

SEC. 3. CONFORMING AMENDMENTS TO THE RULES OF THE HOUSE.

Clause 3 of rule XI of the Rules of the House of Representatives is amended as follows:

(1) In paragraph (b)(2), strike “or” at the end of subparagraph (A), strike the period and insert “; or” at the end of subparagraph (B), and add at the end the following new subparagraph:

“(C) upon receipt of a report regarding a referral from the board of the Office of Congressional Ethics.”

(2) At the end of paragraph (b), add the following new subparagraph:

“(8)(A) Except as provided by subdivisions (B), (C), and (D), not later than 45 calendar days or 5 legislative days, whichever is later, after receipt of a written report and any findings and supporting documentation regarding a referral from the board of the Office of Congressional Ethics or of a referral of the matter from the board pursuant to a request under paragraph (r), the chairman of the Committee on Standards of Official Conduct shall make public the written report and findings of the board unless the chairman and ranking member, acting jointly, decide or the committee votes to withhold such information for not more than one additional period of the same duration, in which case the chairman shall—

“(i) upon the termination of such additional period, make public the written report and findings; and

“(ii) upon the day of such decision or vote, make a public statement that the committee has voted to extend the matter relating to the referral made by the board of the Office of Congressional Ethics regarding the Member, officer, or employee of the House who is the subject of the applicable referral.

At least one calendar day before the committee makes public any written report and findings of the board, the chairman shall notify such board and the applicable Member, officer, or employee of that fact and transmit to such individual a copy of the statement on the committee's disposition of, and any committee report on, the matter.

“(B)(i) Notwithstanding subdivision (A)(i), if the committee votes to dismiss a matter which is the subject of a referral from the board of the Office of Congressional Ethics, the committee is not required to make public the written report and findings described in such subdivision unless the committee's vote is inconsistent with the recommendation of the board. For purposes of the previous sentence, a vote by the committee to dismiss a matter is not inconsistent with a report from the board respecting the matter as unresolved due to a tie vote.

“(ii) Notwithstanding subdivision (A)(ii), if the board transmits a report respecting any matter with a recommendation to dismiss or as unresolved due to a tie vote, and the committee votes to extend the matter for an additional period as provided in subdivision (A), the committee is not required to make a public statement that the committee has voted to extend the matter.

“(iii) Except as provided by subdivision (E), if the committee establishes an investigative subcommittee respecting any such matter, then the report and findings of the board shall not be made public until the conclusion of the investigative subcommittee process and the committee shall issue a public statement of the establishment of an investigative subcommittee, which statement shall include the name of the applicable Member, officer, or employee, and shall set forth the alleged violation. If any such investigative subcommittee does not conclude its review within one year after the board transmits a report respecting any matter, then the committee shall make public the report

and upon the expiration of the Congress in which the report is made public, the committee shall make public any findings.

“(C)(i) If, after receipt of a written report and any findings and supporting documentation regarding a referral from the board of the Office of Congressional Ethics or of a referral of the matter from the board pursuant to a request under paragraph (r), the committee agrees to a request from an appropriate law enforcement or regulatory authority to defer taking action on the matter—

“(I) notwithstanding subdivision (A)(i), the committee is not required to make public the written report and findings described in such subdivision, except that if the recommendation of the board with respect to the report is that the matter requires further review, the committee shall make public the written report but not the findings; and

“(II) before the end of the first day (excluding Saturdays, Sundays, and public holidays) after the day that the committee agrees to the request, the committee shall make a public statement that it is deferring taking action on the matter at the request of such authority.

“(ii) If, upon the expiration of the one-year period that begins on the date the committee makes the public statement described in item (i)(II), the committee has not acted on the matter, the committee shall make a new public statement that it is still deferring taking action on the matter, and shall make a new statement upon the expiration of each succeeding one-year period during which the committee has not acted on the matter.

“(D) The committee may not receive any referral from the board of the Office of Congressional Ethics within 60 days before a Federal, State, or local election in which the subject of the referral is a candidate. The committee may delay any reporting requirement under this subparagraph that falls within that 60-day period until the end of such period and in that case, for purposes of subdivision (A), days within the 60-day period shall not be counted.

“(E) If, at the close of any applicable period for a reporting requirement under this subparagraph with respect to a referral from the board of the Office of Congressional Ethics, the vote of the committee is a tie or the committee fails to act, the report and the findings of the board shall be made public by the committee, along with a public statement by the chairman explaining the status of the matter.”

(3) At the end, add the following new paragraph:

“(r) Upon receipt of any written notification from the board of the Office of Congressional Ethics that the board is undertaking a review of any alleged conduct of any Member, officer, or employee of the House and if the committee is investigating such matter, the committee may at any time so notify the board and request that the board cease its review and refer the matter to the committee for its consideration. If at the end of the applicable time period (including any permissible extension) the committee has not reached a final resolution of the matter or has not referred the matter to the appropriate Federal or State authorities, the committee shall so notify the board of the Office of Congressional Ethics in writing. The committee may not request the same matter from the board more than one time.”

SEC. 4. EFFECTIVE DATE.

This resolution and the amendments made by it shall take effect on the date of its adoption, except that the Office of Congressional Ethics shall not undertake any review of any alleged violation by a Member, officer, or employee of the House of any law, rule, regu-

lation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of his duties or the discharge of his responsibilities before 120 days after the date of adoption of this resolution.

ADJOURNMENT

Ms. SUTTON. Mr. 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. DREIER. Mr. 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 216, nays 186, not voting 27, as follows:

[Roll No. 123]

YEAS—216

Abercrombie	Farr	McNerney
Ackerman	Fattah	McNulty
Allen	Feeney	Meek (FL)
Andrews	Filner	Meeks (NY)
Arcuri	Frank (MA)	Michaud
Baca	Gillibrand	Miller (NC)
Baird	Gonzalez	Miller, George
Baldwin	Gordon	Moore (KS)
Barrow	Graves	Moore (WI)
Bartlett (MD)	Green, Al	Moran (VA)
Bean	Grijalva	Murphy (CT)
Becerra	Gutierrez	Murphy, Patrick
Berkley	Hall (NY)	Nadler
Berman	Hare	Napolitano
Berry	Harman	Neal (MA)
Bishop (GA)	Hastings (FL)	Obey
Bishop (NY)	Herseth Sandlin	Oliver
Blumenauer	Higgins	Ortiz
Boren	Hill	Pallone
Boswell	Hinchey	Pastor
Boyd (FL)	Hinojosa	Paul
Boyd (KS)	Hirono	Payne
Brady (PA)	Hobson	Perlmutter
Braley (IA)	Hodes	Peterson (MN)
Brown (SC)	Holt	Pickering
Brown, Corrine	Honda	Pomeroy
Buchanan	Hoyer	Price (NC)
Butterfield	Inslee	Reyes
Capps	Israel	Richardson
Capuano	Jackson (IL)	Rodriguez
Cardoza	Jackson-Lee	Ross
Carnahan	(TX)	Rothman
Castor	Jefferson	Roybal-Allard
Chandler	Johnson (GA)	Ruppersberger
Clarke	Johnson (IL)	Ryan (OH)
Clay	Johnson, E. B.	Salazar
Cleaver	Jones (NC)	Sánchez, Linda
Clyburn	Jones (OH)	T.
Coble	Kagen	Sanchez, Loretta
Cohen	Kanjorski	Sarbanes
Cooper	Kaptur	Schakowsky
Costa	Kennedy	Schiff
Costello	Kildee	Schwartz
Courtney	Kind	Scott (GA)
Crowley	King (IA)	Scott (VA)
Cuellar	Klein (FL)	Serrano
Cummings	Langevin	Sestak
Davis (AL)	Larsen (WA)	Shea-Porter
Davis (CA)	Larson (CT)	Sherman
Davis (IL)	Lee	Shuler
Davis (KY)	Levin	Sires
Davis, Lincoln	Lewis (GA)	Skelton
DeFazio	Lewis (KY)	Slaughter
DeGette	Linder	Smith (WA)
Delahunt	Lipinski	Snyder
DeLauro	Loeb	Solis
Dicks	Lofgren, Zoe	Space
Dingell	Lowey	Stark
Doggett	Lynch	Sutton
Doolittle	Mahoney (FL)	Tanner
Doyle	Maloney (NY)	Tauscher
Edwards	Markey	Taylor
Ellison	Marshall	Thompson (CA)
Emanuel	Matheson	Tierney
Emerson	Matsui	Towns
Engel	McCollum (MN)	Tsongas
Eshoo	McGovern	Udall (CO)
Etheridge	McIntyre	Van Hollen

Velázquez	Watson	Wexler
Visclosky	Waxman	Whitfield (KY)
Wasserman	Weiner	Wilson (OH)
Schultz	Welch (VT)	Wu
Waters	Weldon (FL)	Yarmuth

NAYS—186

Aderholt	Frelinghuysen	Musgrave
Akin	Galleghy	Myrick
Alexander	Garrett (NJ)	Neugebauer
Altumire	Gerlach	Nunes
Bachmann	Giffords	Pearce
Bachus	Gilchrest	Pence
Barrett (SC)	Gingrey	Peterson (PA)
Barton (TX)	Gohmert	Petri
Biggart	Goode	Pitts
Blibray	Goodlatte	Platts
Bilirakis	Granger	Poe
Bishop (UT)	Green, Gene	Porter
Blackburn	Hall (TX)	Price (GA)
Blunt	Hastings (WA)	Putnam
Boehner	Hayes	Rahall
Bonner	Heller	Ramstad
Bono Mack	Hensarling	Regula
Boozman	Herger	Rehberg
Boucher	Hoekstra	Reichert
Boustany	Hulshof	Reynolds
Brady (TX)	Hunter	Rogers (AL)
Brown (GA)	Inglis (SC)	Rogers (KY)
Brown-Waite,	Issa	Rogers (MI)
Ginny	Jordan	Rohrabacher
Burgess	Keller	Roskam
Burton (IN)	King (NY)	Royce
Buyer	Kingston	Ryan (WI)
Calvert	Kirk	Sali
Camp (MI)	Kline (MN)	Schmidt
Campbell (CA)	Knollenberg	Sensenbrenner
Cannon	Kucinich	Sessions
Cantor	Kuhl (NY)	Shadegg
Carney	LaHood	Shays
Carter	Lamborn	Shimkus
Castle	Lampson	Shuster
Chabot	Latham	Simpson
Cole (OK)	LaTourette	Smith (NE)
Conaway	Latta	Smith (NJ)
Crenshaw	Lewis (CA)	Smith (TX)
Cubin	LoBiondo	Souder
Culberson	Lucas	Stearns
Davis, David	Lungren, Daniel	Stupak
Davis, Tom	E.	Sullivan
Deal (GA)	Mack	Terry
Dent	Manzullo	Thornberry
Diaz-Balart, L.	Marchant	Tiahrt
Diaz-Balart, M.	McCarthy (CA)	Tiberi
Donnelly	McCauley (TX)	Turner
Drake	McCotter	Udall (NM)
Dreier	McCrery	Upton
Duncan	McDermott	Walberg
Ehlers	McHenry	Walden (OR)
Ellsworth	McHugh	Walsh (NY)
English (PA)	McKeon	Walz (MN)
Everett	McMorris	Wamp
Fallin	Rodgers	Watt
Ferguson	Mica	Westmoreland
Flake	Miller (FL)	Wilson (NM)
Forbes	Miller (MI)	Wilson (SC)
Fortenberry	Miller, Gary	Wittman (VA)
Fossella	Mollohan	Wolf
Fox	Moran (KS)	Young (AK)
Franks (AZ)	Murphy, Tim	Young (FL)

NOT VOTING—27

Capito	Melancon	Ros-Lehtinen
Conyers	Mitchell	Rush
Cramer	Murtha	Saxton
Foster	Oberstar	Spratt
Holden	Pascarell	Tancred
Hooley	Pryce (OH)	Thompson (MS)
Johnson, Sam	Radanovich	Weller
Kilpatrick	Rangel	Woolsey
McCarthy (NY)	Renzi	Wynn

□ 2243

Mr. ALTIMIRE changed his vote from "yea" to "nay."

Ms. MOORE of Wisconsin changed her vote from "nay" to "yea."

So the motion to adjourn was agreed to.

The result of the vote was announced as above recorded.

Accordingly (at 10 o'clock and 44 minutes p.m.) the House adjourned until tomorrow, Wednesday, March 12, 2008, at 10 a.m.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 110th Congress, pursuant to the provisions of 2 U.S.C. 25:

BILL FOSTER, Illinois, Fourteenth.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5674. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Add Mauritius to the List of Regions Where African Swine Fever Exists [Docket No. APHIS-2007-0151] received February 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5675. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Mediterranean Fruit Fly; Add Portion of Los Angeles County, CA, to the List of Quarantined Areas [Docket No. APHIS-2008-0004] received February 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5676. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Codification and Modification of Berry Amendment [DFARS Case 2002-D002] (RIN: 0750-AD76) received February 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5677. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report on the Community Services Block Grant Discretionary Activities: Community Economic Development and Rural Community Facilities Funded During Fiscal Year 2003; to the Committee on Education and Labor.

5678. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's report entitled, "Radiation Source Use and Replacement," pursuant to Public Law 109-58, section 651(d); to the Committee on Energy and Commerce.

5679. A letter from the Acting Assistant Secretary for Export Administration, Department of Commerce, transmitting the De-

partment's final rule — Expanded Authorization for Temporary Exports and Reexports of Tools of Trade to Sudan [Docket No. 071129776-7777-01] (RIN: 0694-AE20) received February 28, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5680. A letter from the Chief Counsel (Foreign Assets Control), Department of the Treasury, transmitting the Department's final rule — Iranian Assets Control Regulations, Narcotics Trafficking Sanctions Regulations, Burmese Sanctions Regulations, Sudanese Sanctions Regulations, Weapons of Mass Destruction Trade Control Regulations — received February 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5681. A letter from the Director, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Final Rule Designating the Northern Rocky Mountain Population of Gray Wolf as a Distinct Population Segment and Removing This Distinct Population Segment From the Federal List of Endangered and Threatened Wildlife [FWS-R6-ES-2008-008] [92220-1113-0000; ABC Code: C6] (RIN: 1018-AU53) received February 28, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5682. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries (RIN: 0648-XF39) received February 28, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5683. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's 2004 Clean Watersheds Needs Survey, as required by Section 516(b)(1)(B) of the Clean Water Act; to the Committee on Transportation and Infrastructure.

5684. A letter from the Assistant Secretary for Import Administration, Department of Commerce, transmitting the annual report on the activities of the Foreign-Trade Zones Board for fiscal year 2006, pursuant to 19 U.S.C. 81p(c); to the Committee on Ways and Means.

5685. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Substitute for Return [TD 9380] (RIN: 1545-BC45) received February 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5686. A letter from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting the Department's report entitled, "The Federal Agency Data Mining Reporting Act of 2007," pursuant to Section 804 of the Implementing Recommendations of the 9/11 Commission Act of 2007; to the Committee on Homeland Security.

5687. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting in accordance with the provisions of section 17(a) of the Federal Deposit Insurance Act, the Chief Financial Officers Act of 1990, Pub. L. 101-576, and the Government Performance and Results Act of 1993, the Corporation's 2007 Annual Report; jointly to the Committees on Financial Services and Oversight and Government Reform.

5688. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Prior Determination for Certain Items and Services [CMS-6024-F] (RIN: 0938-AN10) received February 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to