

Oberstar	Ruppersberger	Tauscher
Obey	Ryan (OH)	Taylor
Olver	Ryan (WI)	Terry
Ortiz	Salazar	Thompson (CA)
Pallone	Sánchez, Linda	Thompson (MS)
Pascarell	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)
Royalbal-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	Linder	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
Berkley	DeLauro	Honda
Berman	Dent	Hooley
Berry	Diaz-Balart, L.	Hoyer
Biggart	Diaz-Balart, M.	Hunter
Bilbray	Dicks	Inglis (SC)
Bilirakis	Dingell	Inslee
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)
Boyd (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	Gingrey	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	Smith (TX)
E.	Platts	Smith (WA)
Lynch	Poe	Snyder
Mack	Pomeroy	Solis
Mahoney (FL)	Porter	Souder
Maloney (NY)	Price (GA)	Space
Manzullo	Price (NC)	Speier
Markey	Putnam	Spratt
Marshall	Radanovich	Stark
Matheson	Rahall	Stearns
Matsui	Ramstad	Stupak
McCarthy (CA)	Rangel	Sullivan
McCaul (TX)	Regula	Sutton
McCollum (MN)	Rehberg	Tancredo
McCotter	Reichert	Tanner
McCrery	Renzi	Tauscher
McDermott	Reyes	Taylor
McGovern	Reynolds	Terry
McHenry	Richardson	Thompson (CA)
McHugh	Rodriguez	Thompson (MS)
McIntyre	Rogers (AL)	Thornberry
McKeon	Rogers (KY)	Tiahrt
McMorris	Rogers (MI)	Tiberi
Rodgers	Rohrabacher	Tierney
McNerney	Ros-Lehtinen	Towns
Meek (FL)	Roskam	Tsongas
Meeks (NY)	Ross	Turner
Melancon	Rothman	Udall (CO)
Michaud	Royce	Udall (NM)
Miller (FL)	Ruppersberger	Upton
Miller (MI)	Ryan (OH)	Van Hollen
Miller (NC)	Ryan (WI)	Velázquez
Miller, Gary	Salazar	Visclosky
Miller, George	Sali	Walberg
Mitchell	Sánchez, Linda	Walden (OR)
Mollohan	T.	Walsh (NY)
Moore (KS)	Sanchez, Loretta	Walz (MN)
Moore (WI)	Sarbanes	Wamp
Moran (KS)	Saxton	Wasserman
Moran (VA)	Schakowsky	Schultz
Murphy (CT)	Schiff	Waters
Murphy, Tim	Schmidt	Watson
Murtha	Schwartz	Watt
Musgrave	Scott (GA)	Welch (VT)
Myrick	Scott (VA)	Weldon (FL)
Napolitano	Sensenbrenner	Weller
Neugebauer	Serrano	Westmoreland
Nunes	Sessions	Wexler
Oberstar	Sestak	Whitfield (KY)
Obey	Shadegg	Wilson (NM)
Olver	Shays	Wilson (OH)
Ortiz	Shea-Porter	Wilson (SC)
Pascarell	Sherman	Wittman (VA)
Pastor	Shimkus	Wolf
Paul	Shuler	Woolsey
Payne	Shuster	Wu
Pearce	Simpson	Yarmuth
Pence	Sires	Young (AK)
Perlmutter	Skelton	Young (FL)
Peterson (MN)	Smith (NE)	
Petri	Smith (NJ)	

NAYS—26

Bishop (NY)	Giffords	Loeb sack
Blumenauer	Gilchrest	McCarthy (NY)
Boustany	Higgins	Murphy, Patrick
Braley (IA)	Israel	Nadler
Broun (GA)	King (IA)	Pallone
Burton (IN)	King (NY)	Royalbal-Allard
Buyer	Kirk	Scalise
Cubin	Klein (FL)	Weiner
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.

PERSONAL EXPLANATION

Mr. CONYERS. Madam Speaker, I took a leave of absence the afternoon of July 10, 2008, as I was attending to personal business. The following list describes how I would have voted had I been in attendance this afternoon.

"Yea"—on Pearce (NM) amendment.

"Aye"—on Motion to Recommit H.R. 1286.

"Yea"—Final Passage H.R. 1286—Revoluntary Route National Historic Trail Designation Act.

"Yea"—Motion to Instruct Conferees on H.R. 1321—Flood Insurance Reform and Modernization Act of 2007.

APPOINTMENT OF CONFEREES

The SPEAKER pro tempore (Ms. EDWARDS of Maryland). Without objection, the Chair appoints the following conferees:

From the Committee on Financial Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. FRANK of Massachusetts, KANJORSKI, Ms. WATERS, Messrs. WATT, CLAY, KLEIN of Florida, MAHONEY of Florida, BACHUS, Mrs. BIGGERT, Mrs. CAPITO, Messrs. GARRETT of New Jersey, and PRICE of Georgia.

From the Committee on Energy and Commerce, for consideration of sec. 302 of the Senate amendment, and modifications committed to conference: Messrs. DINGELL, BOUCHER, and BARTON of Texas.

From the Committee on Transportation and Infrastructure, for consideration of secs. 7 and 22 of the House bill, and secs. 107, 119, and 301 of the Senate amendment, and modifications committed to conference: Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. BRALEY of Iowa, and GRAVES.

For consideration of secs. 7 and 35 of the House bill, and sec. 128 of the Senate amendment, and modifications committed to conference: Mr. TAYLOR.

There was no objection.

GENERAL LEAVE

Ms. WATERS. Madam Speaker, I ask unanimous consent that Members may have 5 days to revise and extend their remarks on the motion to instruct on H.R. 3121.

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

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1286, WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL DESIGNATION ACT

Ms. WATERS. Madam Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 1286, including corrections in spelling, punctuation, section and title numbering, cross-referencing, conforming amendments to the table of contents and short titles, and the insertion of appropriate headings.

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

There was no objection.

PROVIDING FOR CONTINUED BENEFITS FOR CERTAIN SENATE RESTAURANTS EMPLOYEES

Mr. BRADY of Pennsylvania. Madam Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2967) to provide for certain Federal employee benefits to be continued for certain employees of the Senate Restaurants after operations of the Senate Restaurants are contracted to be performed by a private business concern, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the gentleman from Pennsylvania?

There was no objection.

The text of the Senate bill is as follows:

S. 2967

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

SECTION 1. CONTINUED BENEFITS FOR CERTAIN SENATE RESTAURANTS EMPLOYEES.

(a) DEFINITIONS.—In this section:

(1) CONTRACTOR.—The term "contractor" means the private business concern that enters into a food services contract with the Architect of the Capitol.

(2) COVERED INDIVIDUAL.—The term "covered individual" means any individual who—

(A) is a Senate Restaurants employee who is an employee of the Architect of the Capitol on the date of enactment of this Act, including—

(i) a permanent, full-time or part-time employee;

(ii) a temporary, full-time or part-time employee; and

(iii) an employee in a position described under the second or third provisos under the subheading "SENATE OFFICE BUILDINGS" under the heading "CAPITOL BUILDINGS AND GROUNDS" under the heading "ARCHITECT OF THE CAPITOL" in the Legislative Branch Appropriations Act, 1972 (2 U.S.C. 2048);

(B) becomes an employee of the contractor under a food services contract on the transfer date; and

(C) with respect to benefits under subsection (c)(2) or (3), files an election before the transfer date with the Office of Human Resources of the Architect of the Capitol to have 1 or more benefits continued in accordance with this section.

(3) FOOD SERVICES CONTRACT.—The term "food services contract" means a contract under which food services operations of the Senate Restaurants are transferred to, and performed by, a private business concern.

(4) TRANSFER DATE.—The term "transfer date" means the date on which a contractor begins the performance of food services operations under a food services contract.

(b) ELECTION OF COVERAGE.—

(1) IN GENERAL.—

(A) RETIREMENT COVERAGE.—Not later than the day before the transfer date, an individual described under subsection (a)(2)(A) and (B) may file an election with the Office of Human Resources of the Architect of the

Capitol to continue coverage under the retirement system under which that individual is covered on that day.

(B) LIFE AND HEALTH INSURANCE COVERAGE.—If the individual files an election under subparagraph (A) to continue retirement coverage, the individual may also file an election with the Office of Human Resources of the Architect of the Capitol to continue coverage of any other benefit under subsection (c)(2) or (3) for which that individual is covered on that day. Any election under this subparagraph shall be filed not later than the day before the transfer date.

(2) NOTIFICATION TO THE OFFICE OF PERSONNEL MANAGEMENT.—The Office of Human Resources of the Architect of the Capitol shall provide timely notification to the Office of Personnel Management of any election filed under paragraph (1).

(c) CONTINUITY OF BENEFITS.—

(1) PAY.—The rate of basic pay of a covered individual as an employee of a contractor, or successor contractor, during a period of continuous service may not be reduced to a rate less than the rate of basic pay paid to that individual as an employee of the Architect of the Capitol on the day before the transfer date, except for cause.

(2) RETIREMENT AND LIFE INSURANCE BENEFITS.—

(A) IN GENERAL.—For purposes of chapters 83, 84, and 87 of title 5, United States Code—

(i) any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) the rate of basic pay of the covered individual during the period described under clause (i) shall be deemed to be the rate of basic pay of that individual as an employee of the Architect of the Capitol on the date on which the Architect of the Capitol enters into the food services contract.

(B) TREATMENT AS CIVIL SERVICE RETIREMENT OFFSET EMPLOYEES.—In the case of a covered individual who on the day before the transfer date is subject to subchapter III of chapter 83 of title 5, United States Code, but whose employment with the Architect of the Capitol is not employment for purposes of title II of the Social Security Act and chapter 21 of the Internal Revenue Code of 1986—

(i) the employment described under subparagraph (A)(i) shall, for purposes of subchapter III of chapter 83 of title 5, United States Code, be deemed to be—

(I) employment of an individual described under section 8402(b)(2) of title 5, United States Code; and

(II) Federal service as defined under section 8349(c) of title 5, United States Code; and

(ii) the basic pay described under subparagraph (A)(ii) for employment described under subparagraph (A)(i) shall be deemed to be Federal wages as defined under section 8334(k)(2)(C)(i) of title 5, United States Code.

(3) HEALTH INSURANCE BENEFITS.—For purposes of chapters 89, 89A, and 89B of title 5, United States Code, any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol.

(4) LEAVE.—

(A) CREDIT OF LEAVE.—Subject to section 6304 of title 5, United States Code, annual and sick leave balances of any covered individual shall be credited to the leave accounts of that individual as an employee of the contractor, or any successor contractor. A food services contract may include provisions