

Lampson Rohrabacher Wicker
Millender- Schmidt
McDonald Walsh (NY)

Langevin Neal (MA)
Lantos Oberstar
Larsen (WA) Obey
Larson (CT) Olver
LaTourette Ortiz
Lee Pallone
Levin Pascrell
Lewis (GA) Pastor
Lipinski Payne
Loebsack Pence
Lofgren, Zoe Perlmutter
Lowey Platts
Lynch Pomeroy
Mahoney (FL) Porter
Maloney (NY) Price (NC)
Markey Rahall
Marshall Rangel
Matheson Renzi
Matsui Reyes
McCarthy (NY) Rodriguez
McCollum (MN) Ross
McDermott Rothman
McGovern Roybal-Allard
McIntyre Ruppersberger
McNerney Rush
McNulty Ryan (OH)
Meehan Ryan (WI)
Meek (FL) Salazar
Meeks (NY) Sanchez, Linda
Melancon T.
Michaud Sanchez, Loretta
Miller (NC) Sarbanes
Miller, George Saxton
Mitchell Schakowsky
Mollohan Schiff
Moore (KS) Schwartz
Moore (WI) Scott (GA)
Moran (VA) Scott (VA)
Murphy (CT) Serrano
Murphy, Patrick Sestak
Murtha Shays
Nadler Shea-Porter
Napolitano Sherman

Tancredo Turner
Taylor Walberg
Terry Walden (OR)
Thornberry Wamp
Tiahrt Weldon (FL)
Tiberi Weller
Young (FL)

ANSWERED "PRESENT"—1

Bishop (UT)

NOT VOTING—14

Berman Fattah Millender-
Boehner Higgins McDonald
Cantor Israel Peterson (MN)
Cubin Lampson Rohrabacher
Davis, Jo Ann Walsh (NY)
Wicker

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1442

So the bill was passed. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for: Mr. FATTAH. Mr. Speaker, had I been present for the vote on H.R. 1905. I would have voted "aye."

PARLIAMENTARY INQUIRIES

Mr. PRICE of Georgia. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. PRICE of Georgia. Mr. Speaker, isn't it true that the result of waiving a rule of the House for a specific bill means that rule does not apply for that bill?

The SPEAKER pro tempore. Would the gentleman repeat his parliamentary inquiry.

Mr. PRICE of Georgia. Mr. Speaker, isn't it true that waiving a particular rule of the House for a specific bill means that rule does not apply for that bill?

The SPEAKER pro tempore. A rule may be waived in favor of a particular bill.

Mr. PRICE of Georgia. Further inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state his parliamentary inquiry.

Mr. PRICE of Georgia. Isn't it true, Mr. Speaker, that H. Res. 317, the rule for H.R. 1905, the bill we just considered, waived clause 10 of rule XXI?

The SPEAKER pro tempore. With regard to H.R. 1905, H. Res. 317 did waive clause 10 of rule XXI.

Mr. PRICE of Georgia. Further inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state his parliamentary inquiry.

Mr. PRICE of Georgia. Isn't it further true, Mr. Speaker, that clause 10 of rule XXI requires the PAYGO provision to be in effect?

□ 1445

The SPEAKER pro tempore. Clause 10 of rule XXI is informally referred to as pay-as-you-go.

□ 1434

Messrs. BRADY of Pennsylvania, SPRATT, ALLEN, HALL of New York, HILL, BACA, SCOTT of Virginia, KAGEN, BLUMENAUER, CLYBURN, VAN HOLLEN, KLEIN of Florida, Ms. GIFFORDS, Ms. LORETTA SANCHEZ of California, Ms. MCCOLLUM of Minnesota, and Ms. ESHOO changed their vote from "yea" to "nay."

Messrs. DAVIS of Kentucky, HASTERT, CAMP of Michigan, HERGER, SHAYS, YOUNG of Alaska, Mrs. MYRICK and Mrs. BLACKBURN changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. SCHMIDT. Mr. Speaker, on H.R. 1905, motion to recommit, I was unavoidably detained due to official business. I would have voted "yea."

The SPEAKER pro tempore (Mr. ROSS). The question is on the passage of the bill.

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

RECORDED VOTE

Mr. PRICE of Georgia. 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 241, noes 177, answered "present" 1, not voting 14, as follows:

[Roll No. 231]

AYES—241

Abercrombie Conyers Gillibrand
Ackerman Cooper Gonzalez
Allen Costa Gordon
Altmire Costello Green, Al
Andrews Courtney Green, Gene
Arcuri Cramer Grijalva
Baca Crowley Gutierrez
Baird Cuellar Hall (NY)
Baldwin Cummings Hare
Barrow Davis (AL) Harman
Bean Davis (CA) Hastings (FL)
Becerra Davis (IL) Herseth Sandlin
Berkley Hill
Berry Davis, Tom Hinchey
Bishop (GA) DeFazio Hinojosa
Bishop (NY) DeGette Hirono
Blumenauer Delahunt Hodes
Boswell DeLauro Holt
Boucher Dent Honda
Boyd (FL) Dicks Hooley
Brady (PA) Dingell Hoyer
Braley (IA) Doggett Insee
Brown, Corrine Donnelly Issa
Burton (IN) Doyle Jackson (IL)
Butterfield Edwards Jackson-Lee
Cannon Ellison (TX)
Capps Ellsworth Jefferson
Capuano Emanuel Johnson (GA)
Cardoza Emerson Johnson, E. B.
Carnahan Engel Jones (OH)
Carson English (PA) Kagen
Castle Eshoo Kaptur
Castor Etheridge Kennedy
Chandler Farr Kildee
Clarke Ferguson Kilpatrick
Clay Filner Kind
Cleaver Frank (MA) Klein (FL)
Clyburn Giffords Kucinich
Cohen Gilchrest LaHood

Aderholt Fortenberry
Akin Fossella
Alexander Foxx
Bachmann Franks (AZ)
Bachus Frelinghuysen
Baker Gallegly
Barrett (SC) Garrett (NJ)
Bartlett (MD) Gerlach
Barton (TX) Gillmor
Biggart Gingrey
Bilbray Gohmert
Bilirakis Goode
Blackburn Goodlatte
Blunt Granger
Bonner Graves
Bono Hall (TX)
Boozman Hastert
Boren Hastings (WA)
Boustany Hayes
Boyd (KS) Heller
Brady (TX) Hensarling
Brown (SC) Herger
Brown-Waite, Hobson
Ginny Hoekstra
Buchanan Holden
Burgess Hulshof
Buyer Hunter
Calvert Inglis (SC)
Camp (MI) Jindal
Campbell (CA) Johnson (IL)
Capito Johnson, Sam
Carney Jones (NC)
Carter Jordan
Chabot Kanjorski
Coble Keller
Cole (OK) King (IA)
Conaway King (NY)
Crenshaw Kingston
Culberson Kirk
Davis (KY) Kline (MN)
Davis, David Knollenberg
Deal (GA) Kuhl (NY)
Diaz-Balart, L. Lamborn
Diaz-Balart, M. Latham
Doolittle Lewis (CA)
Drake Lewis (KY)
Dreier Linder
Duncan LoBiondo
Ehlers Lucas
Everett Lungren, Daniel
Fallin E.
Feeney Mack
Flake Manzilla
Forbes Marchant

NOES—177

McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Peterson (PA)
Petri
Pickering
Pitts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan

Mr. PRICE of Georgia. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state his parliamentary inquiry.

Mr. PRICE of Georgia. Isn't it true then, Mr. Speaker, that the PAYGO rule adopted by this House was waived for the bill that we just considered, H.R. 1905?

The SPEAKER pro tempore. Clause 10 of rule XXI was waived with regard to that bill.

Mr. PRICE of Georgia. Further inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state his parliamentary inquiry.

Mr. PRICE of Georgia. So the rule of this House that relates to PAYGO was waived for H.R. 1905.

The SPEAKER pro tempore. Clause 10 of rule XXI was waived with regard to H.R. 1905.

Mr. HOYER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HOYER. Mr. Speaker, am I not correct that by adoption of the rule, we ensured that 1905 will not pass through the door to the Senate without PAYGO being attached to it?

The SPEAKER pro tempore. The Chair will read section 3(a) of the rule. "If either H.R. 1905 or H.R. 1906 fails of passage or fails to reach the question of passage by an order of recommittal, then both such bills, together with H.R. 1433, shall be laid on the table."

Mr. HOYER. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Maryland may state his parliamentary inquiry.

Mr. HOYER. Am I correct that the interpretation of that language means that if the D.C. enfranchisement bill does not have PAYGO added to it, it will not pass this House?

The SPEAKER pro tempore. If either bill fails of passage, then both bills are laid on the table.

Mr. HOYER. I thank the Speaker for the clarification.

ESTIMATED TAX PAYMENT SAFE HARBOR ADJUSTMENT

Mr. LEWIS of Georgia. Mr. Speaker, pursuant to House Resolution 317, I call up the bill, (H.R. 1906) to amend the Internal Revenue Code of 1986 to adjust the estimated tax payment safe harbor based on income for the preceding year in the case of individuals with adjusted gross income greater than \$5 million, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1906

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADJUSTMENT OF ESTIMATED TAX PAYMENT SAFE HARBOR FOR INDIVIDUAL TAXPAYERS WITH ADJUSTED GROSS INCOME GREATER THAN \$5 MILLION.

(a) IN GENERAL.—Subparagraph (C) of section 6654(d)(1) of the Internal Revenue Code of 1986 (relating to limitation on use of preceding year's tax) is amended by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively, and by inserting after clause (i) the following new clause:

"(ii) INDIVIDUAL ADJUSTED GROSS INCOME GREATER THAN \$5,000,000.—If the adjusted gross income shown on the return of the individual for such preceding taxable year exceeds \$5,000,000, clause (i) shall be applied by substituting '110.1' for '110' in the last row of the table therein."

(b) SEPARATE RETURNS.—Clause (iii) of section 6654(d)(1)(C) of such Code, as redesignated by subsection (a), is amended by inserting "and clause (ii) shall be applied by substituting '\$2,500,000' for '\$5,000,000'" before the period at the end.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to House Resolution 317, the gentleman from Georgia (Mr. LEWIS) and the gentleman from Pennsylvania (Mr. ENGLISH) each will control 30 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. LEWIS of Georgia. Mr. Speaker, I yield myself as much time as I may consume.

I rise in support of H.R. 1906. No one, but no one will pay more taxes under the bill. It merely ensures that multimillionaires don't add to our tax gap.

The bill changes in a very minor way estimated tax payments made by wealthy individuals with incomes of more than \$5 million a year. It makes a technical timing change to tax payments made by these individuals. They do not pay more taxes. H.R. 1906 is critical to the pay-as-you-go pledge of this Congress.

I am pleased to have supported H.R. 1905, the District of Columbia House Voting Rights Act of 2007. For 207 years, Washington, D.C. residents have paid Federal taxes, and for 207 years they have had not a voting representative in the United States Congress.

The right to vote is precious. It is sacred. It is the cornerstone of our democracy.

Americans sacrificed everything for this right. They were harassed, beaten, jailed and even killed for the right to vote.

Not so long ago, many of my friends, many of my colleagues lost their lives. There are many more faceless, nameless heroes who suffered and sacrificed for this basic right.

How can we preach this principle around the world and not practice it here in our Nation's Capital? It is the foundation of our democracy.

So I urge all of my colleagues to support H.R. 1906.

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

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today the House is considering legislation that, in my view, represents the first brick in a Chinese wall of tax increases.

Generating revenue by assuming that Americans with more than \$5 million in income will increase their annual withholding by one-tenth of 1 percent simply makes a mockery of PAYGO.

The majority is exploiting a statistical quirk in the way that the Joint Tax Committee does its revenue estimates, and will have accountants, not normally known for their high spirits and good humor, roaring with laughter all over the country.

Perhaps, in the aggregate, there are enough people in America making more than \$5 million who will pay an extra \$2,000 in estimated taxes to raise revenues as much as anticipated, but this seems more likely to be an instance where the Joint Tax Committee's scoring rules and common sense have dramatically parted ways.

If the Judiciary Committee thinks the companion bill to create a new Member from Utah and add voting rights to a Member from the District of Columbia is such a good idea, surely they could have found some program within their jurisdiction to trim by an offsetting amount. And they didn't find a user fee in their jurisdiction to increase by just a few dollars.

In fact, despite the fact the Democratic majority created a budget that includes more than \$2 trillion in spending, they could not even trim \$3 million from that total to pay for this rather modest initiative. To put this in perspective, the majority could have offset this bill by reducing entitlement spending by just two ten-thousandths of a percent.

By not going down that route, this bill confirms what we have all suspected: the Tax Code is going to be the ATM machine that pays for all of the new majority's fondest initiatives. The bill today may be cheap in total dollar terms, but we will not be so lucky the next time around.

In fact, Mr. Speaker, in my view, H.R. 1906 represents what will be the first of a series of bizarre revenue raisers, Rube Goldberg devices, and tax gimmicks to be trotted out to pay, first for small things, and then pay for the demands of the majority's budget, which includes the largest tax increase in American history, nearly \$4 billion over 5 years.

It also demonstrates that the majority's PAYGO promise that new entitlement spending could be offset with entitlement spending cuts is hollow and cynical. If they can't even find \$3 million of entitlement savings for this bill, can we expect them to pay for their new programs with anything other than a significant tax increase ultimately on the middle class?

This makes even traditional budget gimmicks, like putting routine spending into an emergency spending bill, or bypassing the budget resolution by using "advanced appropriations" look pristine by comparison.