

Whereas during proceedings of the House on August 3, 2007, with the gentleman from Pennsylvania (Mr. Murtha) presiding, a question occurred on approval of the Journal of the previous day's proceedings;

Whereas following the vote, the gentleman from Wisconsin, Representative Sensenbrenner, inquired "Could the chair tell me how many Members rose to request a recorded vote and [the] total number of Members present in the House upon which the chair made his decision?";

Whereas Representative Murtha replied, "It is up to the chair. Let me tell you this, the vote will show that the approval would be approved by the House as it has been.";

Whereas the Speaker, as the presiding officer, has a duty to be a 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 a presiding officer of the House cannot achieve the requisite standard of impartiality while attempting to influence the outcome of a vote, predict the outcome of a vote, or express a preference for a particular outcome of a vote;

Whereas when the chair imbues his parliamentary statements with a partisan hue or with language more appropriate to a participant in the debate than to its presiding officer, Members' essential confidence in the impartiality of the chair is impaired: Now, therefore, be it

Resolved, That by his actions on August 3, 2007, the gentleman from Pennsylvania, Mr. Murtha, has brought dishonor and discredit to the United States House of Representatives by misusing the powers of the chair.

□ 2100

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

MOTION TO TABLE

Mr. HOYER. Madam Speaker, I move to table the resolution.

POINT OF ORDER

Mr. BOEHNER. Madam Speaker, I raise a point of order that the gentleman from Maryland engaged in debate.

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

PARLIAMENTARY INQUIRY

Mr. BOEHNER. Parliamentary inquiry, Madam Speaker.

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

Mr. BOEHNER. Madam Speaker, isn't it correct that the gentleman from Maryland engaged in debate, which allows the House to then proceed with up to 1 hour of debate on this resolution?

The SPEAKER pro tempore. The gentleman was not recognized as the Chair had not yet ruled that the resolution constituted a question of privilege.

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.

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 211, nays 178, answered "present" 12, not voting 31, as follows:

[Roll No. 822]

YEAS—211

Abercrombie	Grijalva	Oberstar
Ackerman	Hall (NY)	Obey
Allen	Harman	Olver
Altmire	Hastings (FL)	Ortiz
Andrews	Herseth Sandlin	Pallone
Arcuri	Hill	Pascrell
Baca	Hinchev	Pastor
Baird	Hinojosa	Payne
Baldwin	Hirono	Perlmutter
Barrow	Hodes	Pomeroy
Bean	Holden	Price (NC)
Becerra	Holt	Rahall
Berkley	Honda	Rangel
Berman	Hooley	Reyes
Berry	Hoyer	Rodriguez
Bishop (GA)	Inslee	Ross
Bishop (NY)	Israel	Rothman
Boswell	Jackson (IL)	Roybal-Allard
Boucher	Jackson-Lee	Ruppersberger
Boyd (FL)	(TX)	Rush
Boyda (KS)	Jefferson	Ryan (OH)
Brady (PA)	Johnson (GA)	Salazar
Bralley (IA)	Johnson, E. B.	Sánchez, Linda
Brown, Corrine	Jones (OH)	T.
Butterfield	Kagen	Sanchez, Loretta
Cappers	Kanjorski	Sarbanes
Capuano	Kaptur	Schakowsky
Cardoza	Kennedy	Schiff
Carnahan	Kildee	Schwartz
Carney	Kilpatrick	Scott (GA)
Carson	Kind	Scott (VA)
Castor	Klein (FL)	Serrano
Chandler	Kucinich	Shea-Porter
Clay	Lampson	Sherman
Cleaver	Langevin	Larsen (WA)
Clyburn	Langevin	Shuler
Cohen	Larsen (CT)	Sires
Conyers	Lee	Skelton
Cooper	Levin	Smith (WA)
Costa	Lewis (GA)	Snyder
Costello	Lipinski	Solis
Courtney	Loebsack	Space
Cramer	Lofgren, Zoe	Spratt
Crowley	Lowe	Stupak
Cuellar	Lynch	Sutton
Davis (AL)	Mahoney (FL)	Tanner
Davis (CA)	Maloney (NY)	Tauscher
Davis (IL)	Markey	Taylor
Davis, Lincoln	Marshall	Thompson (CA)
DeFazio	Matheson	Thompson (MS)
DeGette	Matsui	Tierney
Delahunt	McCarthy (NY)	Towns
DeLauro	McCollum (MN)	Udall (CO)
Dingell	McGovern	Udall (NM)
Doggett	McIntyre	Van Hollen
Donnelly	McNerney	Velázquez
Doyle	McNulty	Visclosky
Ellison	Meek (FL)	Walz (MN)
Ellsworth	Meeke (NY)	Wasserman
Emanuel	Melancon	Schultz
Engel	Michaud	Waters
Eshoo	Miller (NC)	Watson
Etheridge	Miller, George	Watt
Farr	Mitchell	Weiner
Fattah	Mollohan	Welch (VT)
Filner	Moore (WI)	Wexler
Frank (MA)	Murphy (CT)	Wilson (OH)
Giffords	Murphy, Patrick	Woolsey
Gillibrand	Murphy, Tim	Wu
Gonzalez	Nadler	Wynn
Green, Al	Napolitano	Yarmuth
Green, Gene	Neal (MA)	

NAYS—178

Aderholt	Brown-Waite,	Deal (GA)
Akin	Ginny	Dent
Alexander	Buchanan	Diaz-Balart, L.
Bachmann	Burgess	Diaz-Balart, M.
Bachus	Burton (IN)	Doolittle
Baker	Buyer	Drake
Barrett (SC)	Calvert	Dreier
Barton (TX)	Camp (MI)	Duncan
Biggert	Campbell (CA)	Ehlers
Billbray	Cannon	Emerson
Bilirakis	Cantor	English (PA)
Bishop (UT)	Capito	Everett
Blackburn	Carter	Fallin
Blunt	Castle	Feeney
Boehner	Chabot	Ferguson
Bonner	Coble	Flake
Bono	Cole (OK)	Forbes
Boozman	Conaway	Fortenberry
Boustany	Culberson	Fossella
Brady (TX)	Davis (KY)	Fox
Broun (GA)	Davis, David	Franks (AZ)
Brown (SC)	Davis, Tom	Gallely

Garrett (NJ)	McCarthy (CA)	Ros-Lehtinen
Gerlach	McCaul (TX)	Roskam
Gillmor	McCotter	Royce
Gingrey	McCrery	Ryan (WI)
Gohmert	McHenry	Sali
Goode	McHugh	Saxton
Goodlatte	McKeon	Schmidt
Granger	McMorris	Sensenbrenner
Graves	Rodgers	Sessions
Hall (TX)	Mica	Shadegg
Hastert	Miller (FL)	Shays
Hastings (WA)	Miller (MI)	Shimkus
Heller	Miller, Gary	Simpson
Hensarling	Moran (KS)	Smith (NE)
Herge	Musgrave	Smith (NJ)
Hoekstra	Myrick	Smith (TX)
Hulshof	Neugebauer	Souder
Inglis (SC)	Nunes	Stearns
Issa	Pearce	Sullivan
Jindal	Pence	Tancredo
Jordan	Peterson (PA)	Terry
Keller	Petri	Pickering
King (IA)	Pickering	Pitts
King (NY)	Pitts	Platts
Kirk	Platts	Poe
Kline (MN)	Porter	Porter
Knollenberg	Price (GA)	Pryce (OH)
Kuhl (NY)	Latham	Putnam
Latham	LaTourette	Lewis (CA)
Lewis (CA)	Lewis (CA)	Regula
Lewis (KY)	Linder	Rehberg
Lucas	Lucas	Reichert
Lungren, Daniel	E.	Renzi
E.	Reynolds	Rogers (AL)
Mack	Rogers (AL)	Rogers (KY)
Manzullo	Rogers (KY)	Rogers (MI)
Marchant	Rogers (MI)	

ANSWERED "PRESENT"—12

Bartlett (MD)	Johnson (IL)	Rohrabacher
Frelinghuysen	Jones (NC)	Wicker
Gilchrest	Kingston	Young (AK)
Hobson	LoBiondo	Young (FL)

NOT VOTING—31

Blumenauer	Hare	Murtha
Boren	Hayes	Paul
Clarke	Higgins	Peterson (MN)
Crenshaw	Hunter	Radanovich
Cubin	Johnson, Sam	Sestak
Cummings	LaHood	Shuster
Davis, Jo Ann	Lamborn	Slaughter
Dicks	Lantos	Stark
Edwards	McDermott	Waxman
Gordon	Moore (VA)	
Gutierrez	Moran (KS)	

□ 2119

Mr. LOBIONDO changed his vote from "nay" to "present."

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 MOTIONS TO SUSPEND THE RULES

Ms. CASTOR, from the Committee on Rules, submitted a privileged report (Rept. No. 110-298) on the resolution (H. Res. 613) providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Ms. CASTOR, from the Committee on Rules, submitted a privileged report (Rept. No. 110-299) on the resolution (H.

Res. 614) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3221, NEW DIRECTION FOR ENERGY INDEPENDENCE, NATIONAL SECURITY, AND CONSUMER PROTECTION ACT, AND FOR CONSIDERATION OF H.R. 2776, RENEWABLE ENERGY AND ENERGY CONSERVATION TAX ACT OF 2007

Ms. CASTOR, from the Committee on Rules, submitted a privileged report (Rept. No. 110-300) on the resolution (H. Res. 615) providing for consideration of the bill (H.R. 3221) moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and for consideration of the bill (H.R. 2776) to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation, which was referred to the House Calendar and ordered to be printed.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 775. An act to establish a National Commission on the Infrastructure of the United States; to the committee on Transportation and Infrastructure.

S. 1983. An act to amend the Federal Insecticide, Fungicide, and Rodenticide Act to renew and amend the provisions for the enhanced review of covered pesticide products, to authorize fees for certain pesticide products, to extend and improve the collection of maintenance fees, and for other purposes; to the Committee on Agriculture.

ENROLLED BILL SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found a truly enrolled bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3206. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through December 15, 2007, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced her signature to enrolled bills of the Senate of the following titles:

S. 1. An act to provide greater transparency in the legislative process.

S. 375. An act to waive application of the Indian Self-Determination and Education

Assistance Act to a specific parcel of real property transferred by the United States to 2 Indian tribes in the State of Oregon, and for other purposes.

S. 975. An act Granting the consent and approval of Congress to an interstate forest fire protection compact.

S. 1099. An act to amend chapter 89 of title 5, United States Code, to make individuals employed by the Roosevelt Campobello International Park Commission eligible to obtain Federal health insurance.

S. 1716. To amend the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007, to strike a requirement relating to forage producers.

ADJOURNMENT

Ms. CASTOR. Madam Speaker, I move that the House do now adjourn.

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

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 270, nays 121, not voting 41, as follows:

[Roll No. 823]

YEAS—270

- Abercrombie Cramer Inslee
Ackerman Crowley Israel
Aderholt Cuellar Issa
Alexander Davis (AL) Jackson (IL)
Allen Davis (CA) Jackson-Lee
Altmire Davis (IL) (TX)
Andrews Davis, Lincoln Jefferson
Arcuri Davis, Tom Johnson (GA)
Baca DeFazio Johnson, E. B.
Baird DeGette Jones (NC)
Baldwin Delahunt Jones (OH)
Barrett (SC) DeLauro Jordan
Barrow Dent Kagen
Bartlett (MD) Diaz-Balart, L. Kanjorski
Bean Diaz-Balart, M. Kaptur
Becerra Dingell Keller
Berkley Doggett Kennedy
Berman Doyle Kildee
Bishop (GA) Dreier Kilpatrick
Bishop (NY) Ellison Kind
Bishop (UT) Emanuel Klein (FL)
Blumenauer Emerson Knollenberg
Bono Engel Kucinich
Boswell Eshoo Kuhl (NY)
Boucher Etheridge Langevin
Boustany Farr Larsen (WA)
Boyd (FL) Fattah Larson (CT)
Boyd (KS) Peeney Lee
Brady (PA) Ferguson Levin
Bralley (IA) Filner Lewis (GA)
Brown, Corrine Frank (MA) Lipinski
Brown-Waite, Frelinghuysen Loeback
Ginny Gerlach Lotgren, Zoe
Buchanan Gilchrest Lowey
Burton (IN) Gillmor Lynch
Butterfield Gonzalez Mack
Buyer Granger Mahoney (FL)
Camp (MI) Green, Al Maloney (NY)
Capps Grijalva Manzullo
Capuano Hall (NY) Marchant
Cardoza Harman Markey
Carnahan Hastings (FL) Marshall
Carson Hastings (WA) Matheson
Castle Heller Matsui
Castor Hergert McCarthy (CA)
Chabot Herseht Sandlin McCaul (TX)
Chandler Hill McCollum (MN)
Clay Hinchey McGovern
Cleaver Hinojosa McHugh
Clyburn Hirono McIntyre
Cohen Hodes McKeon
Conyers Holden McMorris
Cooper Holt Rodgers
Costa Honda McNerney
Costello Hooley Meek (FL)
Courtney Hoyer Meeks (NY)

- Michaud Reyes Spratt
Miller (NC) Rodriguez Stearns
Miller, Gary Rogers (AL) Stupak
Miller, George Rogers (KY) Sullivan
Mitchell Ros-Lehtinen Sutton
Moore (KS) Roskam Tancred
Moore (WI) Ross Tanner
Murphy (CT) Rothman Tauscher
Murphy, Patrick Roybal-Allard Taylor
Nadler Ruppertsberger Thompson (CA)
Napolitano Rush Thompson (MS)
Neal (MA) Ryan (OH) Tierney
Nunes Ryan (WI) Towns
Oberstar Salazar Udall (NM)
Obey Sanchez, Linda Van Hollen
Oliver T. Velazquez
Ortiz Sanchez, Loretta Visclosky
Pallone Sarbanes Walberg
Pastor Schakowsky Walz (MN)
Payne Schiff Wamp
Pence Scott (GA) Wasserman
Perlmutter Scott (VA) Schultz
Peterson (MN) Sensenbrenner Waters
Peterson (PA) Serrano Watson
Petri Shays Weiner
Pickering Shea-Porter Welch (VT)
Pomeroy Sherman Wexler
Porter Shuster Whitfield
Price (NC) Simpson Wicker
Pryce (OH) Sires Wilson (NM)
Radanovich Skelton Wilson (OH)
Ramstad Smith (NJ) Wilson (SC)
Rangel Smith (WA) Woolsey
Regula Snyder Wynn
Rehberg Solis Yarmuth
Reichert Space

NAYS—121

- Akin Franks (AZ) Murphy, Tim
Bachmann Gallegly Myrick
Bachus Garrett (NJ) Neugebauer
Barton (TX) Giffords Pascarell
Berry Gillibrand Pearce
Biggart Pitts
Bilirakis Gohmert Platts
Blackburn Goode Poe
Blunt Goodlatte Price (GA)
Bonner Graves Putnam
Boozman Green, Gene Rahall
Broun (GA) Hall (TX) Renzi
Brown (SC) Hastert Reynolds
Burgess Hensarling Rogers (MI)
Calvert Hobson Rohrabacher
Campbell (CA) Hoekstra Royce
Cannon Hulshof Sali
Cantor Inglis (SC) Schmidt
Capito Jindal Schwartz
Carney Johnson (IL) Sessions
Carter King (IA) Shadegg
Coble King (NY) Shuler
Cole (OK) Kingston Smith (NE)
Conaway Kline (MN) Souder
Culberson Lamborn Terry
Davis (KY) Latham Thornberry
Davis, David LaTourette Tiahrt
Deal (GA) Lewis (CA) Tiberi
Donnelly Lewis (KY) Turner
Drake LoBiondo Udall (CO)
Duncan Lungren, Daniel Upton
Ehlers E. Walden (OR)
Ellsworth McCarthy (NY) Walsh (NY)
English (PA) McCotter Watt
Everett McHenry Weller
Fallin Melancon Westmoreland
Flake Mica Wolf
Forbes Miller (FL) Wu
Fortenberry Miller (MI) Young (AK)
Fossella Mollohan Young (FL)
Foxy Moran (KS)

NOT VOTING—41

- Baker Gutierrez McNulty
Billbray Hare Moran (VA)
Boehner Hayes Murtha
Boren Higgins Musgrave
Brady (TX) Hunter Paul
Clarke Johnson, Sam Saxton
Crenshaw Kirk Sestak
Cubin LaHood Shimkus
Cummings Lampson Slaughter
Davis, Jo Ann Lantos Smith (TX)
Dicks Linder Stark
Doolittle Lucas Waxman
Edwards McCrery Weldon (FL)
Gordon McDermott

So the motion to adjourn was agreed to.