

Let me also discuss another important provision in this tax bill, and that is the enhancement of the tip credit. I was recently approached about this issue by a chef and restaurant owner in my Congressional District, Sergio Abramof. Sergio owns two excellent restaurants: Sergio's in University Circle, and Sergio's Sarava at Shaker Square.

Fortunately, H.R. 976 will allow businesses to continue claiming the full tip credit despite an increase in the Federal minimum wage. That provision will assist workers and restaurants like those owned by Sergio, so I am very pleased that we are including it in this legislation.

H.R. 976 is fair, bipartisan legislation that will allow small businesses to continue to be an economic engine. I urge my colleagues to vote "yes."

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. RANGEL) that the House suspend the rules and pass the bill, H.R. 976, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mr. RANGEL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 360, noes 45, not voting 28, as follows:

[Roll No. 102]

AYES—360

Abercrombie	Camp (MI)	Dicks
Ackerman	Cantor	Dingell
Aderholt	Capito	Doggett
Alexander	Capps	Donnelly
Allen	Capuano	Doolittle
Altmine	Cardoza	Doyle
Andrews	Carnahan	Drake
Arcuri	Carney	Dreier
Baca	Carson	Duncan
Bachus	Carter	Edwards
Baker	Castle	Ehlers
Baldwin	Castor	Ellison
Barrow	Chabot	Ellsworth
Barton (TX)	Chandler	Emanuel
Bean	Clarke	Emerson
Becerra	Clay	Engel
Berkley	Cleaver	English (PA)
Berry	Clyburn	Eshoo
Biggert	Coble	Etheridge
Bilirakis	Cole (OK)	Farr
Bishop (GA)	Conyers	Fattah
Bishop (NY)	Cooper	Ferguson
Blumenauer	Costa	Filner
Blunt	Courtney	Forbes
Boehner	Cramer	Fortenberry
Bonner	Crenshaw	Frank (MA)
Bono	Crowley	Frelinghuysen
Boozman	Cubin	Gerlach
Boren	Cuellar	Giffords
Boswell	Cummings	Gilchrest
Boucher	Davis (AL)	Gillibrand
Boyd (FL)	Davis (CA)	Gillmor
Boysa (KS)	Davis (IL)	Gohmert
Brady (PA)	Davis (KY)	Gonzalez
Brady (TX)	Davis, David	Goode
Braley (IA)	Davis, Lincoln	Goodlatte
Brown, Corrine	Davis, Tom	Gordon
Brown, Corrine	DeGette	Granger
Brown-Waite,	Delahunt	Graves
Ginny	DeLauro	Green, Al
Buchanan	Dent	Grijalva
Burton (IN)	Diaz-Balart, L.	Hall (NY)
Butterfield	Diaz-Balart, M.	Hall (TX)

Hare	McCauley (TX)	Ryan (WI)
Hastings (FL)	McCollum (MN)	Salazar
Hastings (WA)	McCrery	Sánchez, Linda
Hayes	McDermott	T.
Heller	McGovern	Sanchez, Loretta
Herger	McHugh	Sarbanes
Herseth	McIntyre	Saxton
Higgins	McKeon	Schakowsky
Hill	McMorris	Schiff
Hinchey	Rodgers	Schmidt
Hinojosa	McNerny	Schwartz
Hirono	McNulty	Scott (GA)
Hobson	Meehan	Scott (VA)
Hodes	Meek (FL)	Sensenbrenner
Holden	Meeks (NY)	Serrano
Holt	Melancon	Sessions
Honda	Mica	Sestak
Hooley	Michaud	Shays
Hoyer	Millender	Shea-Porter
Hunter	McDonald	Sherman
Inglis (SC)	Miller (MI)	Shimkus
Inslee	Miller, George	Shuler
Israel	Mitchell	Shuster
Issa	Mollohan	Simpson
Jackson (IL)	Moore (KS)	Sires
Jackson-Lee (TX)	Moore (WI)	Skelton
Jefferson	Moran (KS)	Slaughter
Jindal	Moran (VA)	Smith (NE)
Johnson (GA)	Murphy (CT)	Smith (NJ)
Johnson (IL)	Murphy, Patrick	Smith (WA)
Johnson, E. B.	Murphy, Tim	Snyder
Johnson, Sam	Murtha	Solis
Jones (NC)	Myrick	Souder
Jones (OH)	Napolitano	Space
Kagen	Neal (MA)	Spratt
Kanjorski	Nunes	Stearns
Kaptur	Oberstar	Stupak
Keller	Obey	Sutton
Kennedy	Olver	Tanner
Kildee	Ortiz	Tauscher
Kilpatrick	Pallone	Taylor
Kind	Pascarella	Terry
King (NY)	Pastor	Thompson (CA)
Kirk	Paul	Thompson (MS)
Klein (FL)	Payne	Tiaht
Kline (MN)	Perlmutter	Tiberi
Knollenberg	Peterson (MN)	Tierney
Kucinich	Peterson (PA)	Towns
Kuhl (NY)	Petri	Turner
Lampson	Pickering	Udall (CO)
Langevin	Platts	Upton
Lantos	Pomeroy	Van Hollen
Larsen (WA)	Porter	Velázquez
Larson (CT)	Price (NC)	Visclosky
LaTourette	Pryce (OH)	Walberg
Lee	Putnam	Walden (OR)
Levin	Rahall	Walsh (NY)
Lewis (CA)	Ramstad	Walz (MN)
Lewis (KY)	Rangel	Wasserman
Linder	Regula	Schultz
Lipinski	Rehberg	Watson
Loebssack	Reichert	Watt
Lofgren, Zoe	Reynolds	Waxman
Lungren, Daniel	Rodriguez	Weiner
E.	Rogers (AL)	Wexler
Lynch	Rogers (KY)	Whitfield
Mahoney (FL)	Rogers (MI)	Wilson (NM)
Maloney (NY)	Rohrabacher	Wilson (OH)
Manzullo	Ros-Lehtinen	Wolf
Marchant	Roskam	Woolsey
Markey	Rothman	Wu
Marshall	Roybal-Allard	Wynn
Matheson	Ruppersberger	Yarmuth
Matsui	Rush	Young (AK)
McCarthy (CA)	Ryan (OH)	Young (FL)
McCarthy (NY)		

NOES—45

		NOT VOTING—28
		Green, Gene
		Gutierrez
		Berman
		Boustany
		Calvert
		Hastert
		Costello
		Hulshof
		Davis, Jo Ann
		DeFazio
		Everett
		Flake
		Gallegly
		Miller, Gary
		Nadler
		Pence
		Smith (TX)
		Stark
		LaHood
		Latham
		LoBiondo
		Lowey
		Miller (NC)

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Mr. CRENSHAW and Mr. SHUSTER changed their vote from "no" to "aye."

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.

Stated for:

Mr. DEFAZIO. Mr. Speaker, due to a personal leave of absence, I was unable to vote on passage of the Small Business Tax Relief Act, H.R. 976, rollcall vote No. 102. Had I been present, I would have voted "aye" on the bill.

PERSONAL EXPLANATION

Mr. LOBIONDO. Mr. Speaker, I was not present in the House Chamber for votes on February 16, 2007, as I was attending the funeral services of my wife's father, who succumbed to his long battle with cancer. If I were present for votes on this day, I would have voted "nay" on rollcall No. 99, "nay" on rollcall No. 100, "nay" on rollcall No. 101, and "yea" on rollcall No. 102.

PERSONAL EXPLANATION

Mrs. LOWEY. Mr. Speaker, due to a family medical emergency, I regrettably missed rollcall votes. Had I been present I would have voted in the following manner:

Rollcall No. 100: "yea."

Rollcall No. 101: "aye."

Rollcall No. 102: "aye."

PERSONAL EXPLANATION

Mr. BAIRD. Mr. Speaker, unfortunately, due to the funeral of a family member, I was unable to be present today for votes. I take my voting responsibility very seriously. Had I been present, I would have voted "yea" on final passage of H. Con. Res. 63, disapproving of the decision of the President announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq (Rollcall vote 99). Had I been present, I also would have voted "aye" on H.R. 976, to amend the Internal Revenue Code of 1986 to provide tax relief for small businesses, and for other purposes (Rollcall vote 102).

PERSONAL EXPLANATION

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcalls No. 100, Previous Question the Rule on H.R. 976, No. 101, the Rule on H.R. 976, and No. 102, Final passage of H.R. 976, had I been present, I would have voted "yea."

GENERAL LEAVE

Mr. RANGEL. Mr. Speaker, I ask unanimous consent that all Members

have 5 legislative days to revise and extend their remarks and insert extraneous material on H.R. 976.

The SPEAKER pro tempore (Mr. KLEIN of Florida). Is there objection to the request of the gentleman from New York?

There was no objection.

CONDITIONAL ADJOURNMENT TO TUESDAY, FEBRUARY 20, 2007

Mrs. GILLIBRAND. Mr. Speaker, I ask unanimous consent that when the House adjourns today pursuant to this order, it adjourn to meet at 4 p.m. on Tuesday, February 20, 2007, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 67, in which case the House shall stand adjourned pursuant to that concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, FEBRUARY 28, 2007

Mrs. GILLIBRAND. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, February 28, 2007.

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

There was no objection.

APPOINTMENT OF HON. STENY H. HOYER AND HON. CHRIS VAN HOLLEN TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH FEBRUARY 27, 2007

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

FEBRUARY 16, 2007.

I hereby appoint the Honorable STENY H. HOYER and the Honorable CHRIS VAN HOLLEN to act as Speaker pro tempore to sign enrolled bills and joint resolutions through February 27, 2007.

NANCY PELOSI,

Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the appointments are approved.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON THE BUDGET

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on the Budget:

COMMITTEE ON THE BUDGET,
Washington, DC, February 15, 2007.

The Hon. NANCY PELOSI,

Speaker of the House,

Washington, DC.

DEAR MADAM SPEAKER: I am writing to notify you of my resignation from the Committee on the Budget, effective today.

Thank you for your attention to this matter.

Sincerely,

LOIS CAPPS,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

APPOINTMENT OF MEMBERS TO BOARD OF TRUSTEES OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

The SPEAKER pro tempore. Pursuant to Section 2(a) of the National Cultural Center Act (20 U.S.C. 76h(a)), amended by Public Law 107-117, and the order of the House of January 4, 2007, the Chair announces the Speaker's appointment of the following Members of the House to the Board of Trustees of the John F. Kennedy Center for the Performing Arts:

Mr. KENNEDY, Rhode Island
Ms. DELAUR, Connecticut
Ms. PRYCE, Ohio.

PENTAGON RED TAPE KEEPS MEDICAL RECORDS FROM DOCTORS OF THE WOUNDED

(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, today a story appeared in the Washington Post entitled "Pentagon Red Tape Keeps Medical Records From Doctors of the Wounded."

The Defense Department is refusing to give the records of people wounded in Iraq and Afghanistan to physicians who are taking care of them in the Veterans Department. It is absolutely unbelievable that there could be that kind of bureaucratic snafu.

Now the Defense Department says, We don't have the authority to give the records on the wounded that are leaving us and going to the Veterans Department.

Absolute bureaucratic nonsense. I have introduced H.R. 1128 with Mr. FILNER, which gives that authority to the Defense Department. I hope that other Members will sign this bill, and that we will pass it by unanimous consent when we return to the House after the Presidents' Day break.

In the next week, there are going to be people who are injured and transferred to the veterans hospitals who can't get their records transferred. How can a doctor take care of somebody if they don't know what happened to them on the battlefield? This is the kind of thing we have to stop if we support the troops.

[From the Washington Post, Feb. 16, 2007]

PENTAGON RED TAPE KEEPS MEDICAL RECORDS FROM DOCTORS OF THE WOUNDED

(By Al Kamen)

Department of Veterans Affairs doctors are furious over a recent decision by the Pentagon to block their access to medical information needed to treat severely injured

troops arriving at VA hospitals from Iraq and Afghanistan.

The VA physicians handle troops with serious brain injuries and other major health problems. They rely on digital medical records that track the care given wounded troops from the moment of their arrival at a field hospital through their evacuation to the United States.

About 30 VA doctors in four trauma centers around the country have treated about 200 severely wounded soldiers and Marines. The docs had been receiving the complete digital records from the Pentagon until the end of January, using the Pentagon's Joint Patient Tracking Application.

But on Jan. 25, when Shane McNamee, a physician in the Richmond VA Medical Center, tried to get the full records, he couldn't. He sent an urgent e-mail to VA chief liaison officer Edward Huycke.

"My JPTA account has been disabled within in last few days," McNamee wrote. "I called the hotline and was told that all VA accounts have been locked. Could not get a good answer why. Anyhow—I have 4 [Iraq/Afghanistan] service members to arrive within the next 2 days. This information is terribly important," the doctor wrote.

Thirty-four minutes later Huycke e-mailed back: "Ok, Shane. Will get on it. Not sure what's up."

An hour or so later, a senior VA official forwarded McNamee's e-mail to Lt. Col. David Parramore at the Pentagon, saying that McNamee "needs his access back to JPTA to provide the best possible treatment for soldiers injured in [Iraq/Afghanistan] arriving there in a few days. Can you help?"

Tommy Morris, director of Deployment Health Systems, responded the next morning to Parramore's inquiry, after contacting Ellen Embry, deputy assistant secretary of defense for force health protection. "I spoke with Embry and no agreements, no data sharing via access to JPTA."

The access cutoff came after Morris, in a Jan. 23 e-mail, instructed a colleague: "If the VA currently has access I need a list of persons and I need their accounts shut off ASAP. It is illegal for them to have access without data use agreements and access controls in place by federal regulations and public law."

There have been meetings between VA and Pentagon officials. The Pentagon declined to comment yesterday. VA officials apparently thought it might have been resolved Monday. But an e-mail Monday from Morris to a co-worker said: "The leadership has not authorized the VA accounts to be turned back on, in case someone approaches you about this."

Last week, Sens. Daniel K. Akaka (D-Hawaii) and Larry E. Craig (Idaho)—the chairman and ranking Republican on the Veterans' Affairs Committee—wrote David S.C. Chu, undersecretary of defense for personnel, of their "deep concern" about VA trauma center doctors not having access to complete records.

"For those servicemembers suffering from a traumatic brain injury," they wrote, "VA's access to in-theater imaging is an important and valuable tool for tracking their patient's progress since being wounded or injured." They suggested the VA doctor be given temporary access to JPTA while the data-sharing questions are worked out.

They're still awaiting an appropriate response. McNamee is still waiting for the records.

THE BERT BRADY HOMECOMING COMMITTEE

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