

the I35W bridge. I think the people involved in the recovery actions have truly demonstrated the incredible character of Minnesota's citizens.

Nothing can replace what was lost on Wednesday. No amount of money will do that. Neither will a new bridge. But this bill is a strong step on the road to healing. Thank you Chairman OBERSTAR, thank you to the members of the Minnesota Delegation and thank you to all my colleagues who have helped support the citizens of my State.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 3311, as amended.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to suspend will be followed by a 5-minute vote on agreeing to the Speaker's approval of the Journal.

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 11, as follows:

[Roll No. 819]

YEAS—421

Abercrombie	Buyer	Doyle
Ackerman	Calvert	Drake
Aderholt	Camp (MI)	Dreier
Akin	Campbell (CA)	Duncan
Alexander	Cannon	Edwards
Allen	Cantor	Ehlers
Altmire	Capito	Ellison
Andrews	Capps	Ellsworth
Arcuri	Capuano	Emanuel
Baca	Cardoza	Emerson
Bachmann	Carnahan	Engel
Bachus	Carney	English (PA)
Baird	Carson	Eshoo
Baker	Carter	Etheridge
Baldwin	Castle	Everett
Barrett (SC)	Castor	Fallin
Barrow	Chabot	Farr
Bartlett (MD)	Chandler	Fattah
Barton (TX)	Clay	Ferguson
Bean	Clyburn	Filner
Becerra	Coble	Flake
Berkley	Cohen	Forbes
Berman	Cole (OK)	Fortenberry
Berry	Conaway	Fossella
Biggart	Conyers	Foxx
Bilbray	Cooper	Frank (MA)
Bilirakis	Costa	Franks (AZ)
Bishop (GA)	Costello	Frelinghuysen
Bishop (NY)	Courtney	Gallely
Blackburn	Cramer	Garrett (NJ)
Blumenauer	Crowley	Gerlach
Blunt	Cubin	Giffords
Boehner	Cuellar	Gilchrest
Bonner	Culberson	Gillibrand
Bono	Cummings	Gillmor
Boozman	Davis (AL)	Gingrey
Boren	Davis (CA)	Gohmert
Boswell	Davis (IL)	Gonzalez
Boucher	Davis, David	Goode
Boustany	Davis, Lincoln	Goodlatte
Boyd (FL)	Davis, Tom	Gordon
Boyd (KS)	Deal (GA)	Granger
Brady (PA)	DeFazio	Graves
Brady (TX)	DeGette	Green, Al
Braley (IA)	Delahunt	Green, Gene
Broun (GA)	DeLauro	Grijalva
Brown (SC)	Dent	Gutierrez
Brown, Corrine	Diaz-Balart, L.	Hall (NY)
Brown-Waite,	Diaz-Balart, M.	Hall (TX)
Ginny	Dicks	Hare
Buchanan	Dingell	Harman
Burgess	Doggett	Hastert
Burton (IN)	Donnelly	Hastings (FL)
Butterfield	Doolittle	Hastings (WA)

Heller	McDermott	Sánchez, Linda
Hensarling	McGovern	T.
Herger	McHenry	Sanchez, Loretta
Herseeth Sandlin	McHugh	Sarbanes
Higgins	McNulty	Saxton
Hill	McIntyre	Schakowsky
Hinchev	McKeon	Schiff
Hinojosa	McMorris	Schmidt
Hirono	Rodgers	Schwartz
Hobson	McNerney	Schwartz
Hodes	McNulty	Scott (GA)
Hoekstra	Meek (FL)	Scott (VA)
Holden	Meeks (NY)	Sensenbrenner
Holt	Melancon	Serrano
Honda	Mica	Sessions
Hoohey	Michaud	Sestak
Hoyer	Miller (FL)	Shadegg
Hulshof	Miller (MI)	Shays
Hunter	Miller (NC)	Shea-Porter
Inglis (SC)	Miller, Gary	Sherman
Inslee	Miller, George	Shimkus
Israel	Mitchell	Shuler
Issa	Mollohan	Shuster
Jackson (IL)	Moore (KS)	Simpson
Jackson-Lee	Moore (WI)	Sires
(TX)	Moran (KS)	Skelton
Jefferson	Moran (VA)	Slaughter
Jindal	Murphy (CT)	Smith (NE)
Johnson (GA)	Murphy, Patrick	Smith (NJ)
Johnson (IL)	Murphy, Tim	Smith (TX)
Johnson, E. B.	Murtha	Smith (WA)
Jones (NC)	Musgrave	Snyder
Jones (OH)	Myrick	Solis
Jordan	Nadler	Souder
Kagen	Napolitano	Space
Kanjorski	Neal (MA)	Spratt
Kaptur	Neugebauer	Stark
Keller	Nunes	Stearns
Kennedy	Oberstar	Stupak
Kildee	Obey	Sullivan
Kilpatrick	Oliver	Sutton
Kind	Ortiz	Tancredo
King (IA)	Pallone	Tanner
King (NY)	Pascrell	Tauscher
Kingston	Pastor	Taylor
Kirk	Payne	Terry
Klein (FL)	Pearce	Thompson (CA)
Kline (MN)	Pence	Thompson (MS)
Knollenberg	Perlmutter	Thornberry
Kucinich	Peterson (MN)	Tiahrt
Kuhl (NY)	Peterson (PA)	Tiberi
LaHood	Petri	Tierney
Lamborn	Pickering	Towns
Lampson	Pitts	Turner
Langevin	Platts	Udall (CO)
Lantos	Poe	Udall (NM)
Larsen (WA)	Pomeroy	Upton
Larson (CT)	Porter	Van Hollen
Latham	Price (GA)	Velázquez
LaTourette	Price (NC)	Visclosky
Lee	Pryce (OH)	Walberg
Levin	Putnam	Walden (OR)
Lewis (GA)	Radanovich	Walsh (NY)
Lewis (KY)	Rahall	Walz (MN)
Linder	Ramstad	Wamp
Lipinski	Rangel	Wasserman
LoBiondo	Regula	Schultz
Loebsack	Rehberg	Waters
Lofgren, Zoe	Reichert	Watson
Lowe	Renzi	Watt
Lucas	Reyes	Waxman
Lungren, Daniel	Reynolds	Weiner
E.	Rodriguez	Welch (VT)
Lynch	Rogers (AL)	Weldon (FL)
Mack	Rogers (KY)	Weller
Mahoney (FL)	Rogers (MI)	Westmoreland
Maloney (NY)	Rohrabacher	Wexler
Manzullo	Ros-Lehtinen	Whitfield
Marchant	Roskam	Wicker
Markey	Ross	Wilson (NM)
Marshall	Rothman	Wilson (OH)
Matheson	Roybal-Allard	Wilson (SC)
Matsui	Royce	Wolf
McCarthy (CA)	Ruppersberger	Woolsey
McCarthy (NY)	Rush	Wu
McCollum (MN)	Ryan (OH)	Wynn
McCotter	Ryan (WI)	Yarmuth
McCreery	Salazar	Young (AK)
	Sali	Young (FL)

NOT VOTING—11

Bishop (UT)	Davis (KY)	Johnson, Sam
Clarke	Davis, Jo Ann	Lewis (CA)
Cleaver	Feeney	Paul
Crenshaw	Hayes	

□ 1830

Mr. HALL of Texas, Mrs. CUBIN, Mr. SHERMAN, Ms. SLAUGHTER, Mr.

SALI changed their vote from "nay" to "yea."

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. DAVIS of Kentucky. Mr. Speaker, on rollcall No. 819, I was unavoidably detained dealing with a serious health issue with my ill mother who is being prepared for movement to a long-term care facility; had I been present, I would have voted "yea."

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 216, nays 199, not voting 17, as follows:

[Roll No. 820]

YEAS—216

Abercrombie	Dingell	Lantos
Ackerman	Doggett	Larsen (WA)
Allen	Donnelly	Larson (CT)
Andrews	Doyle	Lee
Arcuri	Edwards	Levin
Baca	Ellison	Lewis (GA)
Baird	Ellsworth	Lipinski
Baldwin	Emanuel	Loebsack
Barrow	Engel	Lofgren, Zoe
Bean	Eshoo	Lowey
Becerra	Etheridge	Lynch
Berkley	Farr	Mahoney (FL)
Berman	Fattah	Maloney (NY)
Berry	Filner	Markey
Bishop (GA)	Frank (MA)	Matheson
Bishop (NY)	Giffords	Matsui
Blumenauer	Gillibrand	McCollum (MN)
Boren	Gonzalez	McDermott
Boswell	Green, Al	McGovern
Boucher	Green, Gene	McIntyre
Boyd (FL)	Grijalva	McNerney
Boyd (KS)	Gutierrez	McNulty
Brady (PA)	Hall (NY)	Meek (FL)
Braley (IA)	Hare	Meeks (NY)
Brown, Corrine	Harman	Melancon
Butterfield	Hastings (FL)	Michaud
Capps	Herseeth Sandlin	Miller (NC)
Capuano	Higgins	Miller, George
Cardoza	Hill	Mitchell
Carnahan	Hinchev	Mollohan
Carson	Hinojosa	Moore (KS)
Castle	Hirono	Moore (WI)
Castor	Hodes	Moran (VA)
Chandler	Holden	Murphy (CT)
Clay	Holt	Murphy, Patrick
Cleaver	Honda	Murtha
Clyburn	Hoohey	Nadler
Cohen	Hoyer	Napolitano
Conyers	Inslee	Neal (MA)
Cooper	Israel	Oberstar
Costa	Jackson (IL)	Obey
Costello	Jackson-Lee	Oliver
Courtney	(TX)	Ortiz
Cramer	Johnson (GA)	Pallone
Crowley	Johnson (IL)	Pastor
Cuellar	Johnson, E. B.	Payne
Cummings	Jones (OH)	Perlmutter
Davis (AL)	Kagen	Pomeroy
Davis (CA)	Kaptur	Price (NC)
Davis (IL)	Kennedy	Rahall
Davis, Lincoln	Kildee	Rangel
DeFazio	Kilpatrick	Reyes
DeGette	Kind	Rodriguez
Delahunt	Klein (FL)	Ross
DeLauro	Lampson	Rothman
Dicks	Langevin	Roybal-Allard

Ruppersberger	Sires	Velázquez
Ryan (OH)	Skelton	Visclosky
Salazar	Slaughter	Walz (MN)
Sánchez, Linda	Smith (WA)	Wasserman
T.	Snyder	Schultz
Sanchez, Loretta	Solis	Waters
Sarbanes	Space	Watson
Schakowsky	Spratt	Watt
Schiff	Sutton	Waxman
Schwartz	Tanner	Weiner
Scott (GA)	Tauscher	Welch (VT)
Scott (VA)	Taylor	Wexler
Serrano	Thompson (MS)	Wilson (OH)
Sestak	Tierney	Woolsey
Shea-Porter	Udall (CO)	Wu
Sherman	Udall (NM)	Wynn
Shuler	Van Hollen	Yarmuth

NAYS—199

Aderholt	Garrett (NJ)	Pearce
Akin	Gerlach	Pence
Alexander	Gilchrest	Peterson (MN)
Altmire	Gillmor	Petri
Bachmann	Gingrey	Pickering
Bachus	Gohmert	Pitts
Baker	Goode	Platts
Barrett (SC)	Goodlatte	Poe
Bartlett (MD)	Granger	Porter
Barton (TX)	Graves	Price (GA)
Biggert	Hall (TX)	Pryce (OH)
Bilbray	Hastert	Putnam
Bilirakis	Heller	Radanovich
Blackburn	Hensarling	Ramstad
Boehner	Herger	Regula
Bonner	Hobson	Rehberg
Bono	Hoekstra	Reichert
Boozman	Hulshof	Renzi
Boustany	Hunter	Reynolds
Brady (TX)	Inglis (SC)	Rogers (AL)
Broun (GA)	Issa	Rogers (KY)
Brown (SC)	Jindal	Rogers (MI)
Brown-Waite,	Jones (NC)	Rohrabacher
Ginny	Jordan	Ros-Lehtinen
Buchanan	Kanjorski	Roskam
Burgess	Keller	Royce
Burton (IN)	King (IA)	Ryan (WI)
Buyer	King (NY)	Sali
Calvert	Kingston	Saxton
Camp (MI)	Kirk	Schmidt
Campbell (CA)	Kline (MN)	Sensenbrenner
Cannon	Knollenberg	Sessions
Cantor	Kucinich	Shadegg
Capito	Kuhl (NY)	Shays
Carney	Lamborn	Shimkus
Carter	Latham	Shuster
Chabot	LaTourette	Simpson
Coble	Lewis (KY)	Smith (NE)
Cole (OK)	Linder	Smith (NJ)
Conaway	LoBiondo	Smith (TX)
Cubin	Lucas	Souder
Culberson	Lungren, Daniel	Stearns
Davis (KY)	E.	Stupak
Davis, David	Mack	Sullivan
Davis, Tom	Manzullo	Tancredo
Deal (GA)	Marchant	Terry
Dent	Marshall	Thompson (CA)
Diaz-Balart, L.	McCarthy (CA)	Thornberry
Diaz-Balart, M.	McCarthy (NY)	Tiahrt
Doolittle	McCaul (TX)	Tiberti
Drake	McCotter	Turner
Dreier	McCrery	Upton
Duncan	McHenry	Walberg
Ehlers	McHugh	Walden (OR)
Emerson	McKeon	Walsh (NY)
English (PA)	McMorris	Wamp
Everett	Rodgers	Weldon (FL)
Fallin	Mica	Weiler
Feeney	Miller (FL)	Westmoreland
Ferguson	Miller (MI)	Whitfield
Flake	Miller, Gary	Wicker
Forbes	Moran (KS)	Wilson (NM)
Fortenberry	Murphy, Tim	Wilson (SC)
Fossella	Musgrave	Wolf
Foxx	Myrick	Young (AK)
Franks (AZ)	Neugebauer	Young (FL)
Frelinghuysen	Nunes	
Galleghy	Pascrell	

NOT VOTING—17

Bishop (UT)	Hastings (WA)	Paul
Blunt	Hayes	Peterson (PA)
Clarke	Jefferson	Rush
Crenshaw	Johnson, Sam	Stark
Davis, Jo Ann	LaHood	Towns
Gordon	Lewis (CA)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1839

So the Journal was approved.

The result of the vote was announced as above recorded.

QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. BOEHNER. Madam Speaker, I have a privileged resolution at the desk.

The SPEAKER pro tempore (Mrs. TAUSCHER). The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 611

Whereas on November 8, 2006, Speaker-Elect Nancy Pelosi said “we will make this the most honest, ethical and open Congress in history.”;

Whereas on November 16, 2006, Speaker-Elect Nancy Pelosi said “This leadership team will create the most honest, most open, and most ethical Congress in history.”;

Whereas on January 4, 2007, Majority Leader Steny Hoyer said “As we open this new chapter in American history—an era in which we will seek to elevate results over rhetoric and put progress before partisanship—we will affirm our commitment to transparency, accountability and civility, which should be the hallmarks of this great institution.”;

Whereas on January 4, 2007, Majority Leader Steny Hoyer said “the Members of this House will ensure the integrity of this institution when we conduct ourselves with integrity and hold accountable those who fail to abide by these rules and the highest ethical standards.”;

Whereas on December 8, 2006, Majority Whip-Elect James Clyburn said “Democrats will exercise better leadership in the new Congress and work to raise the standard of ethics in this body.”;

Whereas on August 1, 2007, the Majority Leader Steny Hoyer said “What is not fair, from our perspective, is to simply disallow the House to proceed to do its business, to have its disagreements, to make its votes, to express its will”;

Whereas the Speaker, as the presiding officer, is supposed to be the fair and impartial arbiter of the proceedings of the House, held to the highest ethical standards in deciding the various questions as they arise with impartiality and courtesy toward all Members, regardless of party affiliation;

Whereas the Members, as duly elected under Article I, section 2 of the Constitution of the United States, represent the people of the United States by casting their votes in the U.S. House of Representatives;

Whereas the Clerk of the House has the specific responsibility of accurately taking and tallying votes of the Members and preserving the records thereof;

Whereas on the evening of August 2, 2007, the House had under consideration H.R. 3161, a bill making appropriations for the Department of Agriculture and Related Agencies;

Whereas following completion of general debate and the reading of the bill for amendment, the gentleman from California (Mr. Lewis) offered a motion to recommit the bill to the Committee on Appropriations with instructions that prohibited any funds in the bill from being used to employ or to provide rental housing assistance to an illegal alien not authorized to receive such assistance under the Immigration and Nationality Act;

Whereas Representative Lewis timely requested the yeas and nays, which once ordered were recorded by electronic device;

Whereas shortly following the expiration of time allotted for the recorded vote, the Chair gavelled the vote closed and announced that the motion had failed by a vote of 214 yeas to 214 nays, while the tally clerk was still processing additional votes through the electronic voting system;

Whereas during said time period, the Majority Leader stated to the Parliamentarian of the House, “We control, not the Parliamentarians.”

Whereas the Chair announced the results of the aforementioned vote after reading the totals from the electronic board to the Chair’s right without the benefit of the written tally customarily provided by the tally clerks;

Whereas a video recording of the proceedings produced by the Office of the Chief Administrative Officer confirms that, while closing the vote, the Chair banged the gavel and spoke over the voice of the House Reading Clerk seated immediately in front of the Speaker’s rostrum, who can clearly be heard attempting to record the vote of another Member;

Whereas contrary to the vote total announced by the Chair, said electronic board, visible to all Members in the Chamber, indicated a final tally of 215 yeas and 213 nays;

Whereas the Majority Leader directed the Chair to reopen the vote, making it possible for Members to change their vote, and thereby altering the outcome;

Whereas several minutes later the Chair again closed the vote and announced that the motion had failed on a vote 212 yeas and 216 nays;

Whereas the Minority Leader immediately directed his staff to gather and review all available records regarding this incident; and

Whereas in the course of such review, the staff discovered that the electronic voting records related to this roll call vote were missing from the electronic voting system and upon inspecting the Clerk’s website, found no information regarding the disposition of the motion to recommit contrary to the long standing customary practice of that office: Now therefore be it

(1) Resolved, That—

The Officers of the House of Representatives are immediately directed to preserve all records, documents, recordings, electronic transmissions, or other material, regardless of form, related to the voting irregularities of August 2, 2007.

(2) there is hereby established a select committee to investigate the voting irregularities of August 2, 2007 (hereinafter referred to as the “select committee”). The select committee shall be comprised of 6 Members, of which 3 Members shall be appointed by the Speaker and 3 by the Minority Leader. The select committee shall—

(A) investigate the circumstances surrounding the record vote requested by the gentleman from California (Mr. Lewis) on the motion to recommit to H.R. 3161, including the Chair’s ruling over the objections of the Parliamentarian;

(B) make an interim report to the House not later than September 30, 2007 and a final report not later than September 15, 2008—

(i) regarding the actions of any Members, officers, or employees of the House engaged in the disenfranchisement of Members in voting on the question; and

(ii) recommending changes to the rules and procedures of the House of Representatives necessary to protect the voting rights of constitutionally elected Members chosen by the people of the United States of America.