

Turner	Wasserman	Whitfield
Udall (CO)	Schultz	Wicker
Udall (NM)	Waters	Wilson (NM)
Upton	Watson	Wilson (OH)
Van Hollen	Watt	Wilson (SC)
Velázquez	Waxman	Wolf
Visclosky	Weiner	Woolsey
Walberg	Welch (VT)	Wu
Walden (OR)	Weldon (FL)	Wynn
Walz (MN)	Weller	Yarmuth
Wamp	Westmoreland	Young (AK)
	Wexler	Young (FL)

## NOT VOTING—15

Baird	Jones (OH)	Putnam
Berkley	Kirk	Radanovich
Brown, Corrine	McGovern	Shays
DeGette	McMorris	Walsh (NY)
Gohmert	Rodgers	
Hunter	Peterson (PA)	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1649

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. ROGERS of Michigan. Mr. Speaker, I rise to a question of the privileges of the House and offer the resolution I noticed on May 21, 2007.

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

The Clerk read as follows:

H. RES. 428

Whereas the Code of Official Conduct provides that a Member “may not condition the inclusion of language to provide funding for a Congressional earmark . . . on any vote cast by another member”;

Whereas Chairman Reyes filed the Report to accompany the bill H.R. 2082, the Intelligence Authorization Act for Fiscal Year 2008;

Whereas the report states that, with respect to the requirements of clause 9 of House Rule XXI, “The following table provides the list of such provisions included in the bill or report,” and includes a table of 26 items identifying “Requesting Member,” “Subject,” and “Dollar Amount (in Thousands)”;

Whereas the referenced table includes an item denoted as: Requesting Member, Mr. Murtha; Subject, NATIONAL INTELLIGENCE PROGRAM COMMUNITY MANAGEMENT ACCOUNT—National Drug Intelligence Center; Dollar Amount, \$23 million;

Whereas the Gentleman from Michigan, Mr. Rogers, offered and voted for a motion to recommit the bill to change the provisions of the aforementioned Murtha earmark during its consideration in the House;

Whereas as a result of Mr. Rogers’ motion and vote on the Murtha earmark, the Gentleman from Pennsylvania, Mr. Murtha subsequently threatened to withdraw support for earmarks providing funding for projects located in the Gentleman from Michigan’s district;

Whereas on May 17, 2007, in the House Chamber, the Gentleman from Pennsylvania stated, in a loud voice words to the effect, to the Gentleman from Michigan as a result of offering and voting for the motion to recommit, “I hope you don’t have any earmarks in

the defense appropriation bill because they are gone and you will not get any earmarks now and forever.”;

Whereas the Gentleman from Michigan responded, in words to the effect, “this is not the way we do things here and is that supposed to make me afraid of you?”;

Whereas the Gentleman from Pennsylvania raised his voice, pointed his finger and stated, in words to the effect, “that’s the way I do it.”;

Whereas the gentleman from Pennsylvania (Mr. Murtha) is the ninth most senior member of Congress, whose seniority ranks him over 426 of his 433 colleagues in the House;

Whereas the gentleman from Pennsylvania chairs the Appropriations Subcommittee on Defense;

Whereas the gentleman from Pennsylvania (Mr. Murtha), the second-ranking and second longest serving Democrat on the Appropriations Committee, has been described in numerous media accounts as a master of the legislative process and an expert on earmarks; and

Whereas the gentleman from Pennsylvania (Mr. Murtha) has stated that he is a former member of the House Committee on Standards of Official Conduct, whose members are among the most knowledgeable in the House concerning the ethical obligations of Members of Congress: Now, therefore, be it

*Resolved*, That the Member from Pennsylvania, Mr. Murtha has been guilty of a violation of the Code of Official Conduct and merits the reprimand of the House for the same.

The SPEAKER pro tempore. The resolution presents a question of privilege.

## MOTION TO TABLE OFFERED BY MR. HOYER

Mr. HOYER. Mr. Speaker, I move to lay the resolution on the table.

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

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

## RECORDED VOTE

Mr. ROGERS of Michigan. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 219, noes 189, answered “present” 13, not voting 11, as follows:

[Roll No. 402]

AYES—219

Abercrombie  
Ackerman  
Allen  
Altmiere  
Andrews  
Arcuri  
Baca  
Baldwin  
Barrow  
Bean  
Becerra  
Berman  
Berry  
Bishop (GA)  
Bishop (NY)  
Boren  
Boswell  
Boucher  
Boyd (FL)  
Boyd (KS)  
Brady (PA)  
Braley (IA)  
Butterfield  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson  
Castor

Chandler  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen  
Conyers  
Costa  
Costello  
Courtney  
Cramer  
Crowley  
Cuellar  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis, Lincoln  
DeFazio  
DeLauro  
Dicks  
Dingell  
Doggett  
Donnelly  
Doyle  
Edwards  
Ellison  
Ellsworth  
Emanuel  
Engel

Eshoo  
Etheridge  
Farr  
Fattah  
Filner  
Frank (MA)  
Giffords  
Gillibrand  
Gonzalez  
Gordon  
Green, Al  
Grijalva  
Gutierrez  
Hall (NY)  
Hare  
Harman  
Hastings (FL)  
Herseth Sandlin  
Higgins  
Hill  
Hinchey  
Hinojosa  
Hirono  
Hodes  
Holden  
Holt  
Honda  
Hooley  
Hoyer  
Inslee

Israel  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (GA)  
Johnson, E. B.  
Kagen  
Kanjorski  
Kaptur  
Kennedy  
Kildee  
Kilpatrick  
Kind  
Klein (FL)  
Kucinich  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Lee  
Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lynch  
Mahoney (FL)  
Maloney (NY)  
Markey  
Marshall  
Matsui  
McCarthy (NY)  
McCollum (MN)  
McDermott  
McGovern  
McIntyre  
McNerney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)

Melancon  
Michaud  
Miller (NC)  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Nadler  
Napolitano  
Neal (MA)  
Oberstar  
Obey  
Oliver  
Ortiz  
Pallone  
Pascarell  
Pastor  
Payne  
Perlmutter  
Peterson (MN)  
Pomeroy  
Price (NC)  
Rahall  
Rangel  
Reyes  
Rodriguez  
Ross  
Rothman  
Ruppersberger  
Rush  
Ryan (OH)  
Salazar  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff

Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Sestak  
Shea-Porter  
Sherman  
Sires  
Skelton  
Slaughter  
Smith (WA)  
Solis  
Space  
Spratt  
Stark  
Stupak  
Sutton  
Tanner  
Tauscher  
Taylor  
Thompson (CA)  
Thompson (MS)  
Tierney  
Towns  
Udall (CO)  
Udall (NM)  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch (VT)  
Wexler  
Wilson (OH)  
Woolsey  
Wu  
Wynn  
Yarmuth

## NOES—189

Aderholt  
Akin  
Alexander  
Bachmann  
Bachus  
Baker  
Bartlett (MD)  
Barton (TX)  
Biggart  
Billbray  
Bilirakis  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Boehner  
Bono  
Boozman  
Boustany  
Brady (TX)  
Brown (SC)  
Brown-Waite,  
Ginny  
Buchanan  
Burgess  
Burton (IN)  
Buyer  
Calvert  
Camp (MI)  
Campbell (CA)  
Cannon  
Cantor  
Capito  
Carter  
Castle  
Chabot  
Coble  
Cole (OK)  
Conaway  
Cooper  
Crenshaw  
Cubin  
Culberson  
Davis (KY)  
Davis, David  
Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Doolittle  
Drake

Dreier  
Duncan  
Ehlers  
Emerson  
English (PA)  
Everett  
Fallin  
Feeney  
Ferguson  
Flake  
Forbes  
Fortenberry  
Fossella  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Gillmor  
Gingrey  
Gohmert  
Goode  
Goodlatte  
Granger  
Graves  
Hall (TX)  
Hastert  
Hayes  
Heller  
Hensarling  
Herger  
Hobson  
Hoekstra  
Hulshof  
Inglis (SC)  
Issa  
Jindal  
Johnson (IL)  
Johnson, Sam  
Jordan  
Keller  
King (IA)  
King (NY)  
Kingston  
Knollenberg  
Kuhl (NY)  
LaHood  
Lamborn  
Latham  
LaTourette  
Lewis (CA)  
Lewis (KY)

Linder  
LoBiondo  
Lucas  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
McCarthy (CA)  
McCotter  
McCrery  
McHenry  
McHugh  
McKeon  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moran (KS)  
Musgrave  
Myrick  
Neugebauer  
Nunes  
Paul  
Pearce  
Pence  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Poe  
Porter  
Price (GA)  
Pryce (OH)  
Radanovich  
Ramstad  
Regula  
Rehberg  
Reichert  
Reynolds  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Roskam  
Royce  
Ryan (WI)  
Sali  
Saxton  
Schmidt

Sensenbrenner	Sullivan	Weldon (FL)
Sessions	Tancredo	Weller
Shadegg	Terry	Westmoreland
Shimkus	Thornberry	Whitfield
Shuster	Tiahrt	Wicker
Simpson	Tiberi	Wilson (NM)
Smith (NE)	Turner	Wilson (SC)
Smith (NJ)	Upton	Wolf
Smith (TX)	Walberg	Young (AK)
Souder	Walden (OR)	Young (FL)
Stearns	Wamp	

## ANSWERED "PRESENT"—13

Barrett (SC)	Hastings (WA)	Roybal-Allard
Bonner	Jones (NC)	Shuler
Delahunt	Kline (MN)	Snyder
Gilchrest	Matheson	
Green, Gene	McCaull (TX)	

## NOT VOTING—11

Baird	Jones (OH)	Shays
Berkley	Kirk	Walsh (NY)
Brown, Corrine	McMorris	
DeGette	Rodgers	
Hunter	Putnam	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1710

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1100, CARL SANDBURG HOME NATIONAL HISTORIC SITE BOUNDARY REVISION ACT OF 2007

Ms. CASTOR, from the Committee on Rules, submitted a privileged report (Rept. No. 110-165) on the resolution (H. Res. 429) providing for consideration of the bill (H.R. 1100) to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes, which was referred to the House Calendar and ordered to be printed.

# SENATE AMNESTY BILL IS DOA IN FLORIDA'S FIFTH DISTRICT

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, when I was a child and I misbehaved, my mother would give me a stare that could curdle milk. Believe me, when I saw that stare, I knew how angry she was.

Well, after reading the Senate amnesty giveaway plan, I now know how to give that same look, and so do my constituents. Rather than doing what the American people want, securing our borders, the Senate has thrown open the barn doors and given away the farm.

Our Nation already faces huge deficits in Medicare, Medicaid and Social Security. Now the Senate and President Bush want to give away to anywhere from 12 to 20 million illegal immigrants the possibility to get welfare benefits, Social Security and Medicare.

My constituents back home in Florida work hard each and every day to pay their taxes and to keep America strong. In contrast, the Senate amnesty plan rewards illegal behavior and gives away our constituents' hard-earned Social Security and Medicare dollars.

Listen up, America. The Senate amnesty plan is a tax amnesty bill. This is bad legislation.

# THIS HOUSE IS FALLING DOWN AROUND THE MAJORITY'S PROMISES

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

Mr. GOHMERT. Mr. Speaker, I didn't have planned remarks, but then again, I didn't think what we just witnessed would take place today.

We had heard for 1½ years, 2 years, that if the Democratic Party got the majority in this House, we would have the most bipartisan Congress ever. We were told there would be no earmarks if the Democratic majority took control of this House. There would be all love and affection.

Well, of course, we saw how procedural rules went early this year, had things crammed down our throats, no chance for amendments, no participation, no committee involvement. Then we have a threat, an unrefuted allegation of a threat over earmarks. Unbelievable.

This party that was going to be so bipartisan will not even let discussion take place over whether or not a threat occurred. This House is falling down around the majority's promises.

□ 1715

# IMMIGRATION REFORM

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

Mr. CROWLEY. Mr. Speaker, let me just for a moment talk about where we are at this point with immigration reform, as from my observation I see the Senate has done some of the work. It negotiated the bill that they will then bring before their house, and further negotiations will take place, and bill amendments will be made to that legislation. Ultimately they will pass a bill on immigration reform in their house.

We will then have an opportunity on our side to do a similar measure. It will be different from the Senate when they go to conference. In that conference, hopefully we will be able to get to a bill we can all agree upon, we can send to the President, and the President can sign into law.

Let's not rush to judgment on what that legislation will be. This bill is not going to be amnesty. This bill is going to be one that will secure our borders, that will create a virtual fence, one that will address the issues of illegal

immigration, but also address the issue of the 12 million undocumented, those who find themselves in illegal status here in the United States today. The human element is as much an important part of how we move forward to deal with this issue, and I hope that all my colleagues keep an open mind as the debate moves forward.

# SPECIAL ORDERS

The SPEAKER pro tempore (Mr. COURTNEY). 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.

# SUPPORTING THE PRESUMPTION OF INNOCENCE FOR ACCUSED MARINES

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. Mr. Speaker, only those who have been to war can truly understand the hell of war. I have not been to war, but I know enough to understand that when our men and women are in harm's way, we should be respectful of the extreme dangers they encounter. Most of us cannot imagine the stress that those in uniform undergo when they have to make a split-second decision as to whether to fire or be fired upon, to kill or be killed.

Recently in Afghanistan, the vehicle convoy of U.S. Special Operations marines stationed at Camp Lejeune was struck by a suicide bomber during an ambush. After the incident, why I do not know, an Army official felt compelled to speak out in the press. Whether intentionally or not, this Army officer implicated the marines in the killing of Afghanistan civilians by stating, "Americans have killed and wounded innocent Afghan people."

His comments were irresponsible and without respect for his fellow comrades. The four branches of the military are a family. No one in the military family should be in the newspapers criticizing a fellow member of that family who has been faced with death. And, because of his comments to the press, these marines have been publicly indicted as indiscriminate killers.

Mr. Speaker, President Theodore Roosevelt once said, "A man who is good enough to shed his blood for his country is good enough to be given a square deal afterwards. More than that no man is entitled, and less than that no man shall have."

To ensure due process for these marines, all military officials should refrain from making public comments or expressing their opinions about the incident until the investigation is complete and all the facts are verified. Mr. Speaker, our military servicemembers, the military family, and certainly these marines deserve no less.