•				
Pence Peterson (PA) Petri Pickering 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 Scalise Schmidt Sensenbrenner Sessions Shadegg Shays Shimkus Shuster Simpson Smith (NE) Smith (NJ) Smith (TX) Souder Stearns Sullivan Tancredo	Terry Thornberry Tiahrt Tiberi Turner Upton Walberg Walden (OR) Walsh (NY) Wamp Weldon (FL) Weller Westmoreland Whitfield (KY) Wilson (NM) Wilson (SC) Wittman (VA) Wolf Young (AK) Young (FL)		
NOT VOTING—10				
Bishop (NY) Campbell (CA) Conaway Jones (OH)	Lewis (GA) McCaul (TX) Richardson Rush	Sires Speier		

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

# □ 1747

So the motion to table was agreed to. The result of the vote was announced as above recorded.

# MOTION TO ADJOURN

PRICE of Georgia. 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 noes appeared to have it.

# RECORDED VOTE

Mr. PRICE of Georgia. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15minute vote on the motion to adjourn will be followed by resumed 5-minute voting.

The vote was taken by electronic device, and there were—ayes 111, noes 311, not voting 11, as follows:

# [Roll No. 285]

	AYES—111	
Akin	Culberson	Keller
Alexander	Davis, Tom	King (IA)
Bachmann	Deal (GA)	King (NY)
Bartlett (MD)	Doolittle	Knollenberg
Biggert	Dreier	LaHood
Bilbray	Duncan	Lamborn
Bishop (UT)	Emerson	LaTourette
Blackburn	English (PA)	Latta
Blunt	Everett	Linder
Bonner	Flake	Lucas
Bono Mack	Forbes	Lungren, Dani
Boozman	Gallegly	E.
Boyd (FL)	Gilchrest	Mack
Brady (TX)	Goode	McCaul (TX)
Broun (GA)	Goodlatte	McCrery
Burton (IN)	Gordon	McHenry
Buyer	Granger	McHugh
Camp (MI)	Hall (TX)	Mica
Cannon	Hastings (WA)	Miller (FL)
Cantor	Herger	Miller, Gary
Carter	Hobson	Myrick
Chabot	Hunter	Nunes
Coble	Issa	Paul
Cole (OK)	Johnson (IL)	Pearce
Crenshaw	Johnson, Sam	Pence
Cubin	Jones (NC)	Peterson (PA)

Sali Petri Pickering Saxton Pitts Scalise Price (GA) Schmidt Prvce (OH) Radanovich Sessions Shays Shimkus Regula Reichert Shuster Smith (TX) Renzi Rogers (AL) Royce Souder Ryan (WI) Sullivan

Abercrombie

Ackerman

Aderholt

Allen

Altmire

Andrews

Arcuri

Bachus

Baldwin

Barrow

Bean

Becerra

Berkley

Berman

Bilirakis

Bishop (GA)

Blumenauer

Berry

Boren

Boswell

Boucher

Boustany

Boyda (KS)

Brady (PA)

Braley (IA)

Brown (SC)

Ginny

Buchanan

Butterfield

Burgess

Capito

Capps

Capuano

Carnahan

Cardoza

Carney

Carson

Castle

Castor

Cazavoux

Chandler

Clarke

Cleaver

Cohen

Conyers

Cooper

Costello

Courtney

Cramer

Crowley

Cuellar

Cummings

Davis (AL)

Davis (CA)

Davis (IL)

Davis (KY)

DeFazio

DeGette

Delahunt

DeLauro

Dent

Dicks

Dingell

Doggett

Donnelly

Drake Edwards

Doyle

Ehlers

Ellison

Ellsworth

LoBiondo

Schiff

Davis, David

Davis, Lincoln

Diaz-Balart, L.

Diaz-Balart, M.

Costa

Clyburn

Clav

Brown, Corrine

Brown-Waite.

Barrett (SC)

Barton (TX)

Baca

Baird

# Thornberry Upton Walden (OR) Sensenbrenner Walsh (NY) Wamp Weldon (FL) Wilson (NM) Wilson (SC) Young (AK)

Taylor

Loebsack

#### NOES-311

Emanuel

Lofgren, Zoe Engel Eshoo Lowey Etheridge Lynch Fallin Mahoney (FL) Farr Maloney (NY) Fattah Manzullo Feeney Marchant Markey Marshall Ferguson Filner Fortenberry Matheson Matsui McCarthy (CA) Fossella Foster McCarthy (NY) Foxx Frank (MA) McCollum (MN) McCotter Franks (AZ) Frelinghuysen McDermott Garrett (NJ) McGovern McIntyre Gerlach Giffords McKeon Gillibrand McMorris Rodgers Gingrey Gohmert McNerney Gonzalez McNulty Meek (FL) Graves Green, Al Meeks (NY) Green, Gene Melancon Grijalva Michaud Gutierrez Miller (MI) Hall (NY) Miller (NC) Miller, George Hare Harman Mitchell Hastings (FL) Mollohan Moore (KS) Hayes Heller Moore (WI) Hensarling Moran (KS) Herseth Sandlin Moran (VA) Higgins Murphy (CT) Hill Murphy, Patrick Hinchey Murphy, Tim Hinojosa Murtha Hirono Musgrave Hodes Nadler Hoekstra. Napolitano Holden Neal (MA) Neugebauer Holt Honda. Oberstar Hooley Obey Olver Hoyer Hulshof Ortiz Inglis (SC) Pallone Inslee Pascrell Israel Pastor Jackson (IL) Payne Jackson-Lee Perlmutter Peterson (MN) (TX) Jefferson Platts Poe Johnson (GA) Johnson, E. B. Pomerov Porter Price (NC) Jordan Kagen Kanjorski Putnam Kaptur Rahall Kennedy Ramstad Kildee Rangel Kilpatrick Rehberg Kind Reves Reynolds Kingston Rodriguez Kirk Klein (FL) Rogers (KY) Kline (MN) Rogers (MI) Kucinich Rohrabacher Kuhl (NY) Ros-Lehtinen Lampson Roskam Langevin Ross Rothman Larsen (WA) Roybal-Allard Larson (CT) Latham Ryan (OH) Lee Salazar Levin Sánchez, Linda Lewis (CA) Т. Sanchez, Loretta Lewis (GA) Sarbanes Lewis (KY) Lipinski Schakowsky

Wasserman Schwartz Stearns Scott (GA) Schultz Stupak Scott (VA) Sutton Waters Serrano Watson Tancredo Sestak Tanner Watt Shadegg Waxman Tauscher Shea-Porter Weiner Terry Sherman Welch (VT) Thompson (CA) Shuler Thompson (MS) Weller Simpson Westmoreland Tiahrt. Sires Towns Wexler Skelton Whitfield (KY) Tsongas Slaughter Turner Wilson (OH) Udall (CO) Wittman (VA) Smith (NJ) Udall (NM) Wolf Smith (WA) Snyder Van Hollen Woolsev Wu Velázquez Solis Visclosky Wynn Space Walberg Walz (MN) Spratt Yarmuth Stark Young (FL)

# NOT VOTING-

Bishop (NY) Jones (OH) Speier Richardson Boehner Tiberi Campbell (CA) Ruppersberger Tierney Conaway Rush

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

# □ 1817

McCARTHY of New York, Mrs. Messrs. WESTMORELAND, NEUGE-BAUER, INGLIS of South Carolina, WHITFIELD of Kentucky, PUTNAM, SMITH of Nebraska, McKEON, FRE-LINGHUYSEN. REHBERG. HENSARLING, BARTON of Texas. CALVERT, HAYES, LEWIS of Caliof Minnesota, fornia, KLINE Ms. FOXX. Messrs. ADERHOLT, SHAD-Mrs. McMorris Rodgers, EGG. Messrs. DAVIS of Kentucky, SIMP-SON, LATHAM, KINGSTON, HOEK-STRA, ROGERS of Kentucky, LEWIS of Kentucky, BARRETT of South Carolina. DAVID DAVIS of Tennessee, REYNOLDS, BILIRAKIS, Ms. FALLIN, Messrs, ROHRABACHER, HELLER of BOUSTANY, Nevada, FEENEY. McCARTHY of California, FRANKS of FERGUSON. Arizona. Mrs MUSGRAVE, Mrs. DRAKE, Messrs. GINGREY. WALBERG. PLATTS, CAPUANO, and GARRETT of New Jersey changed their vote from "aye" to "no."

Mrs. BACHMANN, Messrs. SALI, BROUN of Georgia, McHUGH, MICA, BRADY of Texas, PRICE of Georgia, BISHOP of Utah, BURTON of Indiana, SULLIVAN, CULBERSON, BRADY of Texas, PEARCE, MACK and KING of Iowa changed their vote from "no" "aye.

So the motion to adjourn was reiected.

The result of the vote was announced as above recorded.

# LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute)

Mr. HOYER. Ladies and gentlemen of the House, I understand that there is substantial angst among the minority. I empathize with that angst. I've been

Having said that, I do not empathize with the abuse of process. And because I do not empathize with the abuse of process, as I have said before, I am going to ask the Speaker to limit the time in which voting is allowed to that which is provided for in the rules. You did that; we're now going to do it.

Somebody said, "About time." I agree with you. Abuse of process is when, and everybody knows this could be done. On our side in the minority we could have kept open for 2 hours with having every 30 seconds somebody come down the aisle. We all know that's possible. I've known that was possible for some period of time. We try to accommodate people who want to change their vote. We try to accommodate people who want to vote. We try to accommodate people who are late.

The problem with accommodating people who are late, if we make it in order in effect, not because of the rules but because of the comity of the House, to allow what just happened, we can, you're correct, in effect do a filibuster by vote changing. We don't have filibusters in the House. They have it in the Senate. I don't think the Senate works particularly well.

You can have your motions. I haven't said anything. Our Members haven't said anything. You're certainly entitled to that. But what just happened, as I said, in my opinion, is an abuse of the Chair's forbearance. The Chair has the responsibility to determine when the yote is concluded.

The vote changing on a motion to adjourn, I know that probably all of you did polls on that and focus groups on whether or not you should vote "aye" or "nay" on that vote and that led to your changing your vote one way or the other, sometimes maybe twice because you were having difficulty deciding.

But I just want to let everybody know that while we cannot nor are we going to preclude you from doing your motions to adjourn, what just happened is not appropriate for the House, for either side, to simply use a device of changing votes, of voting late, of lining up in the aisle and coming down every 30 seconds or so with a "one more vote." That, in my opinion, is not appropriate for the House to pursue.

Mr. Gingrich sent out a letter, as we have said before, said he was going to call votes 15 minutes and 2 minutes later. You've all heard from Mr. Gingrich lately. He has a lot of advice and counsel. I don't always follow it. But on this, he made the point that I'm making, that we have now had, I don't know, 20, 25 motions to adjourn in which we voted on, reconsiderations to be voted on. Nobody has said anything about that.

But I want to tell my friend, the minority leader, that, as I have said before, my inclination at this point in time will be to ask the presiding officer to limit the votes to the 17 minutes, the 15 minutes that is provided and 2 minutes which have been historically accorded.

I yield to my friend.

Mr. BOEHNER. I appreciate the gentleman yielding.

I know this has been a difficult several days, but I just want to remind everyone that there are some serious process fouls that are going on. And the majority leader, the Speaker, members of the majority during 2005 and 2006 made significant efforts to be critical of the then-majority, some of it, frankly, earned.

But what is happening here, the process that's being used for the big housing bill, the process that's being discussed for the supplemental spending bill closes the minority out of any amendments and any motion to recommit.

I just hope that the majority leader and the members of the majority understand, and I think many of you who have been here for some time understand clearly, the grievance that we have. We don't have many ways to express our grievance on the housing bills because we have no amendment that we can offer. We have no substitute that we're allowed to offer, no motion to recommit. As a result, all we're asking for is to be treated fairly.

The gentleman will know, and other members of the majority and minority will remember, that in 1994 when we took the majority, some of our leaders wanted to treat the minority the way they had been treated. I argued to no end that we should treat the minority the way that we had asked to be treated when we were in the minority. I didn't always win, I'll be the first one to admit that, but I would suggest that given the statements that have been made in 2005 and 2006 about how the then-minority was treated, all I would suggest to you is just treat us the way you asked to be treated, simple as that.

Mr. HOYER. As I indicated at the outset, I understand your feelings. I said angst, but I understand your feelings. My point is that I understand while you have been making motions to adjourn and making your points, you've made it every time you've stood up, I have made the point that I remember voting on omnibus appropriation bills numerous times, 4 months, 5 months after the appropriations process should have been concluded, long after the year began, which were omnibus bills which we could not change. So we understood that that was, we didn't think, fair.

We understood that we sat here for an hour and 45 minutes while we were winning a vote, and no vote ever changed during an hour and 45 minutes, and the vote was not closed down until, in fact, you changed votes on your side and we lost. We understood that. We didn't like that. We thought that was unfair. I didn't think it was against the rules. I've said that. But I thought it was unfair.

All I am saying to my friend, the minority leader, and to my friends on the minority side, that what just occurred is not an acceptable, in our opinion—

my opinion, forget about our opinion, I haven't talked to anybody else—in my opinion, way for us to operate the House. The motions, yes, but simply changing votes for the purpose of delay could take an hour, could take 2 hours depending upon how many times people wanted to change.

Mr. Gingrich, we don't hold to it, we understand that, but he said 15 minutes plus 2. I have said that before and some people cheered. Fifteen minutes plus 2, or 5 minutes plus 2 if it's a 5-minute vote, is what we have set as the norm and the comity and the fairness to individuals to exercise their deliberative judgment.

Mr. NEAL of Massachusetts. Would the gentleman yield?

Mr. HOYER.  $\bar{\mathbf{I}}$  would be glad to yield to my friend.

Mr. NEAL of Massachusetts. Mr. Leader, most of us are institutionalists here, and we have great regard for this body, and I think we're all a bit discouraged when the regular order does not proceed, and my friend, the minority leader, spoke eloquently of what he feels to be a process that's been limited.

But the concern that many of us have is that for 6 years at the Ways and Means Committee, the minority could not pass one amendment. Not one amendment passed in what should be the most deliberative committee in this House, and there were no protestations from the other side that were ever raised.

In this instance here on the housing bill, there were two Republican amendments that were accepted. The vote was 30–5, I believe, or 35–5. So there was a process. Actually, people got to talk at the Ways and Means Committee who disagreed with the outcome of the bill, and I understand how the minority feels in this instance.

But I wish that there had been some voices raised during those years about what was happening to shut down the process in the Ways and Means Committee, and Mr. McCrery has moved vigorously to change the tone, as Mr. RANGEL has included him in everything at the committee level.

Mr. HOYER. Reclaiming my time, it was not my purpose to stand here and exchange recriminations or look at history. I think both sides could do that.

It was my purpose to stand and say what we have just done we cannot allow because we would stop the business of the House. We're slowing down the business of the House, and that's allowable, but we're not going to allow the business of the House to be stopped by, we believe, conduct inconsistent with the rules.

Dilatory tactics are not allowed under the rules. Dilatory tactics are specifically provided for as being conduct which need not be countenanced by the House.

Mr. BOEHNER. Would the gentleman vield?

Mr. HOYER. I would be glad to yield to my friend.

Mr. BOEHNER. With all due respect, the minority in this House has a right to be heard.

Mr. HOYER. That's correct.

Mr. BOEHNER. No amendments, no substitutes, no motions to recommit. Last night, we get rid of all the Special Orders. At some point, the majority has an obligation to treat the minority with respect. It is not happening, and that's why we're going to continue to wage this fight to be heard on this floor and represent nearly half of the American people that we're here to represent.

# □ 1830

Mr. HOYER. I thank the gentleman for his comments. I think my comments go as spoken. I expect you to continue to follow those actions which you think are necessary, but I did want to put you on notice because I don't want anything to happen that you're not on notice of.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. HOYER. I yield to my friend.

Mr. HASTINGS of Washington, I thank the majority leader for yielding.

Under the rules of the House, the Members have the right to vote if they're in the well. You're certainly not suggesting that the presiding officer or the Speaker is going to not abide by that privilege that a Member has when they're in the well of the House.

Mr. HOYER. I don't want to shock anybody on this floor. My belief is that comity requires that, not the rules. I believe comity ought to be followed to that extent. But if your contention is that you can have 200 people stand in that aisle and one every 20 seconds come in and take 20 seconds to change their vote and submit it and the Speaker is hostage to the 199 people waiting to step into the aisle while they're standing there, the answer to your question is yes, I believe the Speaker has the authority under the good order of the House, and I believe the presiding officer has the absolute authority.

Mr. LINDER, who is sitting here, shut down a vote. I think he was within the rules. There were two people in the well. Now, that was changed-

Mr. LINDER. I would object.

Mr. HOYER. You object to the action or the assertion?

Mr. LINDER. Will the gentleman vield?

Mr. HOYER. I certainly will.

Mr. LINDER. As a matter of fact, I was in the Chair and I was accused of shutting down the vote while people were in the well seeking to vote. And the next day the C-SPAN tapes proved you were wrong and I was right. The people coming in to vote were not even not only in the well, they were not even on the floor. They were shouting "one more." But Dick Armey reviewed the tapes to critique me and concluded that you were wrong and I was right.

Mr. HOYER. Let me correct my statement. They were not in the well.

They were coming down the aisle. But I think the point is the same. Somebody was seeking to vote. Mr. LINDER decided the vote was over. I think Mr. LINDER acted within the rules.

I yield back the balance of my time.

# ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

#### PROVIDING FOR CONSIDERATION OF H.R. 5818, NEIGHBORHOOD STABILIZATION ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1174, on which the yeas and navs were ordered.

The Clerk read the title of the resolution.

#### POINT OF ORDER

Mr. KINGSTON. Madam Speaker, point of order. On that, I object.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. KINGSTON. On resuming with 5minute voting, I object.

The SPEAKER pro tempore. That order was entered some time ago. No objection was heard.

Mr. KINGSTON. Reserving my right to object.

The SPEAKER pro tempore. The gentleman's objection is not timely.

# MOTION TO ADJOURN

Mr. KINGSTON. 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 noes appeared to have it.

# RECORDED VOTE

Mr. KINGSTON. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15minute vote will be followed by 5minute votes.

The vote was taken by electronic device, and there were—ayes 143, noes 272, not voting 18, as follows:

# [Roll No. 286]

# AVES-143

	111120 110	
Aderholt	Bono Mack	Carter
Akin	Boozman	Chabot
Alexander	Boustany	Clay
Bachmann	Boyd (FL)	Coble
Bachus	Brady (TX)	Cole (OK)
Barrett (SC)	Broun (GA)	Crenshaw
Bartlett (MD)	Brown (SC)	Cubin
Barton (TX)	Brown-Waite,	Davis, David
Biggert	Ginny	Davis, Tom
Bilbray	Burton (IN)	Deal (GA)
Bilirakis	Buyer	Doolittle
Bishop (UT)	Calvert	Drake
Blackburn	Camp (MI)	Dreier
Blunt	Cannon	Duncan
Boehner	Cantor	Emerson
Bonner	Capito	English (PA)

Fallin Flake Forbes Franks (AZ) Frelinghuvsen Gallegly Garrett (NJ) Gilchrest Gingrey Goode Goodlatte Granger Hastings (WA) Haves Hensarling Herger Hobson Hoekstra Inglis (SC) Issa Johnson (IL) Johnson, Sam King (IA) King (NY) Kingston Kline (MN) Knollenberg LaHood Lamborn Latta Lewis (CA)

Ackerman

Allen

Altmire

Andrews

Arcuri

Baca

Baird

Baldwin

Barrow

Becerra.

Berkley

Berman

Roren

Boswell

Boucher

Boyda (KS)

Brady (PA)

Braley (IA)

Buchanan

Butterfield

Burgess

Capps

Capuano

Cardoza

Carney

Carson

Castle

Castor

Cazavoux

Chandler

Clarke

Cleaver

Clyburn

Convers

Cooper

Costello

Courtney

Cramer

Crowley

Cuellar

Culberson

Cummings

Davis (AL)

Davis (CA)

Davis (IL)

Davis (KY)

DeFazio

DeGette

Delahunt

DeLauro

Dent

Dicks

Dingell

Costa

Cohen

Carnahan

Bean

Lewis (KY) Linder Lucas Lungren, Daniel E. Mack McCarthy (CA) McCrery McHenry McHugh McKeon Miller (FL) Miller (MI) Miller, Garv Musgrave Myrick Neugebauer Paul Pearce Pence Peterson (PA) Petri Pickering Pitts Price (GA) Pryce (OH) Putnam Radanovich Regula Rehberg Reichert Rogers (AL) Rogers (KY)

Rohrabacher Rovce Ryan (WI) Scalise Schmidt Sensenbrenner Sessions Shadegg Shays Shimkus Shuster Simpson Smith (NE) Smith (TX) Souder Stearns Tancredo Taylor Thornberry Tiberi Upton Walden (OR) Walsh (NY) Wamp Weller Westmoreland Whitfield (KY) Wilson (NM) Wilson (SC) Young (AK) Young (FL)

# NOES-272

Abercrombie Doggett Donnelly Dovle Edwards Ehlers Ellison Ellsworth Emanuel Engel Eshoo Etheridge Farr Fattah Feenev Bishop (GA) Filner Fortenberry Blumenauer Fossella. Foxx Frank (MA) Gerlach Giffords Gillibrand Brown Corrine Gohmert. Gonzalez Gordon Graves Green, Al Green, Gene Grijalva Gutierrez Hall (NY) Hare Harman Hastings (FL) Heller Herseth Sandlin Higgins Hill Hinchey Hinojosa Hirono Hodes Holden Holt Honda Hooley Hoyer Hulshof Inslee Israel Jackson (IL) Jackson-Lee (TX) Jefferson Davis, Lincoln Johnson (GA) Johnson, E. B. Jones (NC) Jordan Kagen Kanjorski Diaz-Balart, L. Kaptur Diaz-Balart, M. Kennedy

Kildee

Kilpatrick

Pastor

Kind Kirk Klein (FL) Kucinich Kuhl (NY) Lampson Langevin Larsen (WA) Larson (CT) Latham Lee Levin Lewis (GA) Lipinski LoBiondo Loebsack Lofgren, Zoe Lowey Lynch Mahoney (FJ.) Maloney (NY) Manzullo Marchant. Markey Marshall Matheson Matsui McCarthy (NY) McCaul (TX) McCollum (MN) McCotter McDermott McGovern McIntyre McNernev McNulty Meek (FL) Meeks (NY) Melancon Mica. Michaud Miller (NC) Miller, George Mitchell Mollohan Moore (KS) Moore (WI) Moran (KS) Moran (VA) Murphy (CT) Murphy, Patrick Murphy, Tim Murtha Nadler Napolitano Neal (MA) Nunes Oberstar Obey Olver Ortiz Pallone Pascrell