

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 3 minutes remaining in this vote.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 1324

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## KIDS ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 719, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 719, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 0, not voting 15, as follows:

[Roll No. 1092]

## YEAS—417

Abercrombie	Brown-Waite,	DeFazio
Ackerman	Ginny	DeGette
Aderholt	Buchanan	Delahunt
Akin	Burgess	DeLauro
Alexander	Burton (IN)	Dent
Allen	Butterfield	Diaz-Balart, L.
Altmire	Buyer	Dicks
Andrews	Calvert	Dingell
Arcuri	Camp (MI)	Doggett
Baca	Campbell (CA)	Donnelly
Bachmann	Cannon	Doolittle
Bachus	Cantor	Drake
Baird	Capito	Dreier
Baker	Capps	Duncan
Baldwin	Capuano	Edwards
Barrett (SC)	Cardoza	Ehlers
Barrow	Carnahan	Ellison
Bartlett (MD)	Carney	Ellsworth
Barton (TX)	Carter	Emanuel
Bean	Castle	Emerson
Becerra	Castor	Engel
Berkley	Chabot	English (PA)
Berman	Chandler	Eshoo
Berry	Clarke	Etheridge
Biggert	Clay	Everett
Bilbray	Cleaver	Fallin
Bilirakis	Clyburn	Farr
Bishop (GA)	Coble	Fattah
Bishop (NY)	Cohen	Feeney
Bishop (UT)	Cole (OK)	Ferguson
Blackburn	Conaway	Filner
Blumenauer	Conyers	Flake
Blunt	Cooper	Forbes
Boehner	Costa	Fortenberry
Bonner	Costello	Fossella
Bono	Courtney	Fox
Boozman	Cramer	Frank (MA)
Boren	Crenshaw	Franks (AZ)
Boswell	Crowley	Frelinghuysen
Boucher	Cuellar	Gallely
Boustany	Culberson	Garrett (NJ)
Boyd (FL)	Boyd (FL)	Cummings
Boyd (KS)	Davis (AL)	Giffords
Brady (PA)	Davis (CA)	Gilchrest
Brady (TX)	Davis (IL)	Gillibrand
Braley (IA)	Davis (KY)	Gingrey
Brown (GA)	Davis, David	Gohmert
Brown (SC)	Davis, Lincoln	Gonzalez
Brown, Corrine	Deal (GA)	Goode

Goodlatte	Maloney (NY)	Rothman
Gordon	Manzullo	Roybal-Allard
Granger	Marchant	Royce
Graves	Markey	Ruppersberger
Green, Al	Marshall	Rush
Green, Gene	Matheson	Ryan (OH)
Grijalva	Matsui	Ryan (WI)
Gutierrez	McCarthy (CA)	Salazar
Hall (NY)	McCarthy (NY)	Sali
Hall (TX)	McCaul (TX)	Sanchez, Linda
Hare	McCollum (MN)	T.
Harman	McCotter	Sanchez, Loretta
Hastings (FL)	McCrery	Sarbanes
Hastings (WA)	McDermott	Saxton
Hayes	McGovern	Schakowsky
Heller	McHenry	Schiff
Hensarling	McHugh	Schmidt
Herger	McIntyre	Schwartz
Hereth Sandlin	McKeon	Scott (GA)
Higgins	McMorris	Scott (VA)
Hill	Rodgers	Sensenbrenner
Hinchey	McNerney	Serrano
Hinojosa	McNulty	Sestak
Hirono	Meek (FL)	Shadegg
Hobson	Meeks (NY)	Shays
Hodes	Melancon	Shea-Porter
Hoekstra	Mica	Sherman
Holden	Michaud	Shimkus
Holt	Miller (FL)	Shuler
Honda	Miller (MI)	Shuster
Hooley	Miller (NC)	Sires
Hoyer	Miller, Gary	Skelton
Hulshof	Miller, George	Slaughter
Hunter	Mitchell	Smith (NE)
Inglis (SC)	Mollohan	Smith (NJ)
Inslee	Moore (KS)	Smith (TX)
Israel	Moore (WI)	Smith (WA)
Issa	Moran (KS)	Snyder
Jackson (IL)	Moran (VA)	Solis
Jackson-Lee	Murphy (CT)	Souder
(TX)	Murphy, Patrick	Space
Jefferson	Murphy, Tim	Stark
Johnson (GA)	Murtha	Stearns
Johnson (IL)	Musgrave	Stupak
Johnson, E. B.	Myrick	Sutton
Johnson, Sam	Nadler	Tanner
Jones (NC)	Napolitano	Tauscher
Jones (OH)	Neal (MA)	Taylor
Jordan	Neugebauer	Terry
Kagen	Nunes	Thompson (CA)
Kanjorski	Obey	Thompson (MS)
Kaptur	Olver	Thornberry
Keller	Ortiz	Tiahrt
Kennedy	Pallone	Tiberi
Kildee	Pascrell	Tierney
Kilpatrick	Pastor	Towns
Kind	Payne	Tsongas
King (IA)	Pearce	Turner
King (NY)	Pence	Udall (CO)
Kingston	Perlmutter	Udall (NM)
Kirk	Peterson (MN)	Upton
Klein (FL)	Peterson (PA)	Van Hollen
Kline (MN)	Petri	Velázquez
Knollenberg	Pickering	Visclosky
Kucinich	Pitts	Walberg
Kuhl (NY)	Platts	Walden (OR)
LaHood	Poe	Walsh (NY)
Lamborn	Pomeroy	Walsh (MN)
Lampson	Porter	Wamp
Langevin	Price (GA)	Wasserman
Lantos	Price (NC)	Schultz
Larsen (WA)	Pryce (OH)	Waters
Larson (CT)	Putnam	Watson
Latham	Radanovich	Watt
LaTourette	Rahall	Waxman
Lee	Ramstad	Weiner
Levin	Rangel	Welch (VT)
Lewis (CA)	Regula	Weldon (FL)
Lewis (GA)	Rehberg	Westmoreland
Lewis (KY)	Reichert	Wexler
Linder	Renzi	Whitfield
Lipinski	Reyes	Wicker
LoBiondo	Reynolds	Wilson (NM)
Loeb sack	Richardson	Wilson (OH)
Lofgren, Zoe	Rodriguez	Wilson (SC)
Lowey	Rogers (AL)	Wolf
Lucas	Rogers (KY)	Woolsey
Lungren, Daniel	Rogers (MI)	Wu
E.	Rohrabacher	Wynn
Lynch	Ros-Lehtinen	Yarmuth
Mack	Roskam	Young (AK)
Mahoney (FL)	Ross	Young (FL)

## NOT VOTING—15

Carson	Hastert	Simpson
Cubin	Jindal	Spratt
Davis, Tom	Oberstar	Sullivan
Diaz-Balart, M.	Paul	Tancredo
Doyle	Sessions	Weller

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 3 minutes remaining in this vote.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 1 minute is left in this vote.

□ 1331

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A Bill to authorize additional appropriations for supervision of Internet access by sex offenders convicted under Federal law, and for other purposes."

A motion to reconsider was laid on the table.

## DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO CORRECT THE ENROLLMENT OF H.R. 1429

Mr. KILDEE. Mr. Speaker, I send to the desk a concurrent resolution (H. Con. Res. 258) and ask unanimous consent for its immediate consideration.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

## H. CON. RES. 258

*Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H.R. 1429), An Act to reauthorize the Head Start Act, to improve program quality, to expand access, and for other purposes, the Clerk of the House of Representatives shall correct the bill by striking subsection (m)(1) of section 640 of the Head Start Act, as added by section 6(g) of the bill, and inserting the following:*

"(1) to implement policies and procedures to ensure that homeless children are identified and prioritized for enrollment;"

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

## PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 3074, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. ARCURI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 817 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 817

*Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3074) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes. All points of*

order against the conference report and against its consideration are waived. The conference report shall be considered as read.

## POINT OF ORDER

Mr. FLAKE. Mr. Speaker, I raise a point of order against H. Res. 817 under section 2 of H. Res. 491 because the resolution contains a waiver of all points of order against the conference report and its consideration.

The SPEAKER pro tempore (Mr. WEINER). The gentleman from Arizona makes a point of order that the resolution violates section 2 of House Resolution 491.

Such a point of order made under that resolution shall be disposed of by the question of consideration under the same terms as specified in clause 9(b) of rule XXI.

The gentleman from Arizona and a Member opposed, the gentleman from New York, each will control 10 minutes of debate on the question of consideration.

After that debate, the Chair will put the question of consideration, to wit: "Will the House now consider the resolution?"

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I thank the Speaker.

And while the Speaker of the House is actually in the Chamber, I want to read a quote from March of this year. In March of this year, the Speaker of the House said, "Before Members vote on a bill, there should be an appropriate time for people to read it. That should be a matter of public record. If there is an earmark that can stand the scrutiny, then that transparency will give the opportunity for it to be there."

Let me just ask, if I can, the representative from the Rules Committee, don't we have a rule that says that we are not to consider a bill or a rule until 24 hours after the bill is actually out there? I would yield to the gentleman to answer.

My understanding is that this bill was posted on the Web last night at just after 7 o'clock, yet here we are at 1:35 already considering the rule. I think that is important, because when you look at the bill, we didn't just get it on the Internet where it would be searchable, where we could find things in it. We got a PDF file that is not searchable.

When you look at the bill itself, you find complete sections that have been X'd out, or little insertions with little notations here that are barely legible. You have another big insertion here of an entire page. Again, there are little insertions there within the insertion. You have within it "3 percent" stricken. It says "4 percent" now. To what?

This is really difficult to wade through. And when we don't even get 24 hours? I mean, 24 hours, frankly, is far from sufficient to consider a bill that is 531 pages long. Then when you consider the bill itself is not searchable, it was given in a PDF file, and then you also

have 141 pages of earmarks that are part of the report. That is not a searchable index, either. It is just given. You can wade through it.

The earmarks that are air-dropped into the conference report are supposed to be asterisked. You can see some of those. We identified 21. But is that all there is? We're not sure. But when you look through that list of earmarks that were air-dropped in, you have to be suspicious of why in the world we waited until now to air-drop these earmarks in when nobody can challenge them.

Keep in mind, this is a point of order against consideration of the rule. Because the majority has chosen to waive the rule against points of order on the bill, we can't challenge any of the earmarks in the bill, so we have 21 earmarks air-dropped into the bill at the last minute that we have no ability to challenge.

You might think that, well, if they were air-dropped into the bill, then they certainly must be vital spending, vital projects, that we just couldn't do during the regular consideration of the bill.

I will read a couple of them and you can make your own decisions on whether or not this was vital spending, something that couldn't wait, something that was so important that you had to, at the last minute, in the last 24 hours, include it in where nobody could see it.

One is for \$200,000 for the Intergenerational Research Center in Atlanta, Georgia, for a community center. The Intergenerational Research Center, Inc., Atlanta, Georgia, for a community center. This is part of the Economic Development Initiative.

Another one: Waynesburg College Center for Economic Development in Pennsylvania for a multipurpose facility. That is \$300,000 there.

Tell me, please, somebody tell me, what was so vital here that we had to violate the rules that we have had in the House to insert this at the last minute, when nobody has the ability to challenge it?

With that, I reserve the balance of my time.

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

I would like to point out to my friend and colleague from Arizona that this point of order is about whether or not to consider this rule, and ultimately to consider a measure that invests in our Nation's vital transportation infrastructure and housing program at a time when we desperately need it so much in this country. In fact, I would say it is simply an effort to try to kill this conference report, and on a faulty premise at that.

Every single earmark in this conference report has been properly disclosed in conformance with the House rules. The blanket waiver against consideration of the conference report did not include a waiver of either clause 9 or rule XXI of House Resolution 491.

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

Mr. FLAKE. Well, we've waived other requirements as well here. What this point of order is about is transparency. Again, we got this bill last night, less than 24 hours ago. It has always been the understanding you would have at least 24 hours, and we are violating that even.

When you look at the bill itself, here I found another page, section 409, we're not sure what was there, because it is now gone. It is gone from the bill. It is very difficult to go through a bill that is 534 pages that is not even searchable and waded through the earmarks.

The gentleman mentioned this is vital spending we have to get done. Let me give you an example of some of what is in the bill itself. \$150,000 for the Atlanta Botanical Gardens in Atlanta, Georgia. \$275,000 for the Berkshire Music Hall in Pittsfield, Massachusetts.

Mr. HASTINGS of Washington. Mr. Speaker, will the gentleman yield?

Mr. FLAKE. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I thank the gentleman for yielding.

Let me clear up this issue here about the time requirements. The rules of the House say there shall be a 72-hour, or 3-day layover on these bills. That was waived. That was waived by the majority party. Then as a courtesy in their "new directions," they say it should be at least 24 hours. So here they are even waiving a promise of a waiving of a rule of 3 days.

So I wanted to clarify that. It is supposed to be 3 days, that is the premise from which we start, and then we come down to a promise of 24 hours. They are even waiving that promise.

Mr. FLAKE. I thank the gentleman for that clarification.

Let me get back to this list of these vital projects that we somehow have to rush through here. There is \$400,000 for the Bel Alton High School Alumni Association in Bel Alton, Maryland. Again, \$400,000 for the Bel Alton High School Alumni Association. Why in the world is this in the bill at all? Is it any wonder that somebody wants to move this bill through quickly and without following the rules?

□ 1345

\$500,000 for the Los Angeles Fire Museum in Bellflower, California; two earmarks totaling \$300,000 to revitalize downtown Clearwater, Florida; \$150,000 for the Edmunds Arts Center in Edmunds, Washington; \$100,000 for Cooters Pond Park in Prattville, Alabama; \$100,000 for the reuse of the Coca-Cola Bottling Plant in Romney, West Virginia; \$100,000 for the Crystal Lake Art Center in Frankfort, Michigan; \$750,000 to the Detroit Science Center in Detroit, Michigan; and \$300,000 to the Houston, Zoo in Houston, Texas.

Again, this is just a tiny sliver of the 141 pages of earmarks in the bill, more than 1,000 of them. And again, 21 air-dropped earmarks that we have never

seen before, never had the ability to challenge on the House floor for such vital things as the Grand Teton National Park Pathway System in Wyoming. This may be a good project, but it should receive the scrutiny it deserves, not air-dropped into a report that we are given less than 24 hours to consider, that we have no ability, none, to amend out.

Or \$500,000 for Park Street Streetscape Improvement in Alameda, California. Why in the world was this that vital where we had to violate our own rules to bring this to the floor and hide these earmarks where they don't see the light of day?

Mr. ARCURI. Mr. Speaker, I continue to reserve my time.

Mr. FLAKE. Mr. Speaker, I yield 1 minute to Mr. CAMPBELL from California.

Mr. CAMPBELL of California. Let's talk about what is really going on here. If somebody is an alcoholic, they understand they shouldn't drink. What they will do oftentimes is they will ask their friends to help them, you know, come in the house. Make sure I don't have any alcohol here. Keep me honest. Make sure I don't do this.

This Congress is drunk on earmarks. The majority party has said, well, we want to get better. We want to stop drinking. We want to stop doing these bad earmarks, so we set up a point of order on the bill so we can stop this.

But it is the equivalent of the alcoholic saying, I want you to help me, Mr. Speaker, and I want you to come check my house to make sure that I don't have any alcohol, but then locking the door so you can't go in and you can't look. That is what the majority party is doing here.

They say we have this point of order on earmarks, but we are waiving it. We are going to bury them in the bill so you can't see. The majority here in this Congress is not serious about controlling earmarks, and they should be, because of the ones that the gentleman from Arizona read, and whether it is teaching people how to play golf in the defense budget or monuments, to me, whatever it is. We have budget problems, we all agree. We disagree on how to take care of them. But one thing we must do is stop these earmarks, and the majority is not doing that.

Mr. FLAKE. I yield 1 minute to the gentleman from Ohio (Mr. BOEHNER).

The SPEAKER pro tempore (Mr. WEINER). The gentleman yields the balance of his time to the gentleman from Ohio.

Mr. FLAKE. How much time remains on this side?

The SPEAKER pro tempore. I did the math for you, sir; 1 minute remains.

Mr. FLAKE. I am glad to yield 30 seconds to the gentleman from Ohio.

Mr. BOEHNER. I appreciate my colleague for yielding. This is exactly what the American people are disgusted with. We can't balance the budget. We can't send the President appropriation bills that are within the

budget. This bill is some \$3.5 billion over the President's request. But having said that, we have all of these projects that didn't go through the House, didn't go through the Senate, that got air-dropped into a conference. And we wonder why the American people look at us like our heads have been cut off.

There is nobody in my district who would ever vote for any of these projects that got air-dropped into this bill. And we have this process, this point of consideration on these earmarks, on consideration of this bill, in exactly the time when we are supposed to have a better look at what these earmarks are.

All we have are these brief descriptions, if you can find them in the bill, because this bill should not be up on this floor until tonight. It is one thing to waive the 3-day rule, but the 24-hour rule, most Members believe, is almost sacrosanct. And yet, not even 24 hours after the bill was filed, it is on the floor of the House. Members don't know what is in it. That is why this point of order that we fought for this summer was put into effect.

I would urge my colleagues to vote for the gentleman's point of order to stop consideration of this bill so we have a chance to look and see what else is in here that we haven't seen, because this place is out of control.

Mr. FLAKE. In my remaining 30 seconds, let me just say, in January when we passed transparency rules on earmarks, I was the first one to compliment the majority on what they had done. We put some decent rules into play. But rules are only as good as your willingness to enforce them. And we have seen a pattern over the past several months culminating in this kind of thing, breaking the rules so we can bring a bill to the floor with 21 air-dropped earmarks into it where we are simply not following our own rules.

This institution deserves better than this. I plead with my colleagues to vote to stop this bill from moving forward until we can actually see what's in it.

Mr. ARCURI. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. HASTINGS), a member of the Rules Committee.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my colleague on the Rules Committee for yielding to me.

I think my friend from Arizona raises issues, and sometimes it is not clear with reference to earmarks. I don't recall hearing too many people argue about the earmarks that the President of the United States has within the prerogative of the President. Two-thirds of Federal spending is nondiscretionary. And in a budget the size of ours, which is \$2.9 trillion, that means discretionary funds in this particular budget are about \$935 billion.

What they fail to do in their point of order or that we hear in the Rules Committee is to say to the general public that the name of the Member requesting the earmark exists, the name

and address of the intended recipient, and if there is no specifically intended recipient, the intended location of the activity, the purpose of such earmark, a certification that the Member or spouse has no financial interest in such congressional earmark, and it requires the House Appropriations Committee to make open for public inspection approved earmarks.

Now each of these earmarks has an asterisk and each of these earmarks is easily identifiable. Clearly, there are things that people disagree with as to whether or not in the particular constituency that that constituency is going to benefit.

Democrats cut in half the number of earmarks. I believe my friend from Arizona knows that when this measure was sent to the Senate, the Senate increased the number of earmarks that are here. But I don't care whether you call it earmark, toe mark, arm mark, elbow mark, whatever it is, it is something that benefits the American people. And in a budget that has \$2 trillion in it, we can find some reason for us to control that as opposed to the executive branch.

Mr. ARCURI. Mr. Speaker, we must consider this conference report which provides funding for our Nation's priorities. For example, Community Development Block Grants to provide communities with funds to assist low and moderate-income persons; housing for the elderly, disabled, and homeless veterans; foreclosure mitigation and reconstruction of the Minnesota bridge and the repair of aging bridges throughout our Nation that is desperately needed.

Mr. Speaker, the fact of the matter is that the new House Democratic majority has implemented the most honest and open earmark rule in the history of the United States House of Representatives. But don't take my word for it. A few weeks ago, Ryan Alexander, president of Taxpayers for Commonsense, was quoted in CQ Weekly as saying, "The House has given us more information than we have ever had before on earmarks, and they deserve credit for that."

I am troubled with the analogy given by my colleague from California comparing it to a drinking problem. I would say the comparison, considering the way the Republicans abused the process, would be to a person who started a fire, then called the fire department, and when the fire department came and put out the fire, they then turned around and criticized the fire department for the way that the fire was put out.

That is the situation that they have. They abused the earmarks when they were in control of the House, and now they are critical of our majority when we attempt to fix it. It is important to remember which side actually abused the earmark process and who actually stepped up to the plate to reform the system and provide transparency.

We didn't wait until 2 months before the election. We responded to the people's call for more openness on the first day of Congress. It seems quite clear to me that the minority is more concerned with obstructionism, while we are focused on actually meeting the needs of our constituents and the people in this country.

This question of consideration is the result of an unwarranted point of order against our rule. A "no" vote will prevent consideration of a critical package that has strong House and Senate bipartisan support.

So despite whatever roadblock the other side tries to use to block this bill, we will stand up for housing and we will stand up for the critical infrastructure upon which our economy depends. We must consider this rule and we must pass this conference report today.

I urge my colleagues to vote "yes" to consider this rule.

I yield back the balance of my time.

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

The question is, Will the House now consider the resolution?

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the question of consideration will be followed by a 5-minute vote on approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 197, nays 186, not voting 49, as follows:

## [Roll No. 1093]

## YEAS—197

Abercrombie	Cuellar	Hinojosa
Ackerman	Cummings	Hirono
Allen	Davis (AL)	Hodes
Altmire	Davis (CA)	Holden
Andrews	Davis (IL)	Holt
Arcuri	Davis, Lincoln	Honda
Baca	DeFazio	Hooley
Baird	DeGette	Hoyer
Baldwin	DeLauro	Inslee
Barrow	Dicks	Israel
Bean	Dingell	Jackson (IL)
Becerra	Doggett	Jackson-Lee
Berkley	Edwards	(TX)
Berman	Ellison	Johnson, E. B.
Berry	Emanuel	Jones (OH)
Bishop (NY)	Engel	Kagen
Blumenauer	Eshoo	Kanjorski
Boren	Etheridge	Kaptur
Boswell	Farr	Kennedy
Boyd (FL)	Fattah	Kildee
Boyd (KS)	Filner	Kilpatrick
Brady (PA)	Frank (MA)	Kind
Braley (IA)	Giffords	Klein (FL)
Capps	Gillibrand	Kucinich
Capuano	Gonzalez	Lampson
Cardoza	Gordon	Lantos
Carnahan	Green, Al	Larsen (WA)
Carney	Green, Gene	Larson (CT)
Castor	Grijalva	Lee
Chandler	Gutierrez	Lipinski
Clay	Hall (NY)	Loehsack
Cohen	Hare	Lofgren, Zoe
Cooper	Harman	Mahoney (FL)
Costa	Hastings (FL)	Maloney (NY)
Costello	Herseht Sandlin	Markey
Courtney	Higgins	Marshall
Cramer	Hill	Matheson
Crowley	Hinchey	Matsui

McCarthy (NY)	Pomeroy	Snyder
McCollum (MN)	Price (NC)	Solis
McDermott	Rahall	Space
McGovern	Reyes	Spratt
McIntyre	Richardson	Stark
McNerney	Rodriguez	Stupak
McNulty	Ross	Sutton
Meek (FL)	Rothman	Tanner
Melancon	Roybal-Allard	Tauscher
Michaud	Ruppersberger	Thompson (CA)
Miller (NC)	Ryan (OH)	Thompson (MS)
Miller, George	Salazar	Tierney
Mitchell	Sánchez, Linda	Towns
Mollohan	T.	Tsongas
Moore (KS)	Sanchez, Loretta	Udall (NM)
Murphy (CT)	Sarbanes	Van Hollen
Murphy, Patrick	Schakowsky	Velázquez
Murtha	Schiff	Visclosky
Nadler	Schwartz	Walz (MN)
Napolitano	Scott (VA)	Wasserman
Neal (MA)	Serrano	Schultz
Obey	Sestak	Weiner
Oliver	Shea-Porter	Welch (VT)
Ortiz	Sherman	Wexler
Pallone	Shuler	Woolsey
Pascrell	Sires	Wu
Pastor	Skelton	Wynn
Perlmutter	Slaughter	Yarmuth
Peterson (MN)	Smith (WA)	

## NAYS—186

Aderholt	Franks (AZ)	Moran (KS)
Akin	Frelinghuysen	Murphy, Tim
Alexander	Gallegly	Musgrave
Bachmann	Garrett (NJ)	Myrick
Bachus	Gerlach	Neugebauer
Baker	Gilchrest	Nunes
Barrett (SC)	Gingrey	Pearce
Bartlett (MD)	Gohmert	Pence
Biggart	Goode	Peterson (PA)
Bilbray	Goodlatte	Petri
Bilirakis	Granger	Pickering
Bishop (UT)	Graves	Pitts
Blackburn	Hall (TX)	Platts
Boehner	Hastings (WA)	Poe
Bonner	Hayes	Porter
Bono	Heller	Price (GA)
Boozman	Hensarling	Pryce (OH)
Boustany	Herger	Putnam
Brady (TX)	Hobson	Radanovich
Broun (GA)	Hoekstra	Ramstad
Brown (SC)	Hulshof	Regula
Brown-Waite,	Hunter	Rehberg
Ginny	Inglis (SC)	Reichert
Buchanan	Issa	Renzi
Burgess	Johnson (IL)	Reynolds
Burton (IN)	Johnson, Sam	Rogers (AL)
Calvert	Jones (NC)	Rogers (KY)
Camp (MI)	Jordan	Rogers (MI)
Campbell (CA)	Keller	Rohrabacher
Cannon	King (IA)	Ros-Lehtinen
Cantor	King (NY)	Roskam
Capito	Kingston	Royce
Carter	Kirk	Ryan (WI)
Castle	Kline (MN)	Sali
Chabot	Knollenberg	Saxton
Coble	Kuhl (NY)	Schmidt
Cole (OK)	LaHood	Sensenbrenner
Conaway	Lamborn	Shadegg
Crenshaw	Latham	Shimkus
Culberson	LaTourette	Shuster
Davis (KY)	Lewis (CA)	Simpson
Davis, David	Lewis (KY)	Smith (NE)
Deal (GA)	Linder	Smith (TX)
Dent	LoBiondo	Souder
Diaz-Balart, L.	Lucas	Stearns
Donnelly	Lungren, Daniel	Sullivan
Doolittle	E.	Tancredo
Drake	Mack	Terry
Dreier	Manzullo	Thornberry
Duncan	Marchant	Tiahrt
Ehlers	McCarthy (CA)	Tiberi
Ellsworth	McCaul (TX)	Upton
Emerson	McCotter	Walberg
English (PA)	McCrery	Walden (OR)
Everett	McHenry	Walsh (NY)
Fallin	McHugh	Wamp
Feeney	McKeon	Weldon (FL)
Ferguson	McMorris	Westmoreland
Flake	Rodgers	Whitfield
Forbes	Mica	Wicker
Fortenberry	Miller (FL)	Wilson (SC)
Fossella	Miller (MI)	Wolf
Fox	Miller, Gary	Young (FL)

## NOT VOTING—49

Barton (TX)	Boucher	Buyer
Bishop (GA)	Brown, Corrine	Carson
Blunt	Butterfield	Clarke

Cleaver	Lewis (GA)	Smith (NJ)
Clyburn	Lowey	Taylor
Conyers	Lynch	Turner
Cubin	Meeks (NY)	Udall (CO)
Davis, Tom	Moore (WI)	Waters
Delahunt	Moran (VA)	Watson
Diaz-Balart, M.	Oberstar	Watt
Doyle	Paul	Waxman
Hastert	Payne	Weller
Jefferson	Rangel	Wilson (NM)
Jindal	Rush	Wilson (OH)
Johnson (GA)	Scott (GA)	Young (AK)
Langevin	Sessions	
Levin	Shays	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1414

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. TURNER. Mr. Speaker, on rollcall No. 1093, I was inadvertently detained. Had I been present, I would have voted "nay."

Mr. SHAYS. Mr. Speaker, on November 14, 2007, I was participating in an Oversight and Government Reform Committee hearing and inadvertently missed 1 recorded vote.

I take my voting responsibility very seriously. Had I been present, I would have voted "no" on recorded vote number 1093.

## PERSONAL EXPLANATION

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, on Wednesday, November 14, 2007, I was unavoidably detained and thus I missed rollcall votes No. 1090 through 1093. Had I been present, I would have voted in the following manner:

On rollcall vote NO. 1090, on Adoption of the Conference Report on H.R. 1429, the Head Start for School Readiness Act, I would have voted "aye."

On rollcall vote No. 1091, on H.R. 3845, the PROTECT Our Children Act of 2007, I would have voted "aye."

On rollcall vote No. 1092, on H.R. 719, the KIDS Act of 2007, I would have voted "aye."

On rollcall vote No. 1093, on H. Res. 817, Providing for consideration of the conference report on H.R. 3074, Departments of Transportation, and Housing and Urban Development and Related Agencies Appropriations for FY 2008, I would have voted "nay."

## THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.