

Burton (IN)	Hayes	Petri
Buyer	Heller	Pickering
Calvert	Hensarling	Pitts
Camp (MI)	Herger	Poe
Campbell (CA)	Hobson	Price (GA)
Cannon	Hoekstra	Pryce (OH)
Cantor	Hulshof	Putnam
Capito	Hunter	Radanovich
Carter	Inglis (SC)	Regula
Castle	Issa	Rehberg
Chabot	Johnson (IL)	Reichert
Coble	Jordan	Renzi
Cole (OK)	Keller	Reynolds
Conaway	King (IA)	Rogers (AL)
Crenshaw	Kline (MN)	Rogers (MI)
Cubin	Knollenberg	Ros-Lehtinen
Culberson	Lamborn	Roskam
Davis (KY)	Latham	Royce
Davis, David	LaTourrette	Ryan (WI)
Davis, Tom	Lewis (CA)	Sali
Deal (GA)	Lewis (KY)	Schmidt
Dent	Linder	Sensenbrenner
Diaz-Balart, L.	Lucas	Sessions
Diaz-Balart, M.	Lungren, Daniel	Shadegg
Doolittle	E.	Shays
Drake	Mack	Shimkus
Dreier	Manzullo	Shuster
Duncan	Marchant	Simpson
Ehlers	McCarthy (CA)	Smith (NE)
Emerson	McCaul (TX)	Smith (TX)
English (PA)	McCotter	Smotherman
Everett	McCrery	Stearns
Fallin	McHenry	Sullivan
Feeney	McHugh	Terry
Flake	McKeon	Thornberry
Fortenberry	McMorris	Tiahrt
Fox	Rodgers	Tiberi
Franks (AZ)	Mica	Turner
Frelinghuysen	Miller (FL)	Upton
Gallely	Miller (MI)	Walden (OR)
Garrett (NJ)	Miller, Gary	Wamp
Gerlach	Murphy, Tim	Weldon (FL)
Gilchrest	Musgrave	Westmoreland
Gingrey	Myrick	Whitfield
Gohmert	Neugebauer	Wicker
Goodlatte	Nunes	Wilson (NM)
Granger	Paul	Wilson (SC)
Graves	Pearce	Wolf
Hastert	Pence	Young (AK)
Hastings (WA)	Peterson (PA)	Young (FL)

NAYS—246

Abercrombie	Crowley	Hinojosa
Ackerman	Cuellar	Hirono
Allen	Cummings	Hodes
Altmire	Davis (AL)	Holden
Andrews	Davis (CA)	Holt
Arcuri	Davis (IL)	Hooley
Baca	Davis, Lincoln	Hoyer
Baird	DeFazio	Inslee
Baldwin	DeGette	Israel
Barrow	Delahunt	Jackson (IL)
Bean	DeLauro	Jackson-Lee
Berkley	Dicks	(TX)
Berman	Dingell	Jefferson
Berry	Doggett	Jindal
Bishop (GA)	Donnelly	Johnson (GA)
Bishop (NY)	Doyle	Johnson, E. B.
Blumenauer	Edwards	Jones (NC)
Boren	Ellison	Jones (OH)
Boswell	Ellsworth	Kagen
Boucher	Emanuel	Kanjorski
Boyd (FL)	Engel	Kaptur
Boyd (KS)	Eshoo	Kennedy
Brady (PA)	Etheridge	Kildee
Braley (IA)	Farr	Kilpatrick
Brown, Corrine	Fattah	Kind
Brown-Waite,	Ferguson	King (NY)
Ginny	Filner	Kingston
Burgess	Forbes	Kirk
Butterfield	Fossella	Klein (FL)
Capps	Frank (MA)	Kucinich
Capuano	Giffords	Kuhl (NY)
Cardoza	Gillibrand	LaHood
Carnahan	Gillmor	Lampson
Carney	Gonzalez	Langevin
Carson	Gordon	Lantos
Castor	Green, Al	Larsen (WA)
Chandler	Green, Gene	Larson (CT)
Clay	Grijalva	Lee
Cleaver	Hall (NY)	Levin
Clyburn	Hall (TX)	Lewis (GA)
Cohen	Hare	Lipinski
Conyers	Harman	LoBiondo
Cooper	Hastings (FL)	Loeb
Costa	Herseth Sandlin	Lofgren, Zoe
Costello	Higgins	Lowe
Courtney	Hill	Lynch
Cramer	Hinchee	Mahoney (FL)

Maloney (NY)	Peterson (MN)	Snyder
Markey	Platts	Solis
Marshall	Pomeroy	Space
Matheson	Porter	Stark
Matsui	Price (NC)	Stupak
McCarthy (NY)	Rahall	Sutton
McCollum (MN)	Ramstad	Tanner
McDermott	Rangel	Tauscher
McGovern	Reyes	Taylor
McIntyre	Rodriguez	Thompson (CA)
McNerney	Rohrabacher	Thompson (MS)
McNulty	Ross	Tierney
Meek (FL)	Rothman	Towns
Meeks (NY)	Roybal-Allard	Udall (CO)
Melancon	Ruppersberger	Udall (NM)
Michaud	Rush	Van Hollen
Miller (NC)	Ryan (OH)	Velázquez
Mitchell	Salazar	Visclosky
Mollohan	Sánchez, Linda	Walberg
Moore (KS)	T.	Walsh (NY)
Moore (WI)	Sanchez, Loretta	Walz (MN)
Moran (KS)	Sarbanes	Walz (MN)
Moran (VA)	Saxton	Wasserman
Murphy (CT)	Schakowsky	Schultz
Murphy, Patrick	Schiff	Waters
Murtha	Schwartz	Watson
Nadler	Scott (GA)	Watt
Napolitano	Scott (VA)	Weiner
Neal (MA)	Serrano	Welch (VT)
Oberstar	Sestak	Weller
Obey	Shea-Porter	Wexler
Oliver	Sherman	Wilson (OH)
Ortiz	Shuler	Woolsey
Pallone	Sires	Wu
Pastor	Skelton	Wynn
Payne	Smith (NJ)	Yarmuth
Perlmutter	Smith (WA)	

NOT VOTING—14

Becerra	Honda	Slaughter
Clarke	Johnson, Sam	Spratt
Davis, Jo Ann	Miller, George	Tancredo
Goode	Pascrell	Waxman
Gutierrez	Rogers (KY)	

□ 1335

Mr. JOHNSON of Georgia changed his vote from “yea” to “nay.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 3162, CHILDREN'S HEALTH AND MEDICARE PROTECTION ACT OF 2007

Mr. SESSIONS. Madam Speaker, I ask unanimous consent that the text of the amendment, which I will offer to the rule if the previous question is defeated, and extraneous material be printed just prior to the vote on the previous question.

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

There was no objection.

Mr. SESSIONS. Madam Speaker, I yield the balance of my time to the ranking member of the Select Committee on Intelligence, the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Madam Speaker, I think we all know the context of the world that we live in today. America is under heightened threat.

We also know that, if we go back to May 21, the Director of National Intelligence has said our intelligence agencies must obtain a court order to monitor the communications of foreigners suspected of terrorist activity who are physically located in foreign countries. Foreign intelligence, foreign terrorists in foreign countries, and we need to get a court order.

The end result is we have significant gaps in gathering the information that we need to keep America safe. That is why we need to vote against this previous question, and why we need to do an update of the Foreign Intelligence Surveillance Act today.

But in light of these threats and this context, what has been the response? What's been the response of this Congress and the other side?

Only a couple of weeks ago, we decided that we would give al Qaeda more information about our Intelligence Community. We decided that Congress would mandate that we declassify the top line. In the intelligence authorization bill that we did earlier this year, we said we want a national intelligence estimate, not on al Qaeda, not on Iran, not on Syria, not on North Korea, but we want it on global climate change. We gutted some of our key funding for intelligence operations, and we have done absolutely nothing on updating FISA, even though we are under heightened threat and we are talking about foreign targets, foreign intelligence from individuals who are located overseas.

We need to update FISA, and we need to do it before we go home. Weakening our national security and weakening our intelligence effort in these times is the wrong thing to do.

We used to talk about our inability to connect the dots. What we now have is a majority that is unwilling and unable to give our Intelligence Community even the capabilities to go out and connect the dots that keep us safe.

Make no doubt about it. We are weakening our intelligence. We are making this country more vulnerable, and we need to act, and we need to act before we go on recess.

Mr. NADLER. Will the gentleman yield?

Mr. HOEKSTRA. No, I will not yield. And I know that this colleague has been very sympathetic to making us and fixing this problem, and I appreciate his efforts in this area.

But if we go back to knowing that we have had this information for more than 6 months, we have not dealt with this information. Go back to the “opened” that the Director of National Intelligence wrote in May. And this bill that we are dealing with today concerns children. But, as the DNI has said, this surveillance saves lives, the lives of our children and grandchildren. That is what we are talking about.

What do we do to keep the homeland safe? What do we do to keep our troops safe? Because we are talking about gathering intelligence from foreign targets in places like Pakistan, Afghanistan and Iraq.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. SESSIONS. Madam Speaker, I would ask unanimous consent for 2 additional minutes for the gentleman.

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

Ms. CASTOR. I object.

The SPEAKER pro tempore. Objection is heard.

Mr. HOEKSTRA. I encourage my colleagues to vote "no" on this previous question. Deal with the issue of FISA and deal with it now.

The SPEAKER pro tempore. The gentleman's time has expired.

Ms. CASTOR. Madam Speaker, for today we are here on the Children's Health and Medicare Act, the CHAMP Act.

And, Madam Speaker, I hope the American people know there are many champions for America's kids standing up for our hardworking families in the Nation's Capitol today; and we are joining with Republican and Democratic Governors from across the country fighting for a new direction, for a healthier and economically sound America.

It was only 8 months ago when Speaker NANCY PELOSI accepted the gavel as the first female Speaker of the House of Representatives. She accepted that gavel on behalf of America's children, and we're going to keep our promise to America's kids today.

There's another champion in the Chair of the Rules Committee, Ms. LOUISE SLAUGHTER, who has helped us fight through these delaying tactics to bring this bill to the floor, and we will vote on it today.

In the Energy and Commerce Committee, Chairman JOHN DINGELL continues to be a voice of clarity and advocacy for America's children; and he is joined by the voices, the loud voices, of Congressman FRANK PALLONE and Congresswoman DIANA DEGETTE and the members of that committee.

In the Ways and Means Committee, where PAYGO means something now in this new Congress, Chairman CHARLIE RANGEL has led our effort to pay for this Act.

And I salute the subcommittee Chair, Mr. PETE STARK, and the members of that committee and many, many more on the floor of this House, who are not just Members of Congress, but we are also parents and we are grandparents.

The real champions, however, are the parents across America working to make ends meet and provide their children with a healthy and successful life. We are on their side today and every day, even in the face of resistance from the White House, where the President suggests that the health care for America's kids can be found in the emergency rooms of local hospitals. That is wrong.

Instead, through the SCHIP program and children's health care and this innovative partnership between communities, States and Federal Government, we will make important investments in our kids and their health today that will pay dividends down the road for our economy. It will reduce the strain on our emergency rooms, our crowded local emergency rooms, and it will reduce the strain on moms and dads.

This is, indeed, a historic day, a day for a new direction, a day full of hope

for the health of our children and a better America.

I urge a "yes" vote on the previous question and on the rule.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 594 OFFERED BY MR. SESSIONS OF TEXAS

At the end of the resolution, add the following:

Sec. 3. That immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider the bill (H.R. 3138) to amend the Foreign Intelligence Surveillance Act of 1978 to update the definition of electronic surveillance. All points of order against the bill are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence; and (2) one motion to recommit.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's American Congressional Dictionary: "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. CASTOR. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 228, nays 190, not voting 14, as follows:

[Roll No. 784]

YEAS—228

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

Matsui Peterson (MN)  
 McCarthy (NY) Pomeroy  
 McCollum (MN) Price (NC)  
 McDermott Rahall  
 McGovern Rangel  
 McIntyre Reyes  
 McNerney Rodriguez  
 McNulty Ross  
 Meek (FL) Rothman  
 Meeks (NY) Roybal-Allard  
 Melancon Ruppertsberger  
 Michaud Rush  
 Miller (NC) Ryan (OH)  
 Miller, George Salazar  
 Mollohan Sanchez, Linda  
 Moore (KS) T.  
 Moore (WI) Sanchez, Loretta  
 Moran (VA) Sarbanes  
 Murphy (CT) Schakowsky  
 Murphy, Patrick Schiff  
 Murtha Schwartz  
 Nadler Scott (GA)  
 Napolitano Scott (VA)  
 Neal (MA) Serrano  
 Oberstar Sestak  
 Obey Shea-Porter  
 Oliver Sherman  
 Ortiz Shuler  
 Pallone Sires  
 Pascarell Skelton  
 Pastor Slaughter  
 Payne Smith (WA)  
 Perlmutter Snyder

NAYS—190

Aderholt Foxx  
 Alexander Franks (AZ)  
 Bachmann Frelinghuysen  
 Bachus Gallegly  
 Baker Garrett (NJ)  
 Barrett (SC) Gerlach  
 Barton (TX) Gilchrest  
 Biggert Gillmor  
 Bilbray Gingrey  
 Bilirakis Gohmert  
 Bishop (UT) Goodell  
 Blackburn Goodlatte  
 Blunt Granger  
 Boehner Graves  
 Bonner Hastert  
 Bono Hastings (WA)  
 Boozman Hayes  
 Boustany Heller  
 Brady (TX) Herger  
 Brown (GA) Hobson  
 Brown (SC) Hoekstra  
 Brown-Waite, Hulshof  
 Ginny Hunter  
 Buchanan Inglis (SC)  
 Burgess Issa  
 Burton (IN) Jindal  
 Buyer Johnson (IL)  
 Calvert Jones (NC)  
 Camp (MI) Keller  
 Campbell (CA) King (IA)  
 Cannon King (NY)  
 Cantor Kingston  
 Capito Kirk  
 Carter Kline (MN)  
 Castle Knollenberg  
 Chabot Kuhl (NY)  
 Coble LaHood  
 Cole (OK) Lamborn  
 Conaway Shadegg  
 Crenshaw LaTourette  
 Cubin Lewis (CA)  
 Culberson Lewis (KY)  
 Davis (KY) Linder  
 Davis, David LoBiondo  
 Davis, Tom Lucas  
 Deal (GA) Lungren, Daniel  
 Dent E.  
 Diaz-Balart, L. Mack  
 Diaz-Balart, M. Marchant  
 Drake McCarthy (CA)  
 Dreier McCaul (TX)  
 Duncan McCotter  
 Ehlers McCreery  
 Emerson McHenry  
 English (PA) McHugh  
 Everett McKeon  
 Fallon McMorris  
 Feeney Rodgers  
 Ferguson Mica  
 Flake Miller (FL)  
 Forbes Miller (MI)  
 Fortenberry Miller, Gary  
 Fossella Mitchell

Wicker Wilson (SC)  
 Wilson (NM) Wolf  
 Young (AK) Young (FL)  
 Young (FL) Young (FL)

NOT VOTING—14

Akin Hall (TX)  
 Bartlett (MD) Hensarling  
 Clarke Johnson, Sam  
 Davis, Jo Ann Jordan  
 Doolittle Manzullo

□ 1402

Mr. BARTON of Texas changed his vote from “yea” to “nay.”

Mr. ACKERMAN and Mrs. JONES of Ohio changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Ms. CASTOR. Madam 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 224, noes 197, not voting 11, as follows:

[Roll No. 785]

AYES—224

Abercrombie Dicks  
 Ackerman Dingell  
 Allen Doggett  
 Altmire Donnelly  
 Andrews Doyle  
 Arcuri Edwards  
 Baca Ellison  
 Baird Emanuel  
 Baldwin Engel  
 Barrow Eshoo  
 Bean Etheridge  
 Becerra Farr  
 Berkley Fattah  
 Berman Filner  
 Berry Frank (MA)  
 Bishop (GA) Giffords  
 Bishop (NY) Gillibrand  
 Blumenauer Gonzalez  
 Boren Gordon  
 Boswell Green, Al  
 Boucher Green, Gene  
 Boyd (FL) Grijalva  
 Boyda (KS) Guterrez  
 Brady (PA) Hall (NY)  
 Braley (IA) Hare  
 Brown, Corrine Harman  
 Butterfield Hastings (FL)  
 Capps Hersted Sandlin  
 Capuano Higgins  
 Cardoza Hinchey  
 Carnahan Hinojosa  
 Carney Hiron  
 Carson Hodes  
 Castor Holden  
 Chandler Holt  
 Clay Honda  
 Cleaver Hooley  
 Clyburn Hoyer  
 Cohen Inslee  
 Conyers Israel  
 Cooper Jackson (IL)  
 Costa Jackson-Lee  
 Costello (TX)  
 Courtney Jefferson  
 Cramer Johnson (GA)  
 Crowley Johnson, E. B.  
 Cuellar Jones (OH)  
 Cummings Kagen  
 Davis (AL) Kanjorski  
 Davis (CA) Kaptur  
 Davis (IL) Kennedy  
 Davis, Lincoln Kildee  
 DeFazio Kilpatrick  
 DeGette Kind  
 Delahunt Klein (FL)  
 DeLauro Kucinich

Rodriguez Sherman  
 Ross Shuler  
 Rothman Sires  
 Roybal-Allard Skelton  
 Ruppertsberger Slaughter  
 Rush Smith (WA)  
 Ryan (OH) Snyder  
 Salazar Solis  
 Sanchez, Linda Space  
 T. Spratt  
 Sanchez, Loretta Stark  
 Sarbanes Stupak  
 Schakowsky Sutton  
 Schiff Tanner  
 Schwartz Tauscher  
 Scott (GA) Thompson (CA)  
 Scott (VA) Thompson (MS)  
 Serrano Tierney  
 Sestak Towns  
 Shea-Porter Udall (CO)

NOES—197

Aderholt Foxx  
 Akin Franks (AZ)  
 Alexander Frelinghuysen  
 Bachmann Gallegly  
 Bachus Garrett (NJ)  
 Baker Gerlach  
 Barrett (SC) Gilchrest  
 Bartlett (MD) Gillmor  
 Barton (TX) Gingrey  
 Biggert Gohmert  
 Bilbray Goode  
 Bilirakis Goodlatte  
 Bishop (UT) Granger  
 Blackburn Graves  
 Blunt Hall (TX)  
 Boehner Hastert  
 Bonner Hastings (WA)  
 Bono Hayes  
 Boozman Heller  
 Boustany Hensarling  
 Brady (TX) Hill  
 Brown (GA) Hobson  
 Brown (SC) Hoekstra  
 Brown-Waite, Hulshof  
 Ginny Inglis (SC)  
 Buchanan Issa  
 Burgess Jindal  
 Burton (IN) Johnson (IL)  
 Buyer Jordan  
 Calvert Keller  
 Camp (MI) King (IA)  
 Campbell (CA) King (NY)  
 Cannon Kingston  
 Cantor Kirk  
 Capito Kline (MN)  
 Carter Matheson  
 Castle Knollenberg  
 Chabot Kuhl (NY)  
 Coble LaHood  
 Cole (OK) Lamborn  
 Conaway Latham  
 Crenshaw LaTourette  
 Cubin Lewis (CA)  
 Culberson Lewis (KY)  
 Davis (KY) Linder  
 Davis, David LoBiondo  
 Davis, Tom Lucas  
 Deal (GA) Lungren, Daniel  
 Dent E.  
 Diaz-Balart, L. Mack  
 Diaz-Balart, M. Marchant  
 Drake McCarthy (CA)  
 Dreier McCaul (TX)  
 Duncan McCotter  
 Ehlers McCreery  
 Emerson McHenry  
 English (PA) McHugh  
 Everett McKeon  
 Fallon McMorris  
 Feeney Rodgers  
 Ferguson Mica  
 Flake Miller (FL)  
 Forbes Miller (MI)  
 Fortenberry Miller, Gary  
 Fossella Mitchell

NOT VOTING—11

Clarke Johnson, Sam  
 Davis, Jo Ann Manzullo  
 Herger Moore (WI)  
 Hunter Pickering

Udall (NM) Van Hollen  
 Velázquez Velázquez  
 Vislosky Vislosky  
 Walz (MN) Walz (MN)  
 Wasserman Wasserman  
 Schultz Schultz  
 Solis Solis  
 Watson Watson  
 Watt Watt  
 Waxman Waxman  
 Weiner Weiner  
 Welch (VT) Welch (VT)  
 Wexler Wexler  
 Wilson (OH) Wilson (OH)  
 Woolsey Woolsey  
 Wu Wu  
 Wynn Wynn  
 Yarmuth Yarmuth

Musgrave  
 Myrick  
 Neugebauer  
 Nunes  
 Paul  
 Pearce  
 Pence  
 Peterson (PA)  
 Petri  
 Pitts  
 Platts  
 Poe  
 Porter  
 Price (GA)  
 Pryce (OH)  
 Putnam  
 Radanovich  
 Ramstad  
 Regula  
 Rehberg  
 Reichert  
 Renzi  
 Reynolds  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Ros-Lehtinen  
 Roskam  
 Royce  
 Ryan (WI)  
 Sali  
 Saxton  
 Schmidt  
 Sensenbrenner  
 Sessions  
 Shadegg  
 Shays  
 Shimkus  
 Shuster  
 Simpson  
 Smith (NE)  
 Smith (NJ)  
 Souder  
 Stearns  
 Taylor  
 Terry  
 Thornberry  
 Tiahrt  
 Tiberi  
 Turner  
 Upton  
 Walberg  
 Walden (OR)  
 Walsh (NY)  
 Wamp  
 Weldon (FL)  
 Weller  
 Westmoreland  
 Whitfield  
 Wicker  
 Wilson (NM)  
 Wilson (SC)  
 Wolf  
 Young (AK)  
 Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1409

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. MOORE of Wisconsin: Madam Speaker, on rollcall No. 785, had I been present, I would have voted "aye."

Stated against:

Mr. JORDAN of Ohio: Madam Speaker, I was absent from the House Floor during today's rollcall vote on ordering the previous question on House Resolution 594.

Had I been present, I would have voted "no."

#### FURTHER MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2638. An act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2638) "An Act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD, Mr. INOUE, Mr. LEAHY, Ms. MIKULSKI, Mr. KOHL, Mrs. MURRAY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. NELSON (NE), Mr. COCHRAN, Mr. GREGG, Mr. STEVENS, Mr. SPECTER, Mr. DOMENICI, Mr. SHELBY, Mr. CRAIG, and Mr. ALEXANDER, to be the conferees on the part of the Senate.

#### CHILDREN'S HEALTH AND MEDICARE PROTECTION ACT OF 2007

Mr. DINGELL. Mr. Speaker, pursuant to House Resolution 594, I call up the bill (H.R. 3162) to amend titles XVIII, XIX, and XXI of the Social Security Act to extend and improve the children's health insurance program, to improve beneficiary protections under the Medicare, Medicaid, and the CHIP program, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3162

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

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Children's Health and Medicare Protection Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—CHILDREN'S HEALTH INSURANCE PROGRAM

Sec. 100. Purpose.

##### Subtitle A—Funding

Sec. 101. Establishment of new base CHIP allotments.

Sec. 102. 2-year initial availability of CHIP allotments.

Sec. 103. Redistribution of unused allotments to address State funding shortfalls.

Sec. 104. Extension of option for qualifying States.

##### Subtitle B—Improving Enrollment and Retention of Eligible Children

Sec. 111. CHIP performance bonus payment to offset additional enrollment costs resulting from enrollment and retention efforts.

Sec. 112. State option to rely on findings from an express lane agency to conduct simplified eligibility determinations.

Sec. 113. Application of medicaid outreach procedures to all children and pregnant women.

Sec. 114. Encouraging culturally appropriate enrollment and retention practices.

##### Subtitle C—Coverage

Sec. 121. Ensuring child-centered coverage.

Sec. 122. Improving benchmark coverage options.

Sec. 123. Premium grace period.

##### Subtitle D—Populations

Sec. 131. Optional coverage of older children under Medicaid and CHIP.

Sec. 132. Optional coverage of legal immigrants under the Medicaid program and CHIP.

Sec. 133. State option to expand or add coverage of certain pregnant women under CHIP.

Sec. 134. Limitation on waiver authority to cover adults.

##### Subtitle E—Access

Sec. 141. Children's Access, Payment, and Equality Commission.

Sec. 142. Model of Interstate coordinated enrollment and coverage process.

Sec. 143. Medicaid citizenship documentation requirements.

Sec. 144. Access to dental care for children.

Sec. 145. Prohibiting initiation of new health opportunity account demonstration programs.

##### Subtitle F—Quality and Program Integrity

Sec. 151. Pediatric health quality measurement program.

Sec. 152. Application of certain managed care quality safeguards to CHIP.

Sec. 153. Updated Federal evaluation of CHIP.

Sec. 154. Access to records for IG and GAO audits and evaluations.

Sec. 155. References to title XXI.

Sec. 156. Reliance on law; exception for State legislation.

#### TITLE II—MEDICARE BENEFICIARY IMPROVEMENTS

##### Subtitle A—Improvements in Benefits

Sec. 201. Coverage and waiver of cost-sharing for preventive services.

Sec. 202. Waiver of deductible for colorectal cancer screening tests regardless of coding, subsequent diagnosis, or ancillary tissue removal.

Sec. 203. Parity for mental health coinsurance.

Subtitle B—Improving, Clarifying, and Simplifying Financial Assistance for Low Income Medicare Beneficiaries

Sec. 211. Improving assets tests for Medicare Savings Program and low-income subsidy program.

Sec. 212. Making QI program permanent and expanding eligibility.

Sec. 213. Eliminating barriers to enrollment.

Sec. 214. Eliminating application of estate recovery.

Sec. 215. Elimination of part D cost-sharing for certain non-institutionalized full-benefit dual eligible individuals.

Sec. 216. Exemptions from income and resources for determination of eligibility for low-income subsidy.

Sec. 217. Cost-sharing protections for low-income subsidy-eligible individuals.

Sec. 218. Intelligent assignment in enrollment.

##### Subtitle C—Part D Beneficiary Improvements

Sec. 221. Including costs incurred by AIDS drug assistance programs and Indian Health Service in providing prescription drugs toward the annual out of pocket threshold under Part D.

Sec. 222. Permitting mid-year changes in enrollment for formulary changes adversely impact an enrollee.

Sec. 223. Removal of exclusion of benzodiazepines from required coverage under the Medicare prescription drug program.

Sec. 224. Permitting updating drug compendia under part D using part B update process.

Sec. 225. Codification of special protections for six protected drug classifications.

Sec. 226. Elimination of Medicare part D late enrollment penalties paid by low-income subsidy-eligible individuals.

Sec. 227. Special enrollment period for subsidy eligible individuals.

##### Subtitle D—Reducing Health Disparities

Sec. 231. Medicare data on race, ethnicity, and primary language.

Sec. 232. Ensuring effective communication in Medicare.

Sec. 233. Demonstration to promote access for Medicare beneficiaries with limited English proficiency by providing reimbursement for culturally and linguistically appropriate services.

Sec. 234. Demonstration to improve care to previously uninsured.

Sec. 235. Office of the Inspector General report on compliance with and enforcement of national standards on culturally and linguistically appropriate services (CLAS) in Medicare.

Sec. 236. IOM report on impact of language access services.

Sec. 237. Definitions.

#### TITLE III—PHYSICIANS' SERVICE PAYMENT REFORM

Sec. 301. Establishment of separate target growth rates for service categories.

Sec. 302. Improving accuracy of relative values under the Medicare physician fee schedule.

Sec. 303. Physician feedback mechanism on practice patterns.

Sec. 304. Payments for efficient physicians.

Sec. 305. Recommendations on refining the physician fee schedule.