

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	Chandler	Eshoo
Ackerman	Clarke	Etheridge
Allen	Clay	Farr
Altman	Cleaver	Fattah
Andrews	Clyburn	Filner
Arcuri	Cohen	Frank (MA)
Baca	Conyers	Giffords
Baldwin	Costa	Gillibrand
Barrow	Costello	Gonzalez
Bean	Courney	Gordon
Becerra	Cramer	Green, Al
Berman	Crowley	Grijalva
Berry	Cuellar	Gutierrez
Bishop (GA)	Cummings	Hall (NY)
Bishop (NY)	Davis (AL)	Hare
Boren	Davis (CA)	Harman
Boswell	Davis (IL)	Hastings (FL)
Boucher	Davis, Lincoln	Herseth Sandlin
Boyd (FL)	DeFazio	Higgins
Boyd (KS)	DeLauro	Hill
Brady (PA)	Dicks	Hinchey
Braley (IA)	Dingell	Hinojosa
Butterfield	Doggett	Hirono
Capps	Donnelly	Hodes
Capuano	Doyle	Holden
Cardoza	Edwards	Holt
Carnahan	Ellison	Honda
Carney	Ellsworth	Hooley
Carson	Emanuel	Hoyer
Castor	Engel	Inslee
Israel	Jackson (IL)	Michaud
	Jackson-Lee	Miller (NC)
	(TX)	Miller, George
	Jefferson	Mitchell
	Johnson (GA)	Mollohan
	Johnson, E. B.	Moore (KS)
	Kagen	Moore (WI)
	Kanjorski	Moran (VA)
	Kaptur	Murphy (CT)
	Kennedy	Murphy, Patrick
	Kildee	Murphy, Tim
	Kilpatrick	Murtha
	Kind	Nadler
	Klein (FL)	Napolitano
	Kucinich	Neal (MA)
	Lampson	Oberstar
	Langevin	Obey
	Lantos	Olver
	Larsen (WA)	Ortiz
	Larson (CT)	Pallone
	Lee	Pascarel
	Levin	Pastor
	Lewis (GA)	Payne
	Lipinski	Perlmutter
	Loebssack	Peterson (MN)
	Lofgren, Zoe	Pomeroy
	Lowey	Price (NC)
	Lynch	Rahall
	Mahoney (FL)	Rangel
	Maloney (NY)	Reyes
	Markey	Rodriguez
	Marshall	Ross
	Matsui	Rothman
	McCarthy (NY)	Ruppersberger
	McCollum (MN)	Rush
	McDermott	Ryan (OH)
	McGovern	Salazar
	McIntyre	Sánchez, Linda
	McNerney	T.
	McNulty	Sanchez, Loretta
	Meahan	Sarbanes
	Meek (FL)	Schakowsky
	Meeks (NY)	Schiff
		NOES—189
		Dreier
		Akin
		Ehlers
		Bachmann
		Emerson
		Bachus
		English (PA)
		Baker
		Bartlett (MD)
		Barton (TX)
		Biggert
		Bilbray
		Bilirakis
		Bishop (UT)
		Blackburn
		Blumenauer
		Blunt
		Boehner
		Bono
		Bouman
		Boustany
		Brady (TX)
		Brown (SC)
		Brown-Waite, Ginny
		Buchanan
		Burgess
		Burton (IN)
		Buyer
		Calvert
		Campbell (CA)
		Campbell (MI)
		Campbell (PA)
		Carvalho
		Castro
		Chabot
		Chafee
		Cole (OK)
		Conaway
		Connelly
		Cooper
		Crenshaw
		Cubin
		Culberson
		DeFazio
		Dent
		Diaz-Balart, L.
		Diaz-Balart, M.
		Davis, Jo Ann
		Davis, Tom
		Deal (GA)
		Dent
		Diaz-Balart, L.
		Diaz-Balart, M.
		Doolittle
		Drake
		Kuhl (NY)
		LaHood
		Lamborn
		Latham
		LaTourette
		Lewis (CA)
		Lewis (KY)
		McCotter
		McCrory
		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
		Rehberg
		Price (GA)
		Pryce (OH)
		Raderovich
		Ramstad
		Regula
		Reichert
		Renzi
		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)	Royal-Allard
Bonner	Jones (NC)	Shuler
Delahunt	Kline (MN)	Snyder
Gilchrest	Matheson	
Green, Gene	McCaul (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.