

□ 1919

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ELLISON. Madam Speaker, on February 25, 2008, if I were present, I would have voted "yea" on rollcall Nos. 69, 70, and 71.

DISMISSING THE ELECTION CONTEST RELATING TO THE OFFICE OF REPRESENTATIVE FROM THE 13TH CONGRESSIONAL DISTRICT OF FLORIDA

Mr. GONZALEZ. Madam Speaker, I ask unanimous consent that it shall be in order at any time to consider in the House, House Resolution 989; that the resolution shall be considered as read; and that the previous question shall be considered as ordered on the resolution to its adoption without intervening motion except 10 minutes of debate equally divided and controlled by the chairman and the ranking minority member of the Committee on House Administration, or their designees.

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

There was no objection.

Mr. GONZALEZ. Madam Speaker, pursuant to the previous order, I call up House Resolution 989 and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 989

Resolved, That the election contest relating to the office of Representative from the Thirteenth Congressional District of Florida is dismissed.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the gentleman from Texas (Mr. GONZALEZ) and the gentleman from California (Mr. MCCARTHY) each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. GONZALEZ. Madam Speaker, I would ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks in the RECORD on this resolution.

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

There was no objection.

Mr. GONZALEZ. Madam Speaker, I yield myself as much time as I may consume.

On February 12, the Committee on House Administration unanimously recommended dismissal of the election contest relating to the 13th Congressional District of Florida.

The late chairwoman, Juanita Millender-McDonald, established a task force to investigate this contested election in which over 18,000 ballots did not show a vote cast in the United States congressional race in Sarasota County, Florida. The task force consisted of Representative ZOE LOFGREN and Representative KEVIN MCCARTHY of California, and I had the honor of serving as the Chair of the task force.

After the task force established the need to conduct an investigation, every vote by the task force to determine the scope and direction in the investigation was, in fact, unanimous.

I want to thank the members of the task force for their dedication to the investigation and the Government Accountability Office for a systematic investigation of the voting equipment. I would also like to thank both the majority and the minority staffs, along with the House recording studio.

The task force authorized the GAO to investigate whether the voting machines used in Sarasota County contributed to the unusually high number of undervotes. The task force also directed the GAO to evaluate whether additional testing was needed. After the GAO recommended further testing in October, the task force directed the GAO to design and execute testing to determine the reliability of the Sarasota voting equipment.

The GAO presented its final findings to the task force on February 8, 2008, when the GAO reported the Sarasota County voting machines did not contribute to the large undervote in the congressional race for the 13th District of Florida.

The GAO acknowledged that the undervote could have been caused by other elements, such as voters who intentionally did not vote in the race or voters who unintentionally did not cast their ballots because of poor ballot design.

However, because the contestant's central argument claimed voting machine malfunction caused the abnormal undervote, the GAO's analysis was limited to the voting machine malfunction issue. Due to the GAO's determination with a high degree of certainty that the voting machines did not cause the undervote, the task force unanimously recommended to the full committee, and the full committee has unanimously recommended to the House, that the contest be dismissed.

I urge Members to vote in favor of this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. MCCARTHY of California. Madam Speaker, I yield 3 minutes to the ranking Republican on the full committee, the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. I thank the gentleman for yielding.

Madam Speaker, this is the third time I have served or been involved with a task force dealing with contested elections, and I believe this is by

far the best procedure that has been developed and can help serve as a model for future decisions of this sort.

I congratulate the two gentlemen before you, who, representing the majority and the minority, did the yeoman's work on investigating the issue, deciding to pull in the Government Accountability Office, which I think was a good addition to the entire process. A careful examination has made it very clear that there was nothing wrong with the voting machines in this particular election; and, therefore, the contestant's claims that the undervote was caused by faulty machines is just not valid.

What the real reasons were, we will never know. It could have been ballot design. It could be several other factors that we have considered.

But the simple fact is that Mr. BUCHANAN did win the election, and the results of our vote tonight will demonstrate that. He did, in fact, win the election and will remain as a Member of the Congress.

I want to once again compliment the individuals here. Chairman GONZALEZ of the task force was eminently fair, thorough, and complete in all his evaluations and discussions. Mr. MCCARTHY, in his first time on an assignment of this sort, has carried it out very carefully, very thoroughly and contributed a great deal to the discussions and the decisions.

I am just very proud that the House Administration Committee has completed this task which can be, I can assure you, a very onerous and difficult task; but the committee has completed it very competently, thoroughly and fairly; and the result, I believe, is beyond question.

This will serve as a model for future situations of this sort.

Mr. GONZALEZ. Madam Speaker, I reserve the balance of my time.

Mr. MCCARTHY of California. Madam Speaker, I rise today in support of this resolution to dismiss the election contest related to the results of the 13th Congressional District of Florida race in 2006.

Madam Speaker, I want to congratulate the chairman of this task force, Mr. GONZALEZ. It was a three-member task force with Congresswoman ZOE LOFGREN and myself. Every bit of this contest, as we went through studying it and spent the hours on it, was a unanimous decision. This was a bipartisan movement, a bipartisan investigation; and I just want to thank the chairman for his professionalism, his respect and the ethics in which he carried this out.

In my former life, I was actually a staff member to a former chairman of House Administration, and I was an individual that investigated some contestant elections. I will tell you this is probably the most thorough investigation we have seen.

We knew after the last election that there were races in this body that were even closer, within 100 votes; and we

did not contest those as they went. But we wanted to make sure, as Christine Jennings moved this debate and this argument, as we were going through, that we looked at every single one.

I want to thank the State of Florida. Before we even went to study it, they went through analyzing all the machines. We had the GAO look at every ability of the machines, even miscalculating the machines as they came forward to make sure they were still correct.

The American public can be very proud to know that every vote in the 13th District was counted. The outcome was correct, and Congressman VERN BUCHANAN was elected on that day and still elected today. I want to congratulate the work that was done by the task force.

Madam Speaker, I yield back the balance of my time.

Mr. GONZALEZ. Madam Speaker, I just do want to have some parting words to the members of the task force, Congresswoman ZOE LOFGREN, and, of course, my colleague from California, Congressman McCARTHY, because they really worked very hard. As I indicated, all decisions were unanimous, which made the process go smoothly.

I also want to recognize Congressman DAN LUNGREN from California, who is not an official member of the task force but was present during some of the briefings and was very instructive.

The last thought is, of course, that the task force and the full committee simply were acknowledging the responsibility that is laid before this body, and that is to determine the qualifications and who actually will sit and take the oath and have the great privilege of joining us here in what is often referred to as the people's House.

Mr. BRADY of Pennsylvania. Madam Speaker, I rise in support of House Resolution 989.

Madam Speaker, on February 12th the Committee on House Administration unanimously recommended dismissal of the election contest relating to the 13th Congressional district of Florida. The late Chairwoman Juanita Millender-McDonald had established a task force to investigate this contest election in which over 18,000 ballots did not show a vote cast for the U.S. Congressional race in Sarasota County, Florida. Former judge, and our colleague, Representative CHARLES GONZALEZ was appointed Chair, along with Representatives LOFGREN and McCARTHY as members of the task force. After the task force established the need to investigate, every vote to determine the scope and direction of the investigation was unanimous.

The task force engaged the Government Accountability Office (GAO) to explore whether the voting machines used in Sarasota County contributed to the unusually high number of undervotes. GAO also was instructed to assess whether additional voting machines testing was needed. When GAO recommended further testing in October 2007, the task force directed the GAO to design and execute testing protocols to determine the reliability of the Sarasota County voting equipment.

Last week, the GAO presented its findings and conclusions to the task force. They found that the Sarasota County voting machines did not contribute to the large undervote in the Congressional race for the 13th District of Florida. The GAO acknowledged that the undervote could have been caused by voters who chose not to vote for that race, or by voters who did not properly cast their ballots because of poor ballot design. In any case, the machines were not the culprits. Since that time, some groups have attacked the GAO study as imprecise for a host of speculative reasons. However, the Contestant's central argument in the election contest before the committee was that voting machine malfunction caused the abnormal undervote, and GAO's focus of analysis was directed solely to the voting machine malfunction issue.

Under the Federal Contested Election Act, a Contestant must submit allegations that, if proven, would have altered the election outcome. The task force and the Committee on House Administration have conducted a thorough investigation and believe that the findings of the GAO are compelling. Therefore, the Contestant's argument that malfunctioning electronic voting machines caused the 18,000 undervote in Sarasota County was not supported. For this reason, I urge members to support to passage of House Resolution 989 to dismiss this election contest.

Mr. GONZALEZ. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the order of the House of today, the resolution is considered read and the previous question is ordered.

The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1930

HONORING RICHARD JOHNSON, JR.

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Madam Speaker, community volunteers run our school boards, our civil centers, help with youth programs, and assist our hospitals. They make a difference to so many and ask for nothing more than an opportunity to give.

Richard Johnson, Jr., is not your average community volunteer, and during Black History Month, I would like to honor him for his dedication to service. A community activist and well-known civil volunteer, Richard has devoted his spare time to promote education, health care, and politics around the Aiken area.

He is not only a volunteer to his region, he has also served his Nation in the United States Army and is a member of the Korean War Veterans Association.

Each of the boards Richard serves, councils he governs, and committees he chairs, bears the benefit of his knowledge, commitment, and experience.

During this month, our Third District of South Carolina recognizes the

true community service of Richard Johnson, Jr., and I proudly thank him for those he has served in his State and in his Nation.

ATPA EXTENSION

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Madam Speaker, extending the existing Andean Trade Preference Act for Colombia, Peru, Bolivia, and Ecuador through 2008 is a necessary measure, but one that only goes halfway. It cannot substitute for passage of the Colombia Free Trade Agreement, which is of central importance in defending critical U.S. strategic interests in the region.

Colombia has been an indispensable ally in the fight to keep drugs off American streets, and it has successfully battled armies of narcoterrorists even as it has consolidated its democracy. It is a steadfast partner in an increasingly unstable region where enemies of the United States and strategic competitors are making rapid advances.

But the strongest argument for the Colombian Free Trade Agreement is that although it would benefit Colombia enormously, it would benefit the United States even more. Those opposed to the Colombia FTA do not understand that the existing trade preferences give Colombian businesses easy access to U.S. markets but do nothing about giving U.S. businesses greater access to Colombia's markets.

Madam Speaker, only the free trade agreement can do that. Let us pass it soon.

SPECIAL ORDERS

The SPEAKER pro tempore. 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.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

WRONG DIRECTION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Madam Speaker, the favorite question of political pollsters of late is the benchmark right direction/wrong direction question: "Do you think our country is headed in the right direction or the wrong direction?"

This year, most people say "wrong direction," and the reason is because