through the earlier of the date of enactment of the National Defense Authorization Act for Fiscal Year 2008 or the date specified in section 106(3) of this joint resolution.

SEC. 122. The authority provided by section 1051a of title 10, United States Code, shall continue in effect through the earlier of the date of enactment of the National Defense Authorization Act for Fiscal Year 2008 or the date specified in section 106(3) of this joint resolution.

SEC. 123. (a) Notwithstanding any other provision of law or this joint resolution, and in addition to amounts otherwise made available by this joint resolution, there is appropriated \$5,200,000,000 for a "Mine Resistant Ambush Protected Vehicle Fund", to remain available until September 30, 2008.

(b) The funds provided by subsection (a) shall be available to the Secretary of Defense to continue technological research and development and upgrades, to procure Mine Resistant Ambush Protected vehicles and associated support equipment, and to sustain, transport, and field Mine Resistant Ambush Protected vehicles.

(c)(1) The Secretary of Defense shall transfer funds provided by subsection (a) to appropriations for operation and maintenance; procurement; and research, development, test and evaluation to accomplish the purposes specified in subsection (b). Such transferred funds shall be merged with and be available for the same purposes and for the same time period as the appropriation to which they are transferred.

(2) The transfer authority provided by this subsection shall be in addition to any other

transfer authority available to the Department of Defense.

(3) The Secretary of Defense shall, not less than 5 days prior to making any transfer under this subsection, notify the congressional defense committees in writing of the details of the transfer.

(d) The amount provided by this section is designated as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

SEC. 124. Section 14704 of title 40, United States Code, shall be applied by substituting the date specified in section 106(3) of this joint resolution for "October 1, 2007".

SEC. 125. Section 382N of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa-13) shall be applied by substituting the date specified in section 106(3) of this joint resolution for "October 1, 2007".

SEC. 126. Of the funds made available to the Department of Energy under this joint resolution, \$484,000 may be transferred to another agency for carrying out the provisions of division C of Public Law 108-324. Funds so transferred shall be refunded to the Department after passage of the regular appropriations Act for that agency.

SEC. 127. (a) In addition to the amounts otherwise provided under section 101, an additional amount is available under "General Services Administration—Operating Expenses Account", at a rate for operations of \$4,340,000, for the costs of agency activities transferred to the Civilian Board of Contract Appeals pursuant to section 847 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163).

(b) For purposes of section 101, the rate for operations for each of the accounts from which funds were transferred in fiscal year 2007 pursuant to section 847(b) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 41 U.S.C. 607 note) is reduced by an amount equal to the annualized level of the funds transferred.

SEC. 128. Notwithstanding any other provision of this joint resolution, except section 106, the District of Columbia may expend local funds for programs and activities under the heading "District of Columbia Funds" for such programs and activities under title IV of H.R. 2829 (110th Congress), as passed by the House of Representatives, at the rate set forth under "District of Columbia Funds—Summary of Expenses" as included in the Fiscal Year 2008 Proposed Budget and Financial Plan submitted to the Congress by the District of Columbia on June 7, 2007, as amended on June 29, 2007.

SEC. 129. Section 403(f) of the Government Management Reform Act of 1994 (Public Law 103-356; 31 U.S.C. 501 note) shall be applied by substituting the date specified in section 106(3) of this joint resolution for "October 1, 2006".

SEC. 130. Section 204(e) of the Veterans Benefits Improvement Act of 2004 (Public Law 108-454; 38 U.S.C. 4301 note) shall be applied by substituting the date specified in section 106(3) of this joint resolution for "September 30, 2007".

SEC. 131. Any funds made available pursuant to section 101 for United States Customs and Border Protection may be obligated to support hiring, training, and equipping of new border patrol agents at a rate for operations not exceeding that necessary to sustain the numbers of new border patrol agents hired, trained, and equipped in the final quarter of fiscal year 2007. The Commissioner of United States Customs and Border Protection shall notify the Committees on Appropriations of the House of Representatives and the Senate on each use of the authority provided in this section.

SEC. 132. The Secretary of Homeland Security may continue, through the date specified in section 106(3) of this joint resolution, to obligate funds at the rate the Secretary determines necessary to maintain not more than the average monthly number of detention bed spaces in use during September 2007 at detention facilities operated or contracted by the Department of Homeland Security.

SEC. 133. During the period specified in section 106 of this joint resolution, section 517(b) of Public Law 109-295 shall not be in effect.

SEC. 134. Section 105(f)(1)(B)(ix) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(B)(ix)) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “the end of fiscal year 2007”.

SEC. 135. (a) Activities authorized by chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) shall continue through the date specified in section 106(3) of this joint resolution.

(b) Notwithstanding any other provision of this joint resolution, except section 106, there is appropriated to carry out chapter 6 of title II of the Trade Act of 1974 (19 U.S.C. 2401 et seq.) \$5,000,000.

SEC. 136. (a) APPROPRIATION FOR CHIP PROGRAM.—

(1) IN GENERAL.—Notwithstanding any other provision of this joint resolution, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated for fiscal year 2008, \$5,000,000,000 for purposes of providing allotments to States, the District of Columbia, and commonwealths and territories under section 2104 of the Social Security Act (42 U.S.C. 1397dd), and, in addition, \$40,000,000 for the purpose of providing additional allotments under subsection (c)(4)(A) of such section.

(2) AVAILABILITY.—Funds made available from any allotment under subsection (b) shall not be available for obligation for child health assistance for items and services furnished after the termination date specified in section 106(3) of this joint resolution, or, if earlier, the date of the enactment of an Act that provides funding for fiscal year 2008 and for one or more subsequent fiscal years for the Children’s Health Insurance Program under title XXI of the Social Security Act.

(b) ALLOTMENTS.—Notwithstanding any other provision of this joint resolution, the Secretary of Health and Human Services shall make allotments to States, the District of Columbia, and commonwealths and territories under section 2104 of the Social Security Act (42 U.S.C. 1397dd) from the amounts appropriated under subsection (a) for the entire fiscal year 2008.

(c) REDISTRIBUTION OF UNUSED FISCAL YEAR 2005 ALLOTMENTS TO STATES WITH ESTIMATED FUNDING SHORTFALLS FOR FISCAL YEAR 2008.—Section 2104 of the Social Security Act (42 U.S.C. 1397dd) is amended by adding at the end the following new subsection:

“(i) REDISTRIBUTION OF UNUSED FISCAL YEAR 2005 ALLOTMENTS TO STATES WITH ESTIMATED FUNDING SHORTFALLS FOR FISCAL YEAR 2008.—

“(1) IN GENERAL.—Notwithstanding subsection (f) and subject to paragraphs (3) and (4), with respect to months beginning during fiscal year 2008, the Secretary shall provide for a redistribution under such subsection from the allotments for fiscal year 2005 under subsection (b) that are not expended by the end of fiscal year 2007, to a fiscal year 2008 shortfall State described in paragraph (2), such amount as the Secretary determines will eliminate the estimated shortfall described in such paragraph for such State for the month.

“(2) FISCAL YEAR 2008 SHORTFALL STATE DESCRIBED.—A fiscal year 2008 shortfall State

described in this paragraph is a State with a State child health plan approved under this title for which the Secretary estimates, on a monthly basis using the most recent data available to the Secretary as of such month, that the projected expenditures under such plan for such State for fiscal year 2008 will exceed the sum of—

“(A) the amount of the State’s allotments for each of fiscal years 2006 and 2007 that was not expended by the end of fiscal year 2007; and

“(B) the amount of the State’s allotment for fiscal year 2008.

“(3) FUNDS REDISTRIBUTED IN THE ORDER IN WHICH STATES REALIZE FUNDING SHORTFALLS.—The Secretary shall redistribute the amounts available for redistribution under paragraph (1) to fiscal year 2008 shortfall States described in paragraph (2) in the order in which such States realize monthly funding shortfalls under this title for fiscal year 2008. The Secretary shall only make redistributions under this subsection to the extent that there are unexpended fiscal year 2005 allotments under subsection (b) available for such redistributions.

“(4) PRORATION RULE.—If the amounts available for redistribution under paragraph (1) are less than the total amounts of the estimated shortfalls determined for the month under that paragraph, the amount computed under such paragraph for each fiscal year 2008 shortfall State for the month shall be reduced proportionally.

“(5) RETROSPECTIVE ADJUSTMENT.—The Secretary may adjust the estimates and determinations made to carry out this subsection as necessary on the basis of the amounts reported by States not later than November 30, 2007, on CMS Form 64 or CMS Form 21, as the case may be, and as approved by the Secretary.

“(6) 1-YEAR AVAILABILITY; NO FURTHER REDISTRIBUTION.—Notwithstanding subsections (e) and (f), amounts redistributed to a State pursuant to this subsection for fiscal year 2008 shall only remain available for expenditure by the State through September 30, 2008, and any amounts of such redistributions that remain unexpended as of such date, shall not be subject to redistribution under subsection (f).”

“(d) EXTENDING AUTHORITY FOR QUALIFYING STATES TO USE CERTAIN FUNDS FOR MEDICAID EXPENDITURES.—Section 2105(g)(1)(A) of such Act (42 U.S.C. 1397ee) is amended by striking “or 2007” and inserting “2007, or 2008”.

“(e) APPLICABILITY.—The amendments made by subsection (c) and (d) shall be in effect through the date specified in section 106(3) of this joint resolution or, if earlier, the date of the enactment of an Act that provides funding for fiscal year 2008 and for one or more subsequent fiscal years for the Children’s Health Insurance Program under title XXI of the Social Security Act.

SEC. 137. Notwithstanding any other provision of this joint resolution, there is appropriated for payment to Susan Thomas, widow of Craig Thomas, late a Senator from the State of Wyoming, \$165,200, and for payment to Karen L. Gillmor, widow of Paul E. Gillmor, late a Representative from the State of Ohio, \$165,200.

SEC. 138. The Secretary of Veterans Affairs shall carry out subparagraph (B) of section 1710(f)(2) of title 38, United States Code, and subparagraph (E) of section 1729(a)(2) of such title by substituting the date specified in section 106(3) of this joint resolution for the date specified in each such subparagraph.

SEC. 139. Notwithstanding section 101, amounts are provided for “Department of Defense Base Closure Account 2005” at a rate for operations of \$5,626,223,000.

SEC. 140. Notwithstanding any other provision of this joint resolution, except section

106, the Department of Veterans Affairs may expend funds for programs and activities under the heading “Information Technology Systems” for pay and associated cost for operations and maintenance associated staff.

SEC. 141. Notwithstanding any other provision of this joint resolution, except section 106, in addition to the amount made available for fiscal year 2008 to carry out section 3674 of title 38, United States Code, there is appropriated to carry out that section an additional amount equal to \$6,000,000 multiplied by the ratio of the number of days covered by this joint resolution to 366.

SEC. 142. Notwithstanding section 235(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(a)(2)), the authority of subsections (a) through (c) of section 234 of such Act shall remain in effect through the date specified in section 106(3) of this joint resolution.

SEC. 143. Notwithstanding section 101, amounts are provided for “Department of State—Administration of Foreign Affairs—Diplomatic and Consular Programs” at a rate for operations of \$4,435,013,000, of which not less than \$778,449,000 shall be for worldwide security upgrades.

SEC. 144. The provisions of title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11311 et seq.) shall continue in effect, notwithstanding section 209 of such Act, through the earlier of (1) the date specified in section 106(3) of this joint resolution; or (2) the date of enactment of an authorization Act relating to the McKinney-Vento Homeless Assistance Act.

SEC. 145. Funds made available under section 101 for the National Transportation Safety Board shall include amounts necessary to make lease payments due in fiscal year 2008 only, on an obligation incurred in 2001 under a capital lease.

SEC. 146. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z-20(g)), the Secretary of Housing and Urban Development may, until the date specified in section 106(3) of this joint resolution, insure and may enter into commitments to insure mortgages under section 255 of the National Housing Act (12 U.S.C. 1715z-20(g)).

SEC. 147. Section 24(o) of the United States Housing Act of 1937 (42 U.S.C. 1437v(o)) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “September 30, 2007”.

SEC. 148. (a) Section 48103(4) of title 49, United States Code, shall be applied (1) by substituting the amount specified in such section with an amount that equals \$3,675,000,000 multiplied by the ratio of the number of days covered by this joint resolution to 366; and (2) by substituting the fiscal year specified in such section with the period beginning October 1, 2007, through the date specified in section 106(3) of this joint resolution.

(b) Section 47104(c) of title 49, United States Code, shall be applied by substituting “2008” for “2007”.

(c) Nothing in this section shall affect the availability of any balances of contract authority provided under section 48103 of title 49, United States Code, for fiscal year 2007 and any prior fiscal year.

SEC. 149. (a) Sections 4081(d)(2)(B), 4261(j)(1)(A)(ii), 4271(d)(1)(A)(ii), 9502(d)(1), and 9502(f)(2) of the Internal Revenue Code of 1986 shall each be applied by substituting the date specified in section 106(3) of this joint resolution for “September 30, 2007” or “October 1, 2007”, as the case may be.

(b) Subparagraph (A) of section 9502(d)(1) of the Internal Revenue Code of 1986 is amended by inserting “or any joint resolution making continuing appropriations for the fiscal year 2008” before the semicolon at the end.

The SPEAKER pro tempore. Pursuant to House Resolution 677, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. OBEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Joint Resolution 52.

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

There was no objection.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, this resolution keeps government functioning until Congress and the President can make final decisions on appropriation issues for fiscal year 2008. It is a clean CR. It funds all departments at last year's level. The only exception is a \$5.2 billion appropriation for MRAPs, which are essential to protect our troops. It expires November 16. I ask Members to do the responsible thing and vote "aye."

Mr. Speaker, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, the chairman of the committee often talks about thoughts and wisdom of Archie the cockroach, but today I am reminded of the words of Yogi Berra, "It's *deja vu* all over again."

It was 1 year ago that the House passed the first of several continuing resolutions to ensure the continuation of government-funded programs in the new fiscal year.

My friend, DAVID OBEY, came to the floor as the ranking member during the debate to criticize Republicans in the House and the Senate for their failure to pass the annual spending bills by the end of the fiscal year. He spoke of the breakdown of the budget process and vowed that things would be different under a Democrat majority.

We are now 4 days away from the end of the fiscal year, and once again the ranking member of the Appropriations Committee is on the floor decrying the breakdown of regular order. The only difference is that DAVID OBEY is now Chairman OBEY and I am a mere struggling committee ranking member.

At this time last year, we had sent President Bush two appropriations conference reports. This year, not one appropriations conference meeting has taken place between the two bodies, even though there are bills available.

When we passed the first CR last year, my hope was it would provide strong motivation for Congress to complete its work in regular order. I was hopeful that our colleagues in the Senate would complete their work so we could send to the White House the remaining individual conference reports before the end of our legislative session.

I come to the floor today with the same hopeful expectation that the Sen-

ate will soon complete its work. But, based on recent history, I'm not holding my breath.

My appropriations colleague, Senator COCHRAN of Mississippi, could not have been a better partner as we attempted to bring regular order to the appropriations process. Unfortunately, Chairman COCHRAN was poorly served by his own leadership.

The breakdown of regular order in the last Congress, indeed the failure to get our bills done, was placed squarely at the feet of the former Senate majority leader who failed to schedule floor time for the consideration of appropriations bills. One year later, the failure of the appropriations process can be laid squarely at the feet of the present Senate majority leader.

The House has passed each of its spending bills; and, while I believe these bills spend too much, the House Appropriations Committee has kept its word by completing its work.

During my tenure as chairman, the Appropriations Committee was strongly committed to bringing to the floor individual conference reports for each and every bill. I did not then support, and do not now support, an omnibus spending bill in any form. But that is exactly the direction in which the Democrat majority is now moving.

I am convinced that moving bills individually is the only way for us to control government spending. Lacking regular order, there is a tendency for spending on the remaining bills to grow out of control. That challenge is particularly acute this year with the Democrat majority writing and passing spending bills that exceed the President's budget request by about \$23 billion.

We are today passing a CR that continues for the next 6 weeks Federal programs under the terms and conditions established in the 2007 fiscal year resolution.

In 6 weeks, I am afraid we will be here once again to pass yet another continuing resolution, and that will lead us well into the free-spending holiday season.

My colleagues, we are moving ever closer to a massive year-end omnibus spending bill. That course of action would be an admission of failure on the part of this Congress.

At this moment, there is still time for Democrats and Republicans to find common ground on spending. There is still time for the House and the Senate to complete its work in regular order. There is still time to pass and send to the White House individual conference reports. But we must act now.

I would like to close by quoting my friend, Mr. OBEY, from a past continuing resolution debate: "This continuing resolution is a monument to institutional failure. This Congress is failing to meet even the most basic and minimal expectations that the country has for it by way of doing our routine business. This is governing in a pitiful way," Mr. OBEY said, "and I wish that

I could say something more positive about it, but, indeed, I cannot."

Mr. Speaker, and I would say, "Madam Speaker," if I could find the gentlelady on the floor, "Madam Speaker, this is *deja vu* all over again."

I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me recite a slightly different version of recent history with respect to appropriation bills.

After 12 years of rule by the Republican Party, the American people gave the Democratic Party the privilege of moving into the majority in the last election. We were sworn in on January 4. At that point, not a single domestic appropriation bill had been passed by the previous Congress.

So before we could move to our own business for this year, we had to first clean up the unfinished business left by the previous Republican-controlled Congress. That took us 6 weeks. And in 6 weeks we passed the entire domestic budget; and, at the time we did that, we eliminated all earmarks.

Then we also set about to implement the earmark reform process which was spoken for by both political parties in this House. That took us an extra 3 weeks. During that time, we ramped up the number of hearings and the intensity of congressional oversight; and by the end of the hearing process we had doubled the number of hearings held by the previous Congress and restored a much more tenacious set of oversight habits.

We also were forced to confront the President on Iraq because of the unraveling situation in that misbegotten war. And we also, as we tried to pass our appropriation bills, had to endure filibuster by amendment on the part of the minority. They took more than 60 hours above the amount taken by the minority in the previous year on appropriation bills.

Republicans offered 339 amendments to the appropriation bills that we passed in the House, compared to 172 amendments that were offered by Democrats when we were in the minority. Despite all of that, we still managed to pass every single appropriation bill before the August recess. That is only the second time during the Bush administration that this House has passed all of its appropriation bills before the August recess.

Then those bills went to the Senate; and, as the gentleman indicated, they ran into considerable trouble. The Senate has passed four bills. I have asked them to proceed to pass as many additional bills as they can, and I hope that they do. And, incidentally, when they do bring up bills, I was told yesterday that you have between two and three hundred amendments filed to several of the bills, so you face a filibuster by amendment on the part of the minority in the Senate. As you know, under Senate rules, debate cannot be shut down unless you have 60 votes, rather than 50.

So that's the record as I see it. The gentleman from California has recited the record as he sees it. But I would suggest that what is important is what we do now. Where do we go from here?

Even as the Senate makes an effort to complete action on its bills, I would hope that we could shorten the process by sitting down now with the administration to work out compromises on those bills so that we don't have to spend the next 6 weeks continuing to define our differences.

□ 1145

I'm an old-fashioned legislator, and I believe that the way the parties ought to proceed is that we first ought to define our differences and then we ought to resolve them. We've already defined our differences with the passage of the 12 bills in the House. I doubt that the Senate bills are going to get any better from our standpoint, and so it seems to me that time's awasting. It seems to me that we would best serve the needs of the country if the administration would be willing to sit down with us now and begin discussions about how we might reach compromises on these bills so that we can move forward.

Now, let me make one additional point. The President is asking us to spend about \$200 billion, every dollar of that borrowed, in order to finance the supplemental for the war in Iraq, and yet he is objecting to the fact that in the House-passed bills we tried to take about 1/10th that amount and use it for crucial investments in our country's future.

The job of this Congress, the job certainly of this committee, is to make investments that will benefit the country over the long haul, make us a stronger country, and make us a stronger society over the next 10 years. We don't believe on this side of the aisle, and I think in fact we had significant bipartisan agreement if you take a look at the votes, we don't believe that you accomplish that strengthening of the country by cutting vocational education by 50 percent, as the President does in his budget; by eliminating all student aid programs except work study and Pell Grant, as the President does in his budget; by gutting education technology grants, as the President does in his budget; by actually reducing the number of medical research grants at NIH, as the President does in his budget. I've never had anybody come up to me in my life and say, "OBEY, why don't you guys in Congress get your act together and cut cancer research." And yet, that's what the Congress has done the last 2 years. We don't think that ought to happen. So that's why we depart from the President on that score.

We also don't think we strengthen the country when we cut special education by \$300 million, and there are a good many Republicans who agree with that. In fact, Mr. WALSH, the ranking Republican on the Labor, Health, Education and Social Services Sub-

committee, Mr. WALSH, led the effort to increase the funds that our committee provided for special education, and I commend him for it.

We also don't think it's good to cut mental health and drug abuse funding by \$160 million. We don't think that we strengthen the society or this country when we cut minority health professions training by 66 percent. We don't think that we improve health care for children by cutting the training of medical personnel in children's hospitals by 63 percent, and we don't think we strengthen rural America by cutting rural health programs by 54 percent.

We don't think we help make our communities better and cleaner by cutting the clean water revolving fund by 37 percent, as the President does. We don't believe that we meet the needs of our logging industry and the recreational needs of the American people when we cut the forest service budget by 15 percent, as the President's budget does. And we don't believe that we ought to cut housing for disabled Americans by 47 percent or senior housing by 20 percent. In an age of high gas prices and high energy prices, we don't believe that we ought to cut the low-income heating assistance program by 18 percent.

And let me say that Democrats are not the only ones who believe that. If you take a look and analyze the votes on the various appropriations bills that went through the House, you will see that on average we had 65 Republicans who voted with us in support of the appropriations bills that we sent over to the Senate. In fact, if you average out each of the rollcalls for each of the bills that passed, you will see that exactly two-thirds of this body voted for those bills.

So I think we have established a bipartisan foundation in the House for moving forward, and I hope this continuing resolution gives us the necessary time to do that.

I would hope that the Senate can move forward and complete its work on a bill-by-bill basis, but frankly, it is immaterial to me whether the bills are produced one by one or if they are produced in bunches. What counts is not the form. What counts is the substance. What counts is whether we make the right investments to make this country stronger over the long haul. That's our obligation, no matter how we package it.

So I would once again simply urge the administration to sit down with us and begin to talk about how, as adults, we can reach a compromise on these issues.

The President would have the country believe that we are blowing the lid outrageously on budgets and pouring money into the domestic budget. I would suggest that restoring \$16 billion in Presidential cuts is mighty small potatoes in comparison to the \$200 billion that he wants us to spend in Iraq and the \$50 billion that he still wants

us to provide for tax cuts for people making a million bucks a year.

Let me remind the House, Mr. Speaker, that in 1980 the appropriations for domestic budgets equaled 4.8 percent of our total national income. Today, they have been reduced to 2.9 percent of our total national income, and the President's budget would take us, by the year 2012, down to 2.4 percent of the Nation's income. That means that we would have cut in half our investments relative to our national wealth. We would have cut in half those domestic investments since 1980. I don't believe, and I think there are many in both parties who don't believe, that that is the way that we build a stronger future for this country.

So I would simply point out what we have here is an effort on our part to add about 2 percent to what the President is doing in the area of education, health care, science, law enforcement and all of that, and I'd simply suggest that, instead of continuing to talk about it, we sit down and have some more productive actions; we sit down and try to work out these differences between us so that we can leave town at a reasonable time, having completed our action on these bills and having met our responsibilities to make the investments that will, over the long haul, make this a stronger country.

With that, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I just wanted to know if Mr. OBEY wanted to continue speaking or I can yield back my time. I'm ready to yield back the balance of my time. I just wondered if you were ready to yield more time.

Mr. OBEY. I'm ready to yield back.

Mr. BLUMENAUER. Mr. Speaker, As a result of Republican obstructionism and the President's threats to veto our Democratic Congress' new investments in health, the environment and infrastructure, Congress is being forced to pass a resolution to keep the government operating beyond next week's end of the fiscal year. Unfortunately, this bill included money to continue funding the war in Iraq. I have pledged: "not another dime for the war," and voted "no." I will continue to vote against any appropriations bill that continues military operations in Iraq.

At the same time, the motion to condemn Moveon.org was both irrelevant and hypocritical. It was irrelevant in that it had nothing to do with the underlying bill and hypocritical because the Republicans have tolerated, and in some cases encouraged, some of the most savage Swift-boating of candidates and individuals without ever raising a voice in protest.

People have deep concerns about this administration and they have the right to question the testimony General Petraeus gave before Congress. The twisted factual basis for some of his statements, which charitably can only be deemed convoluted, has been made clear in numerous independent press accounts. I voted "no," choosing not to be a part of the irrelevance and hypocrisy.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H.J. Res. 52, making continuing appropriations for fiscal year 2008, and for other

purposes. H.J. Res. 52 provides continuing appropriations for Federal programs, including the aviation investment programs.

H.J. Res. 52 includes a provision extending the Federal Aviation Administration's Airport Improvement Program, AIP. Specifically, section 148 of H.J. Res. 52 provided mandatory AIP contract authority only for the term covered by the Continuing Resolution at a level that, when annualized, equals the amount of mandatory AIP contract authority included in the fiscal year 2008 budget baseline.

The Congressional Budget Office, the House Budget Committee, the House and Senate Appropriations Committees, the Senate Commerce Committee, and the Office of Management and Budget all concur that section 148 provides mandatory contract authority. Moreover, section 148 is a change to a mandatory program and therefore, the amount of contract authority provided by the Continuing Resolution will ultimately be rebased in the baseline and put on the mandatory side of the budget. The baseline for the AIP program will remain mandatory.

Based on my shared understanding that section 148 will not in any way change the nature of the AIP program, I urge my colleagues to join me in supporting H.J. Res. 52.

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

Mr. OBEY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 677, the joint resolution is considered read, and the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. LEWIS OF CALIFORNIA

Mr. LEWIS of California. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the resolution?

Mr. LEWIS of California. Mr. Speaker, I am certainly in its present form.

Mr. OBEY. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Lewis moves to recommit House Joint Resolution 52 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

At the end of the joint resolution, insert the following section:

SEC. 150. (a) Congress makes the following findings:

(1) General David H. Petraeus was confirmed by a unanimous vote of 81-0 in the Senate on January 26, 2007, to be the Commander of the Multi-National Forces—Iraq;

(2) General David H. Petraeus assumed command of the Multi-National Forces—Iraq on February 10, 2007;

(3) General David H. Petraeus previously served in Operation Iraqi Freedom as the Commander of the Multi-National Security Transition Command—Iraq, as the Commander of the NATO Training Mission—Iraq,

and as Commander of the 101st Airborne Division (Air-Assault) during the first year of combat operations in Iraq;

(4) General David H. Petraeus has received numerous awards and distinctions during his career, including the Defense Distinguished Service Medal, two awards of the Distinguished Service Medal, two awards of the Defense Superior Service Medal, four awards of the Legion of Merit, the Bronze Star Medal for valor, the State Department Superior Honor Award, the NATO Meritorious Service Medal, and the Gold Award of the Iraqi Order of the Date Palm; and

(5) The leadership of the majority party in both the House of Representatives and the Senate implored the American people and Members of Congress early in January 2007 to listen to the generals on the ground.

(b) It is the Sense of the Congress that the House of Representatives—

(1) recognizes the service of General David H. Petraeus, as well as all other members of the Armed Forces serving in good standing, in the defense of the United States and the personal sacrifices made by General Petraeus and his family, and other members of the Armed Forces and their families, to serve with distinction and honor;

(2) commits to judge the merits of the sworn testimony of General David H. Petraeus without prejudice or personal bias, including refraining from unwarranted personal attacks;

(3) condemns in the strongest possible terms the personal attacks made by the advocacy group MoveOn.org impugning the integrity and professionalism of General David H. Petraeus;

(4) honors all members of the Armed Forces and civilian personnel serving in harm's way, as well as their families; and

(5) pledges to debate any supplemental funding request or any policy decisions regarding the war in Iraq with the solemn respect and the commitment to intellectual integrity that the sacrifices of these members of the Armed Forces and civilian personnel deserve.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. LEWIS) is recognized for 5 minutes in support of his motion.

Mr. LEWIS of California. Mr. Speaker, this simple motion is to recommend or recommit. It is a sense of the Congress resolution that recognizes the service of General David Petraeus as well as all other members of our Armed Forces. It expresses our appreciation for his personal sacrifices and those of his family as well as the sacrifices of those who served in the Armed Forces and their families.

□ 1200

Further, this sense of the Congress resolution condemns, in the strongest possible terms, the unfair personal attacks made by the advocacy group, MoveOn.org, on the character, integrity and professionalism of General David Patraeus. Such unwarranted attacks should be strongly condemned by Republicans and Democrats alike in the House.

I strongly urge a “yea” vote on the motion to recommit.

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

Mr. OBEY. Mr. Speaker, I ask unanimous consent to claim the time in opposition.

The SPEAKER pro tempore. Does the gentleman withdraw his reservation?

Mr. OBEY. Yes, I do.

The SPEAKER pro tempore. Without objection, the gentleman from Wisconsin is recognized for 5 minutes.

There was no objection.

Mr. OBEY. Mr. Speaker, I want to urge support for this motion. As those in this House who know me well understand, I come from the State of Joe McCarthy. And one of the reasons that I changed political parties, because I grew up in a Republican family, is because I saw what the local McCarthy supporters did to the best teacher I ever had when they impugned his patriotism by calling him a Bolshevik back during the McCarthy heyday. And to this day there is nothing that gets my dander up more than to have someone's patriotism questioned on this House floor or anywhere else in the political realm. And if I'm going to get upset when that kind of juvenile activity occurs on the part of the political right, then I've got an obligation to be equally upset when that kind of juvenile debate emanates from the left.

It seems to me that we all ought to recognize that we can have honest and profound differences with the policy that the general was selling 2 weeks ago without getting personal about it. I think what we ought to do is accept this motion, vote for it, send the continuing resolution to the Senate and get on with the business of negotiating out the content of these appropriation bills so that we can do our duty to the country.

I yield back the balance of my time and ask for an “aye” vote.

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

There was no objection.

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

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

Mr. LEWIS of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 341, nays 79, not voting 12, as follows:

[Roll No. 910]
YEAS—341

Aderholt	Baker	Bilbray
Akin	Barrett (SC)	Bilirakis
Alexander	Barrow	Bishop (GA)
Altmire	Bartlett (MD)	Bishop (NY)
Andrews	Barton (TX)	Bishop (UT)
Arcuri	Bean	Blackburn
Baca	Berkley	Blunt
Bachmann	Berry	Boehner
Baird	Biggert	Bonner

Bono	Goode	Moran (KS)	Upton	Welch (VT)	Wilson (OH)
Boozman	Goodlatte	Murphy (CT)	Visclosky	Weldon (FL)	Wilson (SC)
Boren	Granger	Murphy, Patrick	Walberg	Weller	Wolf
Boswell	Graves	Murphy, Tim	Walden (OR)	Westmoreland	Wu
Boucher	Green, Gene	Murtha	Walsh (NY)	Whitfield	Young (AK)
Boustany	Hall (NY)	Musgrave	Walz (MN)	Wicker	Young (FL)
Boyd (FL)	Hall (TX)	Myrick	Wamp	Wilson (NM)	
Boysda (KS)	Hare	Napolitano			
Brady (PA)	Harman	Neugebauer			
Brady (TX)	Hastert	Nunes	Abercrombie	Honda	Rush
Braley (IA)	Hastings (WA)	Oberstar	Ackerman	Inslee	Ryan (OH)
Brown (GA)	Hayes	Obey	Allen	Jackson-Lee	Sánchez, Linda
Brown (SC)	Heller	Ortiz	Baldwin	(TX)	T.
Brown-Waite, Ginny	Hensarling	Pascarella	Becerra	Jefferson	Schakowsky
Buchanan	Higgins	Pastor	Berman	Johnson (GA)	Scott (VA)
Burgess	Hill	Paul	Blumenauer	Jones (OH)	Serrano
Burton (IN)	Hobson	Pearce	Brown, Corrine	Kilpatrick	Sherman
Butterfield	Hodes	Pence	Capps	Kucinich	Slaughter
Buyer	Hoekstra	Perlmutter	Capuano	Lee	Solis
Calvert	Holden	Peterson (MN)	Castor	Lewis (GA)	Stark
Campbell (CA)	Hooley	Peterson (PA)	Clarke	Lofgren, Zoe	
Cannon	Hoyer	Pickering	Cohen	Markey	Tierney
Cantor	Hulshof	Platts	Conyers	Matsui	Towns
Capito	Hunter	Poe	Crowley	McDermott	Van Hollen
Cardoza	Inglis (SC)	Israel	Davis (IL)	Meek (FL)	Velázquez
Carnahan	Issa	Pomeroy	DeGette	Moran (VA)	Wasserman
Carney	Jackson (IL)	Porter	Ellison	Michaud	Schultz
Carter	Johnson (IL)	Price (GA)	Filner	Miller (NC)	Waters
Castle	Johnson, Sam	Pryce (OH)	Frank (MA)	Miller, George	Watson
Chabot	Jones (NC)	Putnam	Green, Al	Moore (WI)	Watt
Chandler	Jordan	Radanovich	Grijalva	Moran (VA)	Waxman
Cleaver	Kagen	Rahall	Gutierrez	Nadler	Weiner
Clyburn	Kanjorski	Ramstad	Hastings (FL)	Neal (MA)	Wexler
Coble	Kaptur	Rangel	Hinchey	Olver	Woolsey
Cole (OK)	Keller	Regula	Hirono	Pallone	Wynn
Conaway	Kennedy	Rehberg	Holt	Payne	Yarmuth
Cooper	Kildee	Reichert	Price (NC)		
Costa	Kind	Renzi			
Costello	King (IA)	Reyes			
Courtney	King (NY)	Reynolds			
Cramer	Kingston	Richardson			
Crenshaw	Kirk	Rodriguez			
Cuellar	Klein (FL)	Rogers (AL)			
Culberson	Kline (MN)	Rogers (KY)			
Davis (AL)	Knollenberg	Rogers (MI)			
Davis (CA)	Kuhl (NY)	Rohrabacher			
Davis (KY)	LaHood	Ros-Lehtinen			
Davis, David	Lamborn	Roskam			
Davis, Lincoln	Lampson	Ross			
Davis, Tom	Langevin	Rothman			
Deal (GA)	Lantos	Royal-Allard			
DeFazio	Larsen (WA)	Royce			
Delahunt	Larson (CT)	Ruppertsberger			
DeLauro	Latham	Ryan (WI)			
Dent	LaTourette	Salazar			
Diaz-Balart, L.	Levin	Sali			
Diaz-Balart, M.	Lewis (CA)	Sanchez, Loretta			
Dicks	Lewis (KY)	Sarbanes			
Dingell	Linder	Saxton			
Doggett	Lipinski	Schiff			
Donnelly	LoBiondo	Schmidt			
Doolittle	LoBrock	Schwartz			
Doyle	Loebsack	Scott (GA)			
Drake	Lowey	Sensenbrenner			
Dreier	Lucas	Sessions			
Duncan	Lungren, Daniel E.	Sestak			
Edwards	Lynch	Shadegg			
Ehlers	Mack	Shays			
Ellsworth	Mahoney (FL)	Shea-Porter			
Emanuel	Maloney (NY)	Shimkus			
Emerson	Manzullo	Shuler			
Engel	Marchant	Shuster			
English (PA)	Marshall	Simpson			
Eshoo	Matheson	Sires			
Etheridge	McCarthy (CA)	Skelton			
Everett	McCarthy (NY)	Smith (NE)			
Fallin	McCauley (TX)	Smith (NJ)			
Farr	McCollum (MN)	Smith (TX)			
Fattah	McCotter	Smith (WA)			
Feeney	McCrary	Snyder			
Ferguson	McHenry	Space			
Flake	McHugh	Spratt			
Forbes	McIntyre	Stearns			
Fortenberry	McKeon	Stupak			
Fossella	McMorris	Sullivan			
Foxx	Rodgers	Tancredo			
Franks (AZ)	McNerney	Tanner			
Frelinghuysen	McNulty	Tauscher			
Gallegly	Meeks (NY)	Taylor			
Garrett (NJ)	Melancon	Terry			
Gerlach	Mica	Thompson (CA)			
Giffords	Miller (FL)	Thompson (MS)			
Gilchrest	Miller (MI)	Thornberry			
Gillibrand	Miller, Gary	Tiaht			
Gingrey	Mitchell	Tiberi			
Gohmert	Mollohan	Turner			
Gonzalez	Moore (KS)	Udall (CO)			
		Moore (NM)	Udall (NM)		

NAYS—79

Upton	Welch (VT)	Wilson (OH)
Visclosky	Weldon (FL)	Wilson (SC)
Murphy (CT)	Walberg	Wolf
Murphy, Patrick	Walden (OR)	Wu
Murphy, Tim	Walsh (NY)	Whitfield
Murtha	Walz (MN)	Young (AK)
Musgrave	Wamp	Young (FL)
Hare		
Napolitano		
Neugebauer		
Abercrombie	Honda	Rush
Ackerman	Inslee	Ryan (OH)
Oberstar	Allen	Sánchez, Linda
		T.
Baldwin	Becerra	Schakowsky
Berman	Jefferson	Scott (VA)
Ortiz	Johnson (GA)	
Pascarella	Brown, Corrine	
Pastor	Conyers	
Paul	Crowley	
Pence	Davis (IL)	
Perlmutter	Meek (FL)	
Peterson (MN)	McDermott	
Peterson (PA)	Van Hollen	
Pickering	McGovern	
Platts	Velázquez	
Poe	Wasserman	
Radanovich	Michaud	
Rahall	Matsui	
Ramstad	Miller (NC)	
Rangel	Miller, George	
Raptur	Frank (MA)	
Rothman	Green, Al	
Royal-Allard	Moran (VA)	
Royce	Waxman	
Ruppertsberger	Nadler	
Ryan (WI)	Neal (MA)	
Salazar	Olver	
Saxton	Hinchey	
Schiff	Pallone	
Schmidt	Hirono	
Schwartz	Holm	
Scott (GA)	Payne	
Shuster	Yarmuth	
Simpson		
Sires		
Skelton		
Smith (NE)		
Smith (NJ)		
Smith (TX)		
Smith (WA)		
Snyder		
Space		
Spratt		
Stearns		
Stupak		
Sullivan		
Tancredo		
Tanner		
Tauscher		
Taylor		
Terry		
Thompson (CA)		
Thompson (MS)		
Thornberry		
Tiaht		
Tiberi		
Turner		
Udall (CO)		
Udall (NM)		

NOT VOTING—12

Mr. BECERRA, Mr. CROWLEY, Ms. SOLIS, Mr. STARK, Ms. BALDWIN, Mr. McDERMOTT, Ms. DEGETTE, Messrs. TIERNEY, SCOTT of Virginia, MILLER of North Carolina, ALLEN, RUSH, Ms. CORRINE BROWN of Florida, Messrs. AL GREEN of Texas, VAN HOLLEN, BERMAN, INSLEE, NEAL of Massachusetts and SHERMAN changed their vote from “yea to “nay.”

Mr. LINDER, Mrs. TAUSCHER, Mr. PORTER, Mr. BRALEY of Iowa, Mr. THOMPSON of California, Ms. MCCOLUM of Minnesota and Messrs. PETERSON of Minnesota, OBERSTAR, BACA, DOGGETT, BUTTERFIELD and LARSON of Connecticut changed their vote from “nay” to “yea.”

Mr. COHEN changed his vote from “present” to “nay.”

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

Mr. OBEY. Mr. Speaker, pursuant to the instructions of the House on the motion to recommit, I report H.J. Res. 52 back to the House with an amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment:
At the end of the joint resolution, insert the following new section:
SEC. 150 (a) Congress makes the following findings:

(1) General David H. Petraeus was confirmed by a unanimous vote of 81-0 in the Senate on January 26, 2007, to be the Commander of the Multi-National Forces-Iraq;

(2) General David H. Petraeus assumed command of the Multi-National Forces-Iraq

on February 10, 2007;

(3) General David H. Petraeus previously served in Operation Iraqi Freedom as the Commander of the Multi-National Security Transition Command-Iraq, as the Commander of the NATO Training Mission-Iraq, and as Commander of the 101st Airborne Division (Air Assault) during the first year of combat operations in Iraq;

(4) General David H. Petraeus has received numerous awards and distinctions during his career, including the Defense Distinguished Service Medal, two awards of the Distinguished Service Medal, two awards of the Defense Superior Service Medal, four awards of the Legion of Merit, the Bronze Star Medal for valor, the State Department Superior Honor Award, the NATO Meritorious Service Medal, and the Gold Award of the Iraqi Order of the Date Palm; and

(5) The leadership of the majority party in both the House of Representatives and the Senate implored the American people and Members of Congress early in January 2007 to listen to the generals on the ground.

(b) It is the Sense of the Congress that the House of Representatives—

(1) recognizes the service of General David H. Petraeus, as well as all other members of the Armed Forces serving in good standing, in the defense of the United States and the personal sacrifices made by General Petraeus and his family, and other members of the Armed Forces and their families, to serve with distinction and honor;

(2) commits to judge the merits of the sworn testimony of General David H. Petraeus without prejudice or personal bias, including refraining from unwarranted personal attacks;

(3) condemns in the strongest possible terms the personal attacks made by the advocacy group MoveOn.org impugning the integrity and professionalism of General David H. Petraeus;

(4) honors all members of the Armed Forces and civilian personnel serving in harm's way, as well as their families; and

(5) pledges to debate any supplemental funding request or any policy decisions regarding the war in Iraq with the solemn respect and the commitment to intellectual integrity that the sacrifices of these members of the Armed Forces and civilian personnel deserve.

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

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

RECORDED VOTE

Mr. LEWIS of California. 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 404, noes 14, not voting 14, as follows:

[Roll No. 911]

AYES—404

Abercrombie	Akin	Altmine
Ackerman	Alexander	Andrews
Oberstar	Allen	Arcuri

Baca	Doyle	Lampson	Reichert	Sestak	Towns
Bachmann	Drake	Langevin	Renzi	Shadegg	Turner
Baird	Dreier	Lantos	Reyes	Shays	Udall (CO)
Baker	Duncan	Larsen (WA)	Reynolds	Shea-Porter	Udall (NM)
Baldwin	Edwards	Larson (CT)	Richardson	Sherman	Upton
Barrett (SC)	Ehlers	Latham	Rodriguez	Shimkus	Van Hollen
Barrow	Ellsworth	Levin	Rogers (AL)	Shuler	Velázquez
Bartlett (MD)	Emanuel	Lewis (CA)	Rogers (KY)	Rogers (MI)	Visclosky
Barton (TX)	Emerson	Lewis (GA)	Rodgers (GA)	Simpson	Walberg
Bean	Engel	Lewis (KY)	Rohrabacher	Sires	Walden (OR)
Becerra	English (PA)	Linder	Ros-Lehtinen	Skelton	Walsh (NY)
Berkley	Eshoo	Lipinski	Rothman	Slaughter	Walz (MN)
Berman	Etheridge	LoBiondo	Royer-Allard	Smith (NJ)	Wasserman
Berry	Everett	Loebsack	Ruppersberger	Smith (TX)	Schultz
Biggert	Fallin	Lofgren, Zoe	Rush	Snyder	Watt
Bilbray	Farr	Lowey	Ryan (OH)	Solis	Waxman
Bilirakis	Fattah	Lucas	Ryan (WI)	Space	Weiner
Bishop (GA)	Feeley	Lungren, Daniel	Ryan (WI)	Salazar	Welch (VT)
Bishop (NY)	Ferguson	E.	Ryan (WI)	Mack	Weldon (FL)
Bishop (UT)	Flake	Lynch	Sánchez, Linda	Sánchez, Linda	Sánchez, Linda
Blackburn	Forbes	Mack	T.	T.	T.
Blunt	Fortenberry	Mahoney (FL)	Sanchez, Loretta	Stark	Stearns
Boehner	Fossella	Maloney (NY)	Sarbanes	Stupak	Westmoreland
Bonner	Foxx	Manzullo	McCarthy (CA)	Sullivan	Wexler
Bono	Franks (AZ)	Marchant	McCarthy (NY)	Tancredo	Whitfield
Boozman	Frelinghuysen	Markey	McCauley (TX)	Saxton	Wicker
Boren	Gallegly	Marshall	McCullum (MN)	Tanner	Wilder
Boswell	Garrett (NJ)	Matheson	Sensenbrenner	Thompson (CA)	Weller
Boucher	Gerlach	Matsui	Serrano	Thompson (MS)	Weldon (FL)
Boustany	Giffords	McCarthy (CA)	Sessions	Thompson (MS)	Weller
Boyd (FL)	Gilchrest	McCarthy (NY)	NOT VOTING—14	Wu	Weller
Boysd (KS)	Gillibrand	McCauley (TX)	Bachus	Thornberry	Wynn
Brady (PA)	Gingrey	McCullum (MN)	Carson	Tiahrt	Yarmuth
Brady (TX)	Gohmert	McCotter	Cubin	Tiberi	Young (AK)
Braley (IA)	Gonzalez	McCrary	Davis, Jo Ann	Tierney	Young (FL)
Broun (GA)	Goode	McGovern	Gordon	LaTourette	Young (FL)
Brown (SC)	Goodlatte	McHenry	Blumenauer	Hinchey	Payne
Brown, Corrine	Granger	McHugh	Clay	Kucinich	Waters
Brown-Waite, Ginny	Graves	McIntyre	Ellison	Lee	Watson
Buchanan	Green, Al	McKeon	Filner	McDermott	Woolsey
Burgess	Green, Gene	McMorris	Frank (MA)	Paul	
Burton (IN)	Grijalva	Rodgers			
Butterfield	Gutierrez	McNerney			
Buyer	Hall (NY)	McNulty			
Calvert	Hall (TX)	Meek (FL)			
Camp (MI)	Hare	Meeks (NY)			
Campbell (CA)	Harman	Melancon			
Cannon	Hastert	Mica			
Cantor	Hastings (FL)	Michaud			
Capito	Hastings (WA)	Miller (FL)			
Capps	Hayes	Miller (MI)			
Capuano	Heller	Miller (NC)			
Cardoza	Hensarling	Miller, Gary			
Carnahan	Herseth Sandlin	Miller, George			
Carney	Higgins	Mitchell			
Carter	Hill	Mollohan			
Castle	Hirono	Moore (KS)			
Castor	Hobson	Moore (WI)			
Chabot	Hodes	Moran (KS)			
Chandler	Hoekstra	Moran (VA)			
Clarke	Holden	Murphy (CT)			
Cleaver	Holt	Murphy, Patrick			
Clyburn	Honda	Murphy, Tim			
Coble	Hooley	Murtha			
Cohen	Hoyer	Musgrave			
Cole (OK)	Hulshof	Myrick			
Conaway	Hunter	Nadler			
Conyers	Inglis (SC)	Napolitano			
Cooper	Inslee	Neal (MA)			
Costa	Israel	Neugebauer			
Costello	Issa	Nunes			
Courtney	Jackson (IL)	Oberstar			
Cramer	Jackson-Lee (TX)	Obey			
Crenshaw	Jefferson	Ortiz			
Crowley	Johnson (GA)	Pallone			
Cuellar	Johnson (IL)	Pascarella			
Culberson	Johnson, Sam	Pastor			
Cummings	Jones (NC)	Pearce			
Davis (AL)	Jones (OH)	Pence			
Davis (CA)	Jordan	Perlmuter			
Davis (IL)	Kagen	Peterson (MN)			
Davis (KY)	Kanjorski	Peterson (PA)			
Davis, David	Kaptur	Petri			
Davis, Lincoln	Keller	Pickering			
Davis, Tom	Kennedy	Pitts			
Deal (GA)	Kildee	Platts			
DeFazio	Kilpatrick	Poe			
DeGette	Kind	Pomeroy			
Delahunt	King (IA)	Porter			
DeLauro	King (NY)	Price (GA)			
Dent	Kingston	Price (NC)			
Diaz-Balart, L.	Kirk	Pryce (OH)			
Diaz-Balart, M.	Klein (FL)	Putnam			
Dicks	Kline (MN)	Radanovich			
Dingell	Knollenberg	Rahall			
Doggett	Kuhl (NY)	Ramstad			
Donnelly	LaHood	Rangel			
Doolittle	Lamborn	Regula			
		Rehberg			

□ 1245

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2693) to direct the Occupational Safety and Health Administration to issue a standard regulating worker exposure to diacetyl, with Mr. CARDOZA in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from California (Mr. GEORGE MILLER) and the gentleman from California (Mr. McKEON) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman and Members of the House, today we have an opportunity to protect thousands of American workers from a serious, irreversible and deadly lung disease known as "popcorn lung," a disease caused by a simple artificial butter flavoring chemical called diacetyl.

The alarm bells began ringing on this health crisis over 7 years ago when a Missouri doctor diagnosed several workers from the same popcorn production plant with this debilitating lung disease. In 2002, the National Institute for Occupational Safety and Health linked the lung disease to exposure to diacetyl used in the plant.

Scientists have called the effect of diacetyl on workers' lungs "astonishingly grotesque" and likened it to "inhaling acid." Hundreds of workers in popcorn and flavor production have become ill, several have died of popcorn lung, and many of the workers are so sick they needed lung transplants. Dozens of workers have sued flavoring manufacturers, winning millions in lawsuits and settlements.

NIOSH first connected popcorn lung to this chemical in 2002. In 2003, NIOSH issued guidance recommending that workers' exposure be minimized. In 2004, the Food Extract Manufacturers Association, the trade association of the flavoring industry, issued similar guidelines. Yet 5 years later, the Occupational Safety and Health Administration has failed to issue a standard to protect workers from exposure to diacetyl, preferring to rely on voluntary efforts.

Voluntary efforts, however, have not worked. Last year, California researchers found that despite the issuance of government and industry guidance for years before, many of those recommendations still have not been implemented in the flavor manufacturing facilities, and new cases of this debilitating lung disease have been identified.

How does this bill address the problem? H.R. 2693 would require OSHA to issue an interim final standard to minimize worker exposure to diacetyl. The

GENERAL LEAVE

Mr. GEORGE MILLER of California. Mr. Speaker, I request 5 legislative days for Members to revise and extend their remarks and insert materials on H.R. 2693 into the RECORD.

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

There was no objection.

POPCORN WORKERS LUNG DISEASE PREVENTION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 678 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2693.