

There was no objection.

The SPEAKER pro tempore. Without objection, respective motions to reconsider are laid on the table.

There was no objection.

WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL DESIGNATION ACT—Continued

The SPEAKER pro tempore. Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MS. FALLIN

Ms. FALLIN. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mr. FALLIN. I am in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Fallin moves to recommit the bill H.R. 1286 to the Committee on Natural Resources with instructions to report the same back to the House promptly in the form to which perfected at the time of this motion, with the following amendment:

Amend section 3 to read as follows:

SEC. 3. ENERGY.

Section 7 of the National Trails System Act (16 U.S.C. 1246) is amended by adding at the end the following new subsection:

“(1) Nothing in this Act shall prohibit or hinder the development, production, conveyance, or transmission of energy.”

Mr. RAHALL. Madam Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The gentlewoman from Oklahoma is recognized for 5 minutes.

Ms. FALLIN. Madam Speaker, America has slammed into an energy wall in the past 18 months, with gas prices escalating 70 percent since the beginning of the 110th Congress when the current Democratic leadership took control. Americans are now paying over \$4 and change for a gallon of gasoline. This dire situation affects not only drivers, but ripples through all commerce of the United States, from the cost of food, to building materials, to tourism, to jobs, to health care, and in short, our economic security. Increased supply from our own American resources is one tool that we have in our tool box to help us get out of this mess.

This is a bipartisan solution, as demonstrated by Speaker PELOSI's recent request to President Bush to release oil from the Strategic Petroleum Reserve to help funnel more product to American refineries, and thus more gas to local gas stations.

While this is a small step in a positive direction, the Democratic-controlled House of Representatives has only compounded the problem of American energy supplies. The current leadership has scheduled and passed over a dozen bills from the Committee on Natural Resources alone restricting or potentially restricting energy development on the public lands of the United States. We also expect a package of over 60 more bills from the Senate before we adjourn, most of which will impact energy exploration and development on public lands.

The Democratic leadership of the House of Representatives has also failed to lift the congressional moratoria on the development of oil and natural gas resources from the Outer Continental Shelf. It has blocked access to over 1 million acres of uranium-rich lands in the southwestern United States, fuel which could be harnessed to produce clean, air-friendly nuclear energy. It has locked up oil shale and stopped energy transmission corridors across public lands. It has even tried to stop wind energy.

While this trail bill before us may seem like small potatoes, it is indicative of a larger problem. The more lands we place off-limits to multiple uses, including energy development, then the more we have to rely on others for our economic feedstock of energy.

This trail will affect lands and waters in more than nine States in very populous eastern areas and the mid-Atlantic region of America. At least, thanks to Congressman PEARCE's amendment, we will know exactly what energy resources will be impacted by this designation. This is not true for all trails designated under the National Trails Act.

Currently, there are thousands of miles of trails affecting every region of the United States, and with the trend in legislative activity in this Congress, we can certainly expect many more in the near future.

This motion to recommit will ensure that we do not inadvertently cut off crucial energy supplies during the current crisis when we designate trails under the National Trails Act. It expands on language authored by Congressman ROB WITTMAN, now in section three of the bill, which was readily accepted by both Democrats and Republicans during the markup of H.R. 1286 in the Committee on Natural Resources just 2 weeks ago. What is good for the Washington-Rochambeau trail should be good for all trails, wherever located.

And, Madam Speaker, as I just mentioned, this House just voted unanimously on an amendment by Congressman PEARCE for an energy assessment on this trail, so why should we prohibit or hinder the development, the production, the conveyance, or transmission of energy on any trail in the United States?

I ask for your support.

Ms. GIFFORDS. Madam Speaker, I would like to submit for the RECORD the following concerns and suggestions regarding certain sections of S. 2284, the Senate version of the Flood Insurance Reform and Modernization Act. These specific concerns were expressed to me by officials from the town of Marana, Arizona. They relate to the potential adverse effects these sections could have on the Marana community. I urge my House and Senate colleagues to take all of these concerns into consideration while negotiating the final version of this bill.

The specific concerns relating to Section 6 are the reason I voted “no” on the Republican Motion To Instruct Conferees that was offered on the floor today.

The town of Marana's concerns are as follows:

1. Section 6, Reform of Premium Rate Structure: Much of this Section seeks to disallow preFIRM (Flood Insurance Rate Map) rates for second homes, repetitive loss structures, substantially improved structures, commercial structures, and others. However, the current language could have unintended, adverse consequences. Of concern to Marana is Subsection (g)(1), which states:

“(g) No Extension of Subsidy to New Policies or Lapsed Policies.—The Director shall not provide flood insurance to prospective insureds at rates less than those estimated under subsection (a)(1), as required by paragraph (2) of that subsection, for—(1) any property not insured by the flood insurance program as of the date of enactment of the Flood Insurance Reform and Modernization Act of 2008;” . . .

We are concerned that Subsection (g)(1) would preclude the writing of any new pre-FIRM policies after the enactment of the legislation. This could negatively affect residences that were built pre-FIRM but then placed into a floodplain by a subsequent map change after the legislation is enacted.

2. Section 7, Mandatory Coverage Areas: The intent of this Section appears to be the accurate portrayal of risk behind man-made flood control structures. Subsection 107(b)(1) reads as follows:

(1) include any area previously identified by the Director as an area having special flood hazards under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a);

This language would essentially require properties located in areas that had once been designated as floodplain, but since removed from the floodplain, to continue to carry mandatory flood insurance. Marana would like to point out that many Letters of Map Revision (LOMR) incorporate better information (hydrology or topography) than was available when the maps were originally created. These types of LOMRs do not involve physical construction and therefore the areas removed are not typically residual risk areas. Areas that are at a residual risk after a LOMR from a physical change would be accounted for in Subsection 107(b)(2), which reads as follows:

(2) require the expansion of areas of special flood hazards to include areas of residual risk, including areas that are located behind levees, dams, and other man-made structures

We recommend this language be revised. It is problematic in that it equates residual risk areas to Special Flood Hazard Areas (SFHAs). SFHAs are high hazard areas requiring normal flood insurance. Residual Risk areas typically require less flood insurance or preferred risk policies. Also, the language is not clear regarding man-made structures that are distinct flood control structures.

The language could be revised as follows:

(2) define residual risk areas to include areas that are located behind levees, dams, and other man-made flood control structures

3. Section 8, Premium Adjustment: This section overrides the practice of grandfathering original zone designations. Grandfathering has been an important part of the National Flood Insurance Program and has been used to help mitigate the impact of zone changes when flood maps are revised. Section 8 discredits floodplain management. Structures that are compliant with the code and mapping in effect at the time of their construction should be grandfathered and remain compliant.

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

The SPEAKER pro tempore. Does the gentleman from West Virginia wish to state his point of order?

Mr. RAHALL. Madam Speaker, I insist on my point of order and raise a point of order that the motion to recommit contains nongermane instructions in violation of clause 7 of rule XVI. The instructions in the motion to recommit address an unrelated matter within the jurisdiction of a committee not represented in the underlying bill.

The second reason, the motion to recommit uses the word "promptly," as we all know, which kills a bill.

And third, the motion to recommit is the exact language already in the bill. That language states "nothing in the amendment made by section 2 of this act shall prohibit or hinder the development, production, conveyance, or transmission of energy," the exact repeat language of the motion to recommit.

□ 1500

Therefore, I insist on my point of order.

The SPEAKER pro tempore. Does any other Member wish to be heard on the gentleman's point of order?

If not, the Chair will rule.

The gentleman from West Virginia makes a point of order that the instructions in the motion to recommit are not germane.

As recorded in section 937 of the House Rules and Manual, a specific subject may not be amended by a provision general in nature, even when of the same class as the specific subject. For example, as cited on page 719 of the Manual, to a bill relating to one State maritime academy, an amendment relating to all State maritime academies is not germane.

The bill as amended confines its attention to a single national historic trail designation. The instructions in the motion to recommit extend to all trails addressed by the National Trails System Act.

As such, the Chair finds that the instructions in the motion to recommit are not germane. The point of order is sustained. The motion is not in order.

MOTION TO RECOMMIT OFFERED BY MS. FALLIN

Ms. FALLIN. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. FALLIN. In its present form I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Fallin moves to recommit the bill H.R. 1286 to the Committee on Natural Resources with instructions to report the same back to the House promptly in the form to which perfected at the time of this motion, with the following amendment:

After the new subparagraph (D) added by the amendment in section 2, insert the following:

"(E) STATE AND LOCAL LAW.—All designated lands within the trail, including all Federal lands, shall be exclusively governed by relevant State and local laws regarding the possession or use of a weapon, including a concealed weapon."

The SPEAKER pro tempore. The gentlewoman from Oklahoma is recognized for 5 minutes.

Ms. FALLIN. Madam Speaker, yesterday in The Washington Post, there was a full-page article and more about a young couple who were camping in the Appalachian Mountains back in 1981 who were both murdered by a gentleman who had a handgun, who was deranged, and came upon their campsite and murdered them both. He went away to prison for many years, was paroled, was out in the public, and then went back up into the Appalachian Mountains 28 years later to kill two more people with a handgun.

Madam Speaker, I have a motion to recommit that would ensure in this legislation that the rights of States and local governments, within the trails area designation, to regulate possession and carrying of firearms will be unharmed by this legislation.

This bill does provide that the trails designation shall not diminish the right of States to regulate hunting, but it is silent on issues including the clear right to carry firearms. Despite the recent Heller decision affirming our second amendment right, the National Park Service still refuses to allow State and local gun laws to govern, unlike the U.S. Forest Service and the Bureau of Land Management. This motion to recommit will secure full second amendment rights along the 600-mile trail.

The second amendment is a critical right. We must protect our constituents against consequences of this legislation that could harm that right.

I can think of no better spokesperson for the second amendment right than the Father of our Country, George Washington. George Washington said of firearms: "The very atmosphere of firearms anywhere and everywhere restrains evil interference. They deserve a place of honor with all that's good." He also said: "A free people ought to be armed." I can't say it better myself.

The National Park Service has regulations that limit hunting and the right to carry or possess firearms even in States and localities where it is legally permitted. These regulations harm wildlife and the environment because local wildlife management officials are impeded in their work. Before

any attempt is made to restrict the rights of gun owners and the second amendment defenders, this motion to recommit protects their legal existing rights now and in the future.

I urge my colleagues to support this motion to recommit.

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

Mr. RAHALL. Madam Speaker, I rise to oppose the motion to recommit.

The SPEAKER pro tempore. The gentleman from West Virginia is recognized for 5 minutes.

Mr. RAHALL. Madam Speaker, the form of the amendment, which calls on the House to promptly recommit the bill, as I know all Members realize, is a parliamentary tactic that kills the bill. That wording makes it perfectly clear that the motion is not about its subject. It is purely and simply another one of those "gotcha" votes.

A vote to recommit is a vote to kill this bill, which has the support of a long and bipartisan list of Members, a large and vocal constituency across eight districts and the District of Columbia, and the support of the Bush administration. Again, the current legislation as written has the support of the Bush administration. It has the support of the National Rifle Association.

To briefly address the substance of this issue, the bill before the House already reaffirms the right of gun owners and hunters by ensuring that current State management of fish and resident wildlife will remain unaffected by the bill. It should not be necessary to include this language because nothing in the bill would affect those State laws or regulations. Nevertheless, we have included this language already in the bill, which renders the motion before us wholly unnecessary.

The Trails Act has been around since 1968, and we have thousands of miles of trails all over the country, and all over the country hunting, fishing, trapping have flourished nonetheless. The bill already contains sufficient protections for gun owners. I repeat. The bill already contains sufficient protections for gun owners.

A vote to recommit is a vote to kill the bill. It's that simple, and I would urge all Members to vote "no" on this motion to recommit.

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

PARLIAMENTARY INQUIRY

Mr. WESTMORELAND. Parliamentary inquiry, Madam Speaker.

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

Mr. WESTMORELAND. Madam Speaker, if this motion to recommit did pass, could the bill not be sent back to the committee from which it came and brought back on the next legislative day?

The SPEAKER pro tempore. As the Chair has reaffirmed, on November 15, 2007, at some subsequent time, the committee could meet and report the bill back to the House.

Mr. WESTMORELAND. Thank you.
The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.
There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit. The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. FALLIN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.
The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and the motion to instruct on H.R. 3121.

The vote was taken by electronic device, and there were—yeas 202, nays 211, not voting 21, as follows:

[Roll No. 483]

YEAS—202

Aderholt	Foster	Mitchell
Akin	Fox	Moran (KS)
Alexander	Franks (AZ)	Murphy, Patrick
Altmire	Gallegly	Murphy, Tim
Bachmann	Garrett (NJ)	Musgrave
Bachus	Gerlach	Myrick
Barrett (SC)	Gillibrand	Neugebauer
Barrow	Gingrey	Nunes
Bartlett (MD)	Gohmert	Paul
Barton (TX)	Goode	Pearce
Biggert	Goodlatte	Pence
Bilbray	Granger	Peterson (PA)
Bilirakis	Graves	Petri
Bishop (UT)	Hall (TX)	Pitts
Blackburn	Hastings (WA)	Platts
Blunt	Hayes	Poe
Boehner	Heller	Porter
Bonner	Hensarling	Price (GA)
Bono Mack	Herger	Putnam
Boozman	Hobson	Radanovich
Boustany	Hodes	Ramstad
Brady (TX)	Hoekstra	Regula
Broun (GA)	Hunter	Rehberg
Brown (SC)	Inglis (SC)	Reichert
Buchanan	Issa	Renzi
Burgess	Johnson (IL)	Reynolds
Burton (IN)	Johnson, Sam	Rogers (AL)
Buyer	Jones (NC)	Rogers (KY)
Calvert	Jordan	Rogers (MI)
Camp (MI)	Keller	Rohrabacher
Campbell (CA)	King (IA)	Ros-Lehtinen
Cannon	Kingston	Roskam
Cantor	Kline (MN)	Royce
Capito	Knollenberg	Ryan (WI)
Carter	Kuhl (NY)	Sali
Cazayoux	LaHood	Saxton
Chabot	Lamborn	Scalise
Childers	Lampson	Schmidt
Coble	Latham	Sensenbrenner
Cole (OK)	LaTourette	Sessions
Conaway	Latta	Shadegg
Crenshaw	Lewis (CA)	Shea-Porter
Cubin	Lewis (KY)	Shimkus
Culberson	Linder	Shuster
Davis (KY)	LoBiondo	Simpson
Davis, David	Lucas	Smith (NE)
Davis, Tom	Lungren, Daniel E.	Smith (NJ)
Dent	E.	Smith (TX)
Diaz-Balart, L.	Mack	Souder
Diaz-Balart, M.	Manzullo	Space
Donnelly	Marshall	Stearns
Doolittle	McCarthy (CA)	Sullivan
Drake	McCaul (TX)	Tancredo
Dreier	McCotter	Terry
Duncan	McCrary	Thornberry
Ehlers	McHenry	Tiahrt
Ellsworth	McHugh	Tiberi
Emerson	McIntyre	Turner
English (PA)	McKeon	Upton
Everett	McMorris	Walberg
Fallin	Rodgers	Walden (OR)
Feeney	McNerney	Walsh (NY)
Ferguson	Mica	Wamp
Flake	Miller (FL)	Weldon (FL)
Forbes	Miller (MI)	Weller
Fossella	Miller, Gary	Westmoreland

Whitfield (KY)	Wilson (SC)	Wilson (NM)	Wittman (VA)
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NAYS—211

Abercrombie	Gutierrez	Ortiz
Ackerman	Hall (NY)	Pallone
Allen	Hare	Pascrell
Arcuri	Harman	Pastor
Baca	Hastings (FL)	Payne
Baird	Herseth Sandlin	Perlmutter
Baldwin	Higgins	Peterson (MN)
Bean	Hinche	Pomeroy
Becerra	Hinojosa	Price (NC)
Berkley	Hirono	Rahall
Berman	Holden	Rangel
Berry	Holt	Reyes
Bishop (GA)	Honda	Richardson
Bishop (NY)	Hooley	Rodriguez
Blumenauer	Hoyer	Ross
Boyd (FL)	Inslee	Rothman
Boyda (KS)	Israel	Roybal-Allard
Brady (PA)	Jackson (IL)	Ruppersberger
Braley (IA)	Jackson-Lee (TX)	Ryan (OH)
Brown, Corrine	Jefferson	Salazar
Butterfield	Johnson (GA)	Sanchez, Linda T.
Capps	Johnson, E. B.	Sanchez, Loretta
Capuano	Jones (OH)	Sarbanes
Cardoza	Kagen	Schakowsky
Carnahan	Kanjorski	Schiff
Carney	Kaptur	Schwartz
Carson	Kennedy	Scott (GA)
Castle	Kildee	Scott (VA)
Castor	Kilpatrick	Serrano
Chandler	Clarke	Sestak
Clarke	Kind	Shays
Clay	King (NY)	Sherman
Cleaver	Kirk	Shuler
Clyburn	Klein (FL)	Sires
Cohen	Kucinich	Skelton
Cooper	Langevin	Smith (WA)
Costa	Larsen (WA)	Snyder
Costello	Larson (CT)	Solis
Courtney	Lee	Speier
Cramer	Levin	Spratt
Crowley	Lewis (GA)	Stark
Cuellar	Lipinski	Stupak
Cummings	Loeb	Sutton
Davis (AL)	Loeb, Zoe	Tanner
Davis (CA)	Lowey	Tauscher
Davis (IL)	Lynch	Taylor
Davis, Lincoln	Mahoney (FL)	Thompson (CA)
DeFazio	Maloney (NY)	Thompson (MS)
DeGette	Matheson	Tierney
Delahunt	Matsui	Towns
DeLauro	McCarthy (NY)	Tsongas
Dicks	McCollum (MN)	Udall (CO)
Dingell	McDermott	Udall (NM)
Doggett	McGovern	Van Hollen
Doyle	McNulty	Velázquez
Edwards (MD)	Meek (FL)	Melancon
Edwards (TX)	Meeke (NY)	Michaud
Ellison	Melancon	Miller (NC)
Emanuel	Michael	Miller, George
Engel	Miller (NC)	Mollohan
Eshoo	Miller, George	Moore (KS)
Etheridge	Mollohan	Moore (WI)
Farr	Moore (KS)	Moran (VA)
Fattah	Moore (WI)	Murphy (CT)
Filner	Moran (VA)	Murtha
Frank (MA)	Murphy (CT)	Nadler
Giffords	Murtha	Napolitano
Gilchrest	Nadler	Oberstar
Gonzalez	Napolitano	Obey
Green, Al	Oberstar	Oliver
Green, Gene	Obey	
Grijalva	Oliver	

NOT VOTING—21

Andrews	Fortenberry	Pickering
Boren	Frelinghuysen	Pryce (OH)
Boswell	Gordon	Rush
Boucher	Hill	Slaughter
Brown-Waite,	Hulshof	Waxman
Ginny	Marchant	Young (AK)
Conyers	Markey	
Deal (GA)	Neal (MA)	

□ 1528

Ms. BEAN and Messrs. RANGEL and TANNER changed their vote from “yea” to “nay.”

Mr. KING of Iowa changed his vote from “nay” to “yea.”
So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.
The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 345, noes 69, not voting 20, as follows:

[Roll No. 484]

AYES—345

Abercrombie	Davis (IL)	Kagen
Ackerman	Davis, Lincoln	Kanjorski
Aderholt	Davis, Tom	Kaptur
Akin	DeFazio	Keller
Alexander	DeGette	Kennedy
Allen	Delahunt	Kildee
Altmire	DeLauro	Kilpatrick
Arcuri	Dent	Kind
Baca	Diaz-Balart, L.	King (NY)
Bachmann	Diaz-Balart, M.	Kirk
Bachus	Dicks	Klein (FL)
Baird	Dingell	Kline (MN)
Baldwin	Doggett	Knollenberg
Barrett (SC)	Donnelly	Kucinich
Barrow	Drake	Kuhl (NY)
Bartlett (MD)	Dreier	LaHood
Bean	Edwards (MD)	Lampson
Becerra	Edwards (TX)	Langevin
Berkley	Ehlers	Larsen (WA)
Berman	Ellison	Larson (CT)
Berry	Ellsworth	Latham
Biggert	Emanuel	LaTourette
Bilbray	Emerson	Latta
Bilirakis	Engel	Lee
Bishop (GA)	English (PA)	Levin
Bishop (NY)	Eshoo	Lewis (CA)
Blumenauer	Etheridge	Lewis (GA)
Blunt	Everett	Lipinski
Bonner	Fallin	LoBiondo
Bono Mack	Farr	Loeb
Boozman	Fattah	Loeb, Zoe
Boustany	Ferguson	Lowey
Brady (TX)	Filner	Lucas
Broun (GA)	Forbes	Lungren, Daniel E.
Brown (SC)	Fossella	Lynch
Buchanan	Foster	Mahoney (FL)
Burgess	Frank (MA)	Maloney (NY)
Burton (IN)	Gallegly	Markey
Buyer	Gerlach	Marshall
Calvert	Giffords	Matheson
Camp (MI)	Gilchrest	Matsui
Campbell (CA)	Gillibrand	McCarthy (CA)
Cannon	Gonzalez	McCarthy (NY)
Cantor	Granger	McCaul (TX)
Capito	Graves	McCaul (MN)
Carter	Green, Al	McCotter
Cazayoux	Green, Gene	McCrary
Chabot	Grijalva	McDermott
Childers	Gutierrez	McGovern
Coble	Hall (NY)	McHugh
Cole (OK)	Hare	McIntyre
Conaway	Harman	McKeon
Crenshaw	Hastings (FL)	McMorris
Cubin	Hayes	Rodgers
Culberson	Herseth Sandlin	McNerney
Davis (KY)	Higgins	McNulty
Davis, David	Hinche	Meek (FL)
Davis, Tom	Hinojosa	Meeks (NY)
Dent	Hirono	Melancon
Diaz-Balart, L.	Hobson	Mica
Diaz-Balart, M.	Hodes	Michaud
Donnelly	Holden	Miller (MI)
Doolittle	Holt	Miller (NC)
Drake	Honda	Miller, Gary
Dreier	Hooley	Miller, George
Duncan	Hoyer	Mitchell
Ehlers	Inglis (SC)	Mollohan
Ellsworth	Inslee	Moore (KS)
Emerson	Israel	Moore (WI)
English (PA)	Jackson (IL)	Moran (VA)
Everett	Jackson-Lee (TX)	Murphy (CT)
Fallin	Jefferson	Murphy, Patrick
Feeney	Johnson (GA)	Murphy, Tim
Ferguson	Johnson (IL)	Murtha
Flake	Johnson, E. B.	Myrick
Forbes	Jones (NC)	Nadler
Fossella	Jones (OH)	Napolitano

Oberstar Ruppertsberger Tauscher
 Obey Ryan (OH) Taylor
 Oliver Ryan (WI) Taylor
 Ortiz Salazar Thompson (CA)
 Pallone Sánchez, Linda Thompson (MS)
 Pascrell T. Tiberi
 Pastor Sanchez, Loretta Tierney
 Payne Sarbanes Towns
 Pearce Saxton Tsongas
 Perlmutter Schakowsky Turner
 Peterson (MN) Schiff Udall (CO)
 Peterson (PA) Schmidt Udall (NM)
 Petri Schwartz Upton
 Platts Scott (GA) Van Hollen
 Pomeroy Scott (VA) Velázquez
 Porter Serrano Visclosky
 Price (NC) Sestak Walden (OR)
 Putnam Shays Walsh (NY)
 Radanovich Shea-Porter Walz (MN)
 Rahall Shimkus Wamp
 Ramstad Shuler Wasserman
 Rangel Shuster Schultz
 Regula Simpson Waters
 Rehberg Sires Watson
 Reichert Skelton Watt
 Renzi Smith (NJ) Weiner
 Reyes Smith (TX) Welch (VT)
 Reynolds Smith (WA) Weller
 Richardson Snyder Wexler
 Rodriguez Solis Whitfield (KY)
 Rogers (AL) Souder Wilson (NM)
 Rogers (KY) Space Wilson (OH)
 Rogers (MI) Speier Wittman (VA)
 Rohrabacher Spratt Wolf
 Ros-Lehtinen Stark Woolsey
 Roskam Stupak Wu
 Ross Sullivan Yarmuth
 Rothman Sutton Young (FL)
 Roybal-Allard Tanner

NOES—69

Barton (TX) Goode Neugebauer
 Bishop (UT) Goodlatte Nunes
 Blackburn Hall (TX) Paul
 Boehner Hastings (WA) Pence
 Brady (TX) Heller Pitts
 Broun (GA) Hensarling Poe
 Burton (IN) Herger Price (GA)
 Campbell (CA) Hoekstra Royce
 Cannon Hunter Sali
 Coble Issa Scalise
 Conaway Johnson, Sam Sensenbrenner
 Cubin Jordan Sessions
 Davis (KY) King (IA) Shadegg
 Davis, David Kingston Smith (NE)
 Doolittle Lamborn Stearns
 Duncan Lewis (KY) Tancredo
 Feeney Thornberry
 Flake Mack Tiahrt
 Foxx Manzullo Walberg
 Franks (AZ) McHenry Weldon (FL)
 Garrett (NJ) Miller (FL) Westmoreland
 Gingrey Moran (KS) Wilson (SC)
 Gohmert Musgrave Young (AK)

NOT VOTING—20

Andrews Doyle Neal (MA)
 Boswell Fortenberry Pickering
 Boucher Frelinghuysen Pryce (OH)
 Brown-Waite, Gordon Rush
 Ginny Hill Sherman
 Conyers Hulshof Slaughter
 Deal (GA) Marchant Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Less than 2 minutes remain in this vote.

□ 1537

Mr. GINGREY changed his vote from “aye” to “no.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 3121, FLOOD INSURANCE REFORM AND MODERNIZATION ACT OF 2008

MOTION TO INSTRUCT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 3121 offered by the gentleman from Texas (Mr. NEUGEBAUER) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 385, nays 26, not voting 23, as follows:

[Roll No. 485]

YEAS—385

Abercrombie Costa Hall (NY)
 Ackerman Costello Hall (TX)
 Aderholt Courtney Hare
 Akin Cramer Harman
 Alexander Crenshaw Hastings (FL)
 Allen Crowley Hastings (WA)
 Altmire Cuellar Hayes
 Arcuri Culberson Heller
 Baca Cummings Hensarling
 Bachmann Davis (AL) Herger
 Bachus Davis (CA) Herseth Sandlin
 Baird Davis (IL) Hinchey
 Baldwin Davis (KY) Hinojosa
 Barrett (SC) Davis, David Hirono
 Barrow Davis, Lincoln Hobson
 Bartlett (MD) Davis, Tom Hodes
 Barton (TX) DeFazio Hoekstra
 Bean DeGette Holden
 Becerra Delahunt Holt
 Berkeley DeLauro Honda
 Berman Dent Hooley
 Berry Diaz-Balart, L. Hoyer
 Biggert Diaz-Balart, M. Hunter
 Bilbray Dicks Inglis (SC)
 Bilirakis Dingell Insee
 Bishop (GA) Doggett Issa
 Bishop (UT) Donnelly Jackson (IL)
 Blackburn Doolittle Jackson-Lee
 Blunt Drake (TX)
 Boehner Dreier Jefferson
 Bonner Duncan Johnson (GA)
 Bono Mack Edwards (MD) Johnson (IL)
 Boozman Edwards (TX) Johnson, E. B.
 Boren Ehlers Johnson, Sam
 Boyd (FL) Ellison Jones (NC)
 Boyda (KS) Ellsworth Jones (OH)
 Brady (PA) Emanuel Jordan
 Brady (TX) Emerson Kagen
 Brown (SC) Engel Kanjorski
 Brown, Corrine English (PA) Kaptur
 Buchanan Eshoo Keller
 Burgess Etheridge Kennedy
 Butterfield Everett Kildee
 Calvert Fallin Kilpatrick
 Camp (MI) Farr Kind
 Campbell (CA) Fattah Kingston
 Cannon Feeney Kline (MN)
 Cantor Ferguson Knollenberg
 Capito Filner Kucinich
 Capps Flake Kuhl (NY)
 Capuano Fossella LaHood
 Cardoza Foster Lamborn
 Carnahan Foxx Lampson
 Carney Frank (MA) Langevin
 Carson Franks (AZ) Larsen (WA)
 Carter Gallegly Larson (CT)
 Castle Garrett (NJ) LaTourette
 Castor Gerlach Latta
 Cazayoux Gillibrand Lee
 Chabot Gohmert Levin
 Chandler Gohmert Lewis (CA)
 Childers Gonzalez Lewis (GA)
 Clarke Goode Lewis (KY)
 Clay Goodlatte Linder
 Clyburn Granger Lipinski
 Coble Graves LoBiondo
 Cohen Green, Al Lofgren, Zoe
 Cole (OK) Green, Gene Lowey
 Conaway Grijalva Lucas
 Cooper Gutierrez

Lungren, Daniel Pitts
 E. Platts
 Lynch Poe
 Mack Pomeroy
 Mahoney (FL) Porter
 Maloney (NY) Price (GA)
 Manzullo Price (NC)
 Markey Putnam
 Marshall Radanovich
 Matheson Rahall
 Matsui Ramstad
 McCarthy (CA) Rangel
 McCaul (TX) Regula
 McCollum (MN) Rehberg
 McCotter Reichert
 McCrery Renzi
 McDermott Reyes
 McGovern Reynolds
 McHenry Richardson
 McHugh Rodriguez
 McIntyre Rogers (AL)
 McKeon Rogers (KY)
 McMorris Rogers (MI)
 Rodgers Rohrabacher
 McNerney Ros-Lehtinen
 Meek (FL) Roskam
 Meeks (NY) Ross
 Melancon Rothman
 Michaud Royce
 Miller (FL) Ruppertsberger
 Miller (MI) Ryan (OH)
 Miller (NC) Ryan (WI)
 Miller, Gary Salazar
 Miller, George Sali
 Mitchell Sánchez, Linda
 Mollohan T.
 Moore (KS) Sanchez, Loretta
 Moore (WI) Sarbanes
 Moran (KS) Saxton
 Moran (VA) Schakowsky
 Murphy (CT) Schiff
 Murphy, Tim Schmidt
 Murtha Schwartz
 Musgrave Scott (GA)
 Myrick Scott (VA)
 Napolitano Sensenbrenner
 Neugebauer Serrano
 Nunes Sessions
 Oberstar Sestak
 Obey Shadegg
 Oliver Shays
 Ortiz Shea-Porter
 Pascrell Sherman
 Pastor Shimkus
 Paul Shuler
 Payne Shuster
 Pearce Simpson
 Pence Sires
 Perlmutter Skelton
 Peterson (MN) Smith (NE)
 Petri Smith (NJ) Young (FL)

NAYS—26

Bishop (NY) Giffords
 Blumenauer Gilchrest
 Boustany Higgins
 Braley (IA) Israel
 Broun (GA) King (IA)
 Burton (IN) King (NY)
 Buyer Kirk
 Cubin Klein (FL)
 Forbes Latham

NOT VOTING—23

Andrews Doyle Mica
 Boswell Fortenberry Neal (MA)
 Boucher Frelinghuysen Peterson (PA)
 Brown-Waite, Gordon Pickering
 Ginny Hill Pryce (OH)
 Cleaver Hulshof Rush
 Conyers Marchant Slaughter
 Deal (GA) McNulty Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain on this vote.

□ 1545

Mr. KLEIN of Florida changed his vote from “yea” to “nay.”

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.