

The United States Congress has, in previous years, passed legislation specifically granting to the EEOC authorization and responsibility to work on behalf of employees where they face discrimination in the workplace. That legislation anticipated an opening of a remedy for employees. This amendment would close a remedy for employees.

These cases should be decided on their facts. If we were to adopt this motion and the conference were to include the amendment in its agreement, then the EEOC would not have an opportunity to look at the facts and represent employees pursuant thereto. Therefore, we do oppose the amendment.

I want to point out that the court in this case upheld the decision and upheld the position of the employer in this case. That's well and good.

What's important in that is that the court, through due process, decided the matter. That's the way the EEOC ought to operate, not through Congress in a motion to instruct conferees and in an appropriation conference, taking away what the Congress has already given jurisdiction in these cases.

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

Mr. FRELINGHUYSEN. Mr. Speaker, I urge adoption of the motion.

I yield back the balance of my time.

Mr. MOLLOHAN. Mr. Speaker, I urge in the strongest terms opposition to the motion.

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.

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

Mr. FRELINGHUYSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 218, nays 186, not voting 28, as follows:

[Roll No. 1076]

YEAS—218

Aderholt	Brown (SC)	Davis (KY)
Akin	Brown-Waite,	Davis, David
Alexander	Ginny	Davis, Lincoln
Altmine	Buchanan	Davis, Tom
Bachmann	Burgess	Deal (GA)
Bachus	Burton (IN)	Dent
Baird	Calvert	Donnelly
Baker	Camp (MI)	Doolittle
Barrett (SC)	Campbell (CA)	Drake
Barrow	Cannon	Cohen
Bartlett (MD)	Cantor	Dreier
Biggert	Capito	Ehlers
Bilbray	Carnahan	Ellsworth
Bilirakis	Carney	Emerson
Bishop (GA)	Carter	English (PA)
Blackburn	Castle	Everett
Blunt	Chabot	Fallin
Boehner	Coble	Feeley
Bonner	Cole (OK)	Ferguson
Bono	Conaway	Flake
Boozman	Conyers	Forbes
Boustany	Costello	Fortenberry
Brady (TX)	Culberson	Fossella
Broun (GA)	Cummings	Foxx

Franks (AZ)	Lucas	Rogers (MI)	Rush	Sires	Van Hollen
FrelinghuySEN	Mack	Rohrabacher	Ryan (OH)	Slaughter	Velazquez
Gallegly	Manzullo	Roskam	Salazar	Smith (WA)	Visclosky
Garrett (NJ)	Marchant	Ross	Sánchez, Linda	Snyder	Walz (MN)
Gerlach	Marshall	Rothman	T.	Solis	Wasserman
Gilchrest	Matheson	Royce	Sanchez, Loretta	Stark	Schultz
Gillibrand	McCarthy (CA)	Ryan (WI)	Sarbanes	Stupak	Waterson
Gingrey	McCaull (TX)	Sali	Schakowsky	Sutton	Watson
Gohmert	McCotter	Saxton	Schiff	Tauscher	Watt
Goode	McCryer	Schmidt	Schwartz	Thompson (CA)	Waxman
Goodlatte	McHenry	Sensenbrenner	Scott (GA)	Thompson (MS)	Weiner
Graves	McHugh	Sessions	Scott (VA)	Tierney	Welch (VT)
Hall (TX)	McIntyre	Shadegg	Serrano	Towns	Wexler
Harman	McKeon	Shays	Sestak	Tsongas	Woolsey
Hastings (WA)	McMorris	Shimkus	Shea-Porter	Udall (CO)	Wu
Hayes	Rodgers	Shuler	Sherman	Udall (NM)	Yarmuth
Heller	McNerney	Skelton			
Hensarling	Meeks (NY)	Melancon			
Herger	Neugebauer	Mica			
Herseth Sandlin	Nunes	Miller (FL)			
Hill	Myrick	Miller (MI)			
Hobson	Neugebauer	Miller, Gary			
Hoekstra	Ortiz	Mitchell			
Hulshof	Pearce	Space			
Hunter	Pence	Spratt			
Inglis (SC)	Pickering	Tancredo			
Issa	Platts	Taylor			
Johnson (IL)	Price (GA)	Thornberry			
Johnson, Sam	Putnam	Tiaht			
Jones (NC)	Ramstad	Tiberi			
Jordan	Regula	Turner			
Kagen	Ramstad	Upton			
Kanjorski	Rehberg	Walberg			
Keller	Reichert	Walder (OR)			
King (IA)	Renzi	Walsh (NY)			
King (NY)	Rogers (AL)	Wamp			
Kingston	Rogers (KY)	Weldon (FL)			
Kirk	Platts	Weller			
Kline (MN)	Porter	Whitfield			
Knollenberg	Price (GA)	Wicker			
Kuhl (NY)	Pryce (OH)	Wilson (NM)			
Lamborn	Putnam	Wilson (OH)			
Lampson	Ramstad	Wilson (SC)			
Latham	Regula	Wolf			
LaTourette	Rehberg	Young (AK)			
Lewis (CA)	Reichert	Young (FL)			
Lewis (KY)	Renzi				
Linder	Rogers (AL)				
Lipinski	Rogers (KY)				
LoBiondo					

NAYS—186

Abercrombie	Dingell	Larsen (WA)	
Ackerman	Doggett	Lee	
Allen	Edwards	Lewis (GA)	
Andrews	Ellison	Loebback	
Arcuri	Emanuel	Lofgren, Zoe	
Baca	Engel	Lowey	
Baldwin	Eshoo	Lynch	
Barton (TX)	Etheridge	Mahoney (FL)	
Becerra	Farr	Maloney (NY)	
Berkley	Fattah	Markay	
Berman	Filner	Matsui	
Berry	Frank (MA)	McCarthy (NY)	
Bishop (NY)	Gonzalez	McCollum (MN)	
Blumenauer	Gordon	McDermott	
Boswell	Green, Al	McGovern	
Boucher	Green, Gene	McNulty	
Boyd (FL)	Grijalva	Meek (FL)	
Boys (KS)	Gutierrez	Michaud	
Brady (PA)	Hall (NY)	Miller (NC)	
Braley (IA)	Hare	Miller, George	
Brown, Corrine	Hastings (FL)	Mollohan	
Butterfield	Higgins	Moore (KS)	
Capps	Hinchey	Moore (WI)	
Capuano	Hinojosa	Murphy (CT)	
Cardoza	Hirono	Murphy, Patrick	
Castor	Hodes	Murtha	
Chandler	Holt	Nadler	
Clarke	Honda	Napolitano	
Clay	Hooley	Neal (MA)	
Cleaver	Hoyer	Obey	
Clyburn	Inslee	Olver	
Cohen	Israel	Ortiz	
Cooper	Jackson (IL)	Pallone	
Dreier	Jackson-Lee	Pascarella	
Duncan	(TX)	Pastor	
Ehlers	Cramer	Payne	
Courtney	Crowley	Perlmuter	
Ellsworth	Cuellar	Pomeroy	
Ferguson	Johnson, E. B.	Price (NC)	
DeFazio	Jones (OH)	Rahall	
DeGette	Klein (IL)	Rangel	
Delahunt	Kilpatrick	Reyes	
DeLauro	Kind	Richardson	
DeTiber	Klein (FL)	Rodriguez	
Diaz-Balart, L.	Kucinich	Ros-Lehtinen	
Diaz-Balart, M.	Langevin	Royal-Allard	
		Ruppertsberger	

NOT VOTING—28

Bean	Granger	Moran (VA)
Bishop (UT)	Hastert	Oberstar
Boren	Holden	Paul
Buyer	Jindal	Radanovich
Carson	LaHood	Reynolds
Crenshaw	Lantos	Simpson
Cubin	Larson (CT)	Tanner
Dicks	Levin	Westmoreland
Doyle	Lungren, Daniel	Wynn
Giffords	E.	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining on the vote.

□ 2053

Ms. CASTOR and Messrs. SESTAK, LYNCH, HODES and DEFAZIO changed their vote from "yea" to "nay."

Messrs. MCNERNEY, COSTELLO, COLE of Oklahoma, BAIRD and KAGEN 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.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Messrs. MOLLOHAN, KENNEDY, FATTAH, RUPPERSBERGER, SCHIFF, HONDA, Ms. DELAUR, Messrs. PRICE of North Carolina, OBEY, FRELINGHUYSEN, CULBERSON, ROGERS of Kentucky, LATHAM, ADERHOLT and LEWIS of California.

There was no objection.

CONTINUATION OF EMERGENCY REGARDING WEAPONS OF MASS DESTRUCTION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110-74)

The SPEAKER pro tempore (Mr. ELLISON) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

In accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I transmit herewith notice of a 1-year continuation of the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994, as amended.

GEORGE W. BUSH.  
THE WHITE HOUSE, November 8, 2007.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110-75)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

*To The Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the Iran emergency declared in Executive Order 12170 on November 14, 1979, is to continue in effect beyond November 14, 2007.

Our relations with Iran have not yet returned to normal, and the process of implementing the January 19, 1981 agreements with Iran is still underway. For these reasons, I have determined that it is necessary to continue the national emergency declared on November 14, 1979, with respect to Iran, beyond November 14, 2007.

GEORGE W. BUSH.  
THE WHITE HOUSE, November 8, 2007.

EMPLOYMENT NON-DISCRIMINATION ACT

(Mr. McDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McDERMOTT. Mr. Speaker, America's a great Nation, but it's a work in progress; and we still have work to do when it comes to protecting the rights of every American.

No one understands that better than Representative BARNEY FRANK, my friend and colleague from Massachusetts. With BARNEY's leadership, the House passed the Employment Non-Discrimination Act last night. ENDA is a clear statement that we will protect and defend the rights of Americans in the workplace.

As far as I'm concerned, the issue comes down to one simple declarative sentence: your sexual orientation and lifestyle is your own business, not your employer's business. No person or business in this country should have the right to discriminate against any American.

I stand proudly shoulder to shoulder with BARNEY FRANK and my constituents in Seattle in strong and unwavering support of ENDA. A chance at the American Dream should apply to every American. Gay, lesbian, bisexual, they

all hope and care and wish like all the rest of us. They deserve nothing less than a full measure of justice and equality in this country. So do the transgender Americans, and we have more work to do to extend the protections to them.

We made progress with ENDA and neither BARNEY FRANK, nor I, nor my constituents will rest until we can declare with conviction that all Americans are created equal.

MAJOR ANDREW STONE

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

Mr. POE. Mr. Speaker, southeast Texas is proud of the military men that it's produced, men such as United States Air Force Major Andrew Stone of Beaumont, Texas, who recently received the Distinguished Flying Cross with Valor for his heroics while fighting in Afghanistan. Thus far, there have only been a handful of recipients of this second highest military award from the Afghanistan and Iraqi wars.

On October 30, 2006, Major Stone answered a distress call from a Special Forces Unit that was on the ground and was trapped and taking heavy rocket and machine gun fire. Alone against this enemy, Major Stone attacked in his A-10 aircraft with a barrage of 30mm cannon fire. With no regard for his own safety, and while exposing himself to horrific enemy ground fire, Major Stone continued to perform cover over this trapped Special Forces Unit until they reached complete safety. He would not leave any of them behind. It was his selfless courage and bravery that enabled this U.S. troop patrol to escape.

And as we approach Veterans Day, we honor our relentless warriors like Major Stone. And it's with great pride that I recognize this son of Texas and congratulate him on receiving the Distinguished Flying Cross.

And that's just the way it is.

□ 2100

APOLOGIES TO DAWN DAWSON

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

Mr. FRANK of Massachusetts. Mr. Speaker, I want to apologize to Dawn Dawson. Ms. Dawson is a thoughtful young woman who was engaged in a lawsuit involving a charge of discrimination based on sexual orientation. An organization in the dispute we had about the scope of the Employment Non-Discrimination Act, in my judgment, misquoted the holding in that lawsuit. In the course of refuting that, I quoted some passages which reflected somewhat negatively on Ms. Dawson. I should not have done that. There is no reason to make any negative inference about her. It was in a legal context which does not support factually any negative response.

Ms. Dawson called me after that, came to see me. I was impressed by her grace, by her thoughtfulness, and by her commitment to working for a better America for all of us.

So I want to express my regret that I brought this young woman into this dispute for no good reason. She deserves much better from me, as she deserves from all who are concerned about fairness in this country. And as I said, I apologize to Ms. Dawson. I continue to believe that the organization with which I was disputing misinterpreted her lawsuit, but that was not her fault.

MIDDLE EAST OIL AND THE SOARING COST OF FUEL

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, when the Democrats took over the House, the price of oil was \$59 a barrel. Today it's \$100 a barrel.

Now, I don't blame that on Democrats, but I have got to say that where is your energy bill? Where is your alternative fuels bill? I thought that in this green, "don't leave a footprint" or whatever it is the Speaker has promised that we were all going to be riding hybrids. But it has not happened under them.

I have cosponsored a bipartisan bill with ELIOT ENGEL that does have tax credits for buying hybrids, flex-fuel vehicles. It gives the automobile companies tax credits for making more of them. It gives the gasoline stations money to transfer to be fuel stations so that they can sell biodiesel and ethanol and hydrogen, whatever it would take to get us off Middle East oil. But the Democrat Party has shown no interest in ending our dependency on Middle East oil, and that is a national security concern of all Members, and we need to do something about it.

I call on the Speaker to move a serious energy bill that addresses the high, soaring cost of fuel.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. ELLISON). 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 North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)