Shimkus Weldon (FL) Terry Shuster Thornberry Weller Simpson Tiahrt Westmoreland Smith (NE) Tiberi Whitfield (KY) Turner Wilson (NM) Smith (NJ) Upton Smith (TX) Wilson (SC) Souder Walberg Wittman (VA) Walden (OR) Stearns Wolf Sullivan Walsh (NY) Young (AK) Tancredo Wamp Young (FL)

#### NOT VOTING-15

Baca Lampson Rush Barton (TX) Mahoney (FL) Snyder Cannon Manzullo Speier Cubin Prvce (OH) Watson Gillibrand Putnam Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

#### □ 1258

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and navs.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 224, nays 193, not voting 17, as follows:

# [Roll No. 452]

# YEAS-224

Abercrombie Davis (AL) Israel Ackerman Davis (CA) Jackson (IL) Allen Davis (IL) Jackson-Lee Altmire Davis, Lincoln Andrews DeFazio Jefferson DeGette Johnson (GA) Arcuri Delahunt Johnson, E. B. Baldwin DeLauro Jones (OH) Barrow Dicks Kagen Doggett Kanjorski Becerra Donnelly Kaptur Kennedy Berkley Doyle Edwards (MD) Kildee Berman Kilpatrick Berry Edwards (TX) Bishop (NY) Ellison Kind Klein (FL) Blumenauer Ellsworth Boren Emanuel Kucinich Boswell Engel Langevin Boucher Eshoo Larsen (WA) Boyd (FL) Etheridge Larson (CT) Boyda (KS) Farr Lee Brady (PA) Fattah Levin Lewis (GA) Bralev (IA) Filner Brown, Corrine Foster Lipinski Frank (MA) Butterfield Loebsack Lofgren, Zoe Giffords Capps Capuano Gillibrand Lowey Cardoza Gonzalez Lynch Gordon Maloney (NY) Carnahan Carney Green, Al Markey Marshall Carson Green, Gene Castor Grijalva Matheson Cazayoux Gutierrez Matsui McCarthy (NY) Chandler Hall (NY) Hare McCollum (MN) Childers Clarke Harman McDermott Hastings (FL) Clay McGovern Cleaver Herseth Sandlin McIntyre McNerney McNulty Clyburn Higgins Cohen Hinchev Meek (FL) Conyers Hinojosa Hirono Meeks (NY) Cooper Costa Hodes Melancon Costello Holden Michaud Courtney Holt Honda Miller (NC) Miller, George Cramer Mitchell Crowley Hooley Cuellar Hover Mollohan Moore (KS) Inslee Cummings

Roybal-Allard Moore (WI) Sutton Moran (VA) Ruppersberger Murphy (CT) Ryan (OH) Murphy, Patrick Salazar Sánchez, Linda Murtha Nadler т Sanchez, Loretta Napolitano Neal (MA) Sarbanes Oberstar Schakowsky Obev Schiff Olver Schwartz Ortiz Scott (GA) Scott (VA) Pallone Pascrell Serrano Pastor Sestak Shea-Porter Payne Perlmutter Sherman Peterson (MN) Shuler Sires Pomeroy Price (NC) Skelton Rahall Slaughter Smith (WA) Rangel Solis Richardson Space Rodriguez Spratt Wu Yarmuth Rothman Stupak

Gerlach

Aderholt

Alexander

Bachmann

Bachus

Biggert

Bilirakis

Blackburn

Boehner

Boozman

Boustany

Ginny

Buchanan

Burgess

Buver

Calvert

Cantor

Capito

Carter

Castle

Coble

Chabot

Cole (OK)

Conaway

Crenshaw

Culberson

Deal (GA)

Doolittle

Drake

Dreier

Duncan

Emerson

Everett

Fallin

Feeney

Flake

Forbes

Fossella.

Gallegly

Baca Bilbray

Frelinghuysen

Garrett (NJ)

Foxx

Ferguson

Ehlers

Dent

Camp (MI)

Bonner

Akin

Gilchrest Pearce Gingrey Pence Gohmert Goode Petri Barrett (SC) Goodlatte Pickering Bartlett (MD) Granger Pitts Barton (TX) Graves Hall (TX) Platts Poe Hastings (WA) Porter Bishop (UT) Hayes Price (GA) Heller Hensarling Ramstad Herger Regula Bono Mack Hill Rehberg Hobson Reichert Hoekstra Renzi Brady (TX) Hulshof Reynolds Broun (GA) Hunter Brown (SC) Inglis (SC) Brown-Waite. Issa Johnson (IL) Johnson, Sam Jones (NC) Roskam Burton (IN) Jordan Keller Royce Ryan (WI) King (IA) Sali Kingston Campbell (CA) Kirk Saxton Kline (MN) Scalise Knollenberg Schmidt Kuhl (NY) LaHood Sessions Lamborn Shadegg Latham Shays LaTourette Shimkus Latta Shuster Lewis (CA) Simpson Lewis (KY) Davis (KY) Linder Smith (N.I) LoBiondo Davis, David Smith (TX) Davis, Tom Lucas Souder Lungren, Daniel Stearns E. Sullivan Diaz-Balart, L. Mack Tancredo Diaz-Balart, M. Manzullo Terry Marchant Thornberry McCarthy (CA) Tiahrt McCaul (TX) Tiberi McCotter Turner McCrery Unton McHenry Walberg English (PA) McHugh McKeon Walsh (NY) McMorris Rodgers Wamp Mica Weller Miller (FL) Miller (MI) Fortenberry Miller, Gary Moran (KS) Wilson (SC) Murphy, Tim Franks (AZ) Musgrave Wittman (VA)

## NOT VOTING-17

Myrick

Nunes

Neugebauer

Bishop (GA) Cannon Cubin Blunt

Wolf

Young (AK)

Young (FL)

Davis, Lincoln

Kagen

Pastor

Tanner Tauscher Taylor Thompson (CA) Thompson (MS) Tierney Towns Tsongas Udall (CO) Udall (NM) Van Hollen Velázquez Visclosky Walz (MN) Wasserman Schultz Waters Watt Waxman Weiner Welch (VT) Wilson (OH) Woolsev

Paul

#### NAYS-193

Peterson (PA) Radanovich Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Ros-Lehtinen Sensenbrenner Smith (NE) Walden (OR) Weldon (FL) Westmoreland Whitfield (KY) Wilson (NM)

Pryce (OH) Dingell King (NY) Putnam Lampson Rush Mahoney (FL) Snyder

Speier Watson Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE The SPEAKER pro tempore (during the vote). There are 2 minutes left in this vote.

#### □ 1304

So the resolution was agreed to. The result of the vote was announced

as above recorded. A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3195, ADA AMENDMENTS ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1299, on which the year and navs were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 221, nays 194, not voting 19, as follows:

# [Roll No. 453]

#### YEAS-221

Abercrombie DeFazio Kaniorski Ackerman DeGette Kaptur Allen Kennedy Delahunt Altmire Kildee DeLauro Arcuri Baird Dicks Kilpatrick Dingell Kind Klein (FL) Baldwin Doggett Barrow Dovle Kucinich Edwards (MD) Bean Langevin Becerra Edwards (TX) Larsen (WA) Berkley Ellison Larson (CT) Ellsworth Berman Lee Berry Emanuel Levin Bishop (GA) Engel Lewis (GA) Bishop (NY) Lipinski Eshoo Blumenauer Etheridge Loebsack Boren Farr Lofgren, Zoe Fattah Boswell Lowey Boucher Filner Lvnch Maloney (NY) Boyd (FL) Foster Frank (MA) Boyda (KS) Markey Marshall Brady (PA) Giffords Braley (IA) Gillibrand Matheson Brown, Corrine Gonzalez Matsui McCarthy (NY) Butterfield Gordon McCollum (MN) Capps Green, Al Capuano Green, Gene McDermott Cardoza Grijalya. McGovern McIntyre Carnahan Gutierrez Carney Hall (NY) McNulty Carson Hare Meek (FL) Castor Harman Meeks (NY) Cazayoux Hastings (FL) Melancon Herseth Sandlin Chandler Michaud Childers Miller (NC) Higgins Clarke Hinchey Mitchell Clav Hinojosa Mollohan Cleaver Hirono Moore (KS) Clyburn Moore (WI) Hodes Moran (VA) Cohen Holt Conyers Honda Murphy (CT) Cooper Hooley Murphy, Patrick Costa Hover Murtha Costello Inslee Nadler Courtney Israel Napolitano Jackson (IL) Neal (MA) Cramer Crowley Jackson-Lee Oberstar Cuellar (TX) Obey Jefferson Olver Cummings Johnson (GA) Davis (AL) Ortiz Davis (CA) Johnson, E. B. Pallone Davis (IL) Jones (OH) Pascrell

Schwartz

Scott (GA)

Scott (VA)

Shea-Porter

Sherman

Serrano

Sestak

Shuler

Skelton

Slaughter

Smith (WA)

Sires

Solis

Space

Spratt

Stark

Stupak

Sutton

Tanner

Taylor

Tauscher

Pavne Perlmutter Peterson (MN) Pomerov Price (NC) Rahall Rangel Reichert Reyes Richardson Rodriguez Ross Rothman Roybal-Allard Rvan (OH) Salazar Sánchez, Linda т Sanchez, Loretta Sarbanes Schakowsky Schiff

Thompson (MS) Tiernev Towns Tsongas Udall (CO) Udall (NM) Van Hollen Velázquez Visclosky Walz (MN) Wasserman Schultz Waters Watt Waxman Weiner Welch (VT) Wilson (OH) Woolsey Wu Thompson (CA) Yarmuth

NAYS-194 Garrett (NJ) Aderholt Myrick Gerlach Akin Neugebauer Alexander Gilchrest Nunes Bachmann Gingrey Paul Bachus Gohmert Pearce Barrett (SC) Goode Pence Bartlett (MD) Goodlatte Peterson (PA) Barton (TX) Granger Petri Biggert Graves Pickering Hall (TX) Bilbray Pitts Hastings (WA) Bilirakis Platts Bishop (UT) Hayes Blackburn Heller Porter Boehner Hensarling Price (GA) Bonner Herger Radanovich Bono Mack Hill Ramstad Hobson Boozman Regula Hoekstra Boustany Rehberg Brady (TX) Holden Renzi Broun (GA) Hulshof Revnolds Brown (SC) Hunter Rogers (AL) Brown-Waite, Inglis (SC) Rogers (KY) Ginny Issa Rogers (MI) Buchanan Johnson (IL) Rohrabacher Burgess Johnson, Sam Ros-Lehtinen Jones (NC) Buver Roskam Calvert Jordan Royce Camp (MI) Keller Ryan (WI) King (IA) Campbell (CA) Sali Cantor King (NY) Saxton Capito Kingston Scalise Carter Kirk Schmidt Kline (MN) Castle Sensenbrenner Chabot Knollenberg Sessions Kuhl (NY) Coble Shadegg Cole (OK) LaHood Shavs Conaway Lamborn Shimkus Crenshaw Latham Shuster Culberson LaTourette Simpson Davis (KY) Latta Smith (NE) Lewis (CA) Davis, David Smith (NJ) Davis, Tom Lewis (KY) Smith (TX) Deal (GA) Linder Souder Dent LoBiondo Stearns Diaz-Balart, L. Lucas Sullivan Lungren, Daniel Diaz-Balart, M. Tancredo Donnelly E. Terry Doolittle Mack Thornberry Drake Manzullo Dreier Marchant Tiahrt Tiberi McCarthy (CA) McCaul (TX) Duncan Turner Ehlers Emerson McCotter Upton Walden (OR) McCrery McHenry English (PA) Walsh (NY) Everett McHugh Wamp Fallin Weldon (FL) Feeney McKeon McMorris Weller Ferguson Rodgers Westmoreland Whitfield (KY) Forbes Mica Miller (FL) Fortenberry Wilson (NM) Fossella Miller (MI) Wilson (SC) Wittman (VA) Foxx Miller, Gary Franks (AZ) Moran (KS) Wolf Frelinghuysen Murphy, Tim Young (AK) Gallegly Musgrave Young (FL)

#### NOT VOTING-19

Mahoney (FL) Andrews Snyder Baca McNerney Speier Blunt Miller, George Walberg Burton (IN) Pryce (OH) Watson Cannon Putnam Wexler Cubin Ruppersberger

Rush

Lampson

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

#### □ 1312

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

# ALTERNATIVE MINIMUM TAX RELIEF ACT OF 2008

Mr. RANGEL. Mr. Speaker, I call up the bill (H.R. 6275) to amend the Internal Revenue Code of 1986 to provide individuals temporary relief from the alternative minimum tax, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill. The text of the bill is as follows:

#### H.R. 6275

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

#### SECTION 1. SHORT TITLE, ETC.

- (a) SHORT TITLE.—This Act may be cited as the "Alternative Minimum Tax Relief Act of 2008".
- (b) Reference.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.
- (c) Table of Contents.—The table of contents for this Act is as follows:

Sec. 1. Short title, etc.

# TITLE I—INDIVIDUAL TAX RELIEF

- Sec. 101. Extension of increased alternative minimum tax exemption amount.
- Sec. 102. Extension of alternative minimum tax relief for nonrefundable personal credits.

# TITLE II—REVENUE PROVISIONS

- Sec. 201. Income of partners for performing investment management services treated as ordinary income received for performance services.
- Sec. 202. Limitation of deduction for income attributable to domestic production of oil, gas, or primary products thereof.
- Sec. 203. Limitation on treaty benefits for certain deductible payments.
- Sec. 204. Returns relating to payments made in settlement of payment card and third party network transactions.
- Sec. 205. Application of continuous levy to property sold or leased to the Federal Government.
- Sec. 206. Time for payment of corporate estimated taxes.

# TITLE I—INDIVIDUAL TAX RELIEF

#### SEC. 101. EXTENSION OF INCREASED ALTER-NATIVE MINIMUM TAX EXEMPTION AMOUNT.

- (a) IN GENERAL.—Paragraph (1) of section 55(d) is amended—
- (1) by striking "(\$66,250 in the case of taxable years beginning in 2007)" in subparagraph (A) and inserting "(\$69,950 in the case of taxable years beginning in 2008)", and

- (2) by striking "(\$44,350 in the case of taxable years beginning in 2007)" in subparagraph (B) and inserting "(\$46,200 in the case of taxable years beginning in 2008)".
  (b) EFFECTIVE DATE.—The amendments
- made by this section shall apply to taxable years beginning after December 31, 2007.

#### SEC. 102. EXTENSION OF ALTERNATIVE MINIMUM TAX RELIEF FOR NONREFUNDABLE PERSONAL CREDITS.

- (a) IN GENERAL.—Paragraph (2) of section 26(a) is amended-
- (1) by striking "or 2007" and inserting "2007, or 2008", and
- (2) by striking "2007" in the heading thereof and inserting "2008".
  (b) EFFECTIVE DATE.—The amendments
- made by this section shall apply to taxable vears beginning after December 31, 2007.

#### TITLE II—REVENUE PROVISIONS

- SEC. 201. INCOME OF PARTNERS FOR PER-FORMING INVESTMENT MANAGE-MENT SERVICES TREATED AS ORDI-NARY INCOME RECEIVED FOR PER-FORMANCE OF SERVICES.
- (a) IN GENERAL.—Part I of subchapter K of chapter 1 is amended by adding at the end the following new section:

#### "SEC. 710. SPECIAL RULES FOR PARTNERS PRO-VIDING INVESTMENT MANAGEMENT SERVICES TO PARTNERSHIP.

- "(a) TREATMENT OF DISTRIBUTIVE SHARE OF PARTNERSHIP ITEMS.—For purposes of this title, in the case of an investment services partnership interest-
- "(1) IN GENERAL.—Notwithstanding section 702(b)-
- "(A) any net income with respect to such interest for any partnership taxable year shall be treated as ordinary income for the performance of services, and
- "(B) any net loss with respect to such interest for such year, to the extent not disallowed under paragraph (2) for such year, shall be treated as an ordinary loss.
- All items of income, gain, deduction, and loss which are taken into account in computing net income or net loss shall be treated as ordinary income or ordinary loss (as the case may be).
  - "(2) TREATMENT OF LOSSES.-
- "(A) LIMITATION.—Any net loss with respect to such interest shall be allowed for any partnership taxable year only to the extent that such loss does not exceed the excess (if any) of-
- "(i) the aggregate net income with respect to such interest for all prior partnership taxable years, over
- "(ii) the aggregate net loss with respect to such interest not disallowed under this subparagraph for all prior partnership taxable
- "(B) CARRYFORWARD.—Any net loss for any partnership taxable year which is not allowed by reason of subparagraph (A) shall be treated as an item of loss with respect to such partnership interest for the succeeding partnership taxable year.
- "(C) Basis adjustment to the basis of a partnership interest shall be made on account of any net loss which is not allowed by reason of subparagraph (A).
- "(D) EXCEPTION FOR BASIS ATTRIBUTABLE TO PURCHASE OF A PARTNERSHIP INTEREST.—In the case of an investment services partnership interest acquired by purchase, paragraph (1)(B) shall not apply to so much of any net loss with respect to such interest for any taxable year as does not exceed the excess of-
- "(i) the basis of such interest immediately after such purchase, over
- "(ii) the aggregate net loss with respect to such interest to which paragraph (1)(B) did not apply by reason of this subparagraph for all prior taxable years.
- Any net loss to which paragraph (1)(B) does not apply by reason of this subparagraph