

not let the House work its will? Why not allow the Congress to decide the future of our energy security here in America? And I don't think the American people are going to rest until Congress takes action on energy that does all of the above.

So, Madam Speaker, I ask unanimous consent to amend my motion to recommit to include the text of H.R. 6566, the American Energy Act.

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

Mr. GRIJALVA. I object.

The SPEAKER pro tempore. Objection is heard.

Mr. BOEHNER. Madam Speaker, this is a sham. I withdraw my motion.

The SPEAKER pro tempore. Without objection, the motion is withdrawn.

There was no objection.

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. GRIJALVA. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on passage will be followed by a 5-minute vote on the motion to suspend the rules with regard to H.R. 4081.

The vote was taken by electronic device, and there were—ayes 299, noes 118, not voting 16, as follows:

[Roll No. 583]

AYES—299

Abercrombie	Castle	Etheridge
Ackerman	Castor	Farr
Alexander	Chandler	Fattah
Allen	Childers	Ferguson
Altmire	Clarke	Filner
Andrews	Clay	Fortenberry
Arcuri	Cleaver	Fossella
Baird	Clyburn	Foster
Baldwin	Cohen	Frank (MA)
Barrett (SC)	Conyers	Frelinghuysen
Barrow	Cooper	Gallegly
Bartlett (MD)	Costa	Garrett (NJ)
Bean	Costello	Gerlach
Becerra	Courtney	Giffords
Berkley	Cramer	Gilchrest
Berry	Crowley	Gillibrand
Biggart	Cuellar	Gonzalez
Billirakis	Cummings	Gordon
Bishop (GA)	Davis (AL)	Green, Al
Bishop (NY)	Davis (CA)	Green, Gene
Bishop (UT)	Davis (IL)	Grijalva
Blumenauer	Davis, Lincoln	Gutierrez
Bonner	Davis, Tom	Hall (NY)
Bono Mack	DeFazio	Hare
Boren	DeGette	Hastings (FL)
Boswell	Delahunt	Hayes
Boucher	DeLauro	Herseth Sandlin
Boyd (FL)	Dent	Higgins
Boyd (KS)	Diaz-Balart, L.	Hill
Brady (PA)	Diaz-Balart, M.	Hinchey
Braley (IA)	Dicks	Hirono
Brown, Corrine	Dingell	Holden
Brown-Waite,	Doggett	Holt
Ginny	Donnelly	Honda
Buchanan	Doyle	Hooley
Butterfield	Edwards (MD)	Hoyer
Camp (MI)	Edwards (TX)	Inglis (SC)
Cannon	Ehlers	Inslee
Capito	Ellison	Israel
Capps	Ellsworth	Jackson (IL)
Capuano	Emanuel	Jackson-Lee
Carnahan	Engel	(TX)
Carney	English (PA)	Jefferson
Carson	Eshoo	Johnson (GA)

Johnson (IL)	Mitchell
Johnson, E. B.	Mollohan
Jones (NC)	Moore (KS)
Kagen	Moore (WI)
Kanjorski	Moran (VA)
Kaptur	Murphy (CT)
Kennedy	Murphy, Patrick
Kildee	Murphy, Tim
Kilpatrick	Murtha
Kind	Nadler
King (NY)	Napolitano
Kirk	Neal (MA)
Klein (FL)	Oberstar
Knollenberg	Obey
Kucinich	Oliver
Kuhl (NY)	Pallone
LaHood	Pascarell
Lampson	Pastor
Langevin	Payne
Larsen (WA)	Perlmutter
Larson (CT)	Peterson (PA)
LaTourette	Petri
Lewis (CA)	Platts
Lewis (GA)	Pomeroy
Lipinski	Porter
LoBiondo	Price (NC)
Loeback	Pryce (OH)
Lofgren, Zoe	Rahall
Lowe	Ramstad
Lynch	Rangel
Mahoney (FL)	Rehberg
Maloney (NY)	Reichert
Manzullo	Renzi
Markey	Reyes
Marshall	Richardson
Matheson	Rodriguez
Matsui	Rogers (AL)
McCarthy (NY)	Rogers (MI)
McCaul (TX)	Ros-Lehtinen
McCollum (MN)	Ross
McCotter	Rothman
McDermott	Roybal-Allard
McGovern	Ruppersberger
McHenry	Rush
McHugh	Ryan (OH)
McIntyre	Salazar
McKeon	Sánchez, Linda
McNerney	T.
McNulty	Sanchez, Loretta
Meek (FL)	Sarbanes
Meeks (NY)	Saxton
Melancon	Schakowsky
Michaud	Schiff
Miller (MI)	Schmidt
Miller (NC)	Schwartz
Miller, Gary	Scott (GA)
Miller, George	Scott (VA)

NOES—118

Aderholt	Foxx	Myrick
Akin	Franks (AZ)	Neugebauer
Bachmann	Gingrey	Nunes
Bachus	Gohmert	Paul
Barton (TX)	Goode	Pearce
Bilbray	Goodlatte	Pence
Blackburn	Granger	Pickering
Blunt	Graves	Poe
Boehner	Hall (TX)	Price (GA)
Boozman	Hastings (WA)	Putnam
Boustany	Heller	Radanovich
Brady (TX)	Hensarling	Regula
Broun (GA)	Herger	Reynolds
Brown (SC)	Hobson	Rogers (KY)
Burgess	Hoekstra	Rohrabacher
Burton (IN)	Hunter	Roskam
Buyer	Issa	Royce
Calvert	Johnson, Sam	Ryan (WI)
Campbell (CA)	Jordan	Sali
Cantor	Keller	Scalise
Carter	King (IA)	Sensenbrenner
Chabot	Kingston	Sessions
Coble	Kline (MN)	Shadegg
Cole (OK)	Lamborn	Shuster
Conaway	Latham	Simpson
Crenshaw	Latta	Smith (NE)
Cubin	Lewis (KY)	Souder
Culberson	Linder	Stearns
Davis (KY)	Lucas	Sullivan
Davis, David	Lungren, Daniel	Tancredo
Deal (GA)	E.	Thornberry
Doolittle	Mack	Tiahrt
Drake	Marchant	Walberg
Dreier	McCarthy (CA)	Wamp
Duncan	McMorris	Weldon (FL)
Emerson	Rodgers	Westmoreland
Everett	Mica	Wilson (NM)
Fallin	Miller (FL)	Wilson (SC)
Flake	Moran (KS)	Wittman (VA)
Forbes	Musgrave	Young (AK)

NOT VOTING—16

Baca	Hinojosa	Ortiz
Berman	Hodes	Peterson (MN)
Cardoza	Hulshof	Pitts
Caza youx	Lee	Velázquez
Feeney	Levin	
Harman	McCrery	

□ 1849

Messrs. FORBES and WITTMAN of Virginia changed their 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.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate had passed with an amendment a bill of the House of the following title:

H.R. 6532. An act to amend the Internal Revenue Code of 1986 to restore the Highway Trust Fund balance.

#### QUESTION OF PERSONAL PRIVILEGE

Mr. RANGEL. Madam Speaker, I rise on a question of personal privilege under rule IX.

The SPEAKER pro tempore. The Chair has been made aware of a valid basis for the gentleman's point of personal privilege.

The gentleman from New York is recognized for 1 hour.

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. Not to worry, my friend and colleagues. I have no intentions of keeping you for 1 hour, especially at this time of the day. But a couple of weeks ago the leadership of the minority had asked that I be thrown out of the House and censured based on a newspaper story, and I just want to thank those people who were thoughtful enough to think that even Members of Congress at some times should not rely on newspaper stories, but rather the Ethics Committee, which is bipartisan. More recently, however, my dear friend JOHN BOEHNER has asked the Speaker to ask me to step aside as the chairman of the Ways and Means Committee.

Now I say "my dear friend John Boehner," not as this word is tossed around in the House and Senate casually. I say it because JOHN BOEHNER has, for many, many years, been my friend. We have worked so closely together in bipartisan areas that just a couple of weeks ago he allowed me to strengthen my relationship with JIM MCCRERY on the Ways and Means Committee to get unemployment compensation passed, and lauded our efforts, as I lauded his.

I look around and I see GEORGE MILLER, who more than once said what a straight shooter he has been on Education. STENY HOYER has reminded me

that, you know, he may disagree with JOHN BOEHNER, but one thing is clear, that when you speak to him, that he says what he means and he means what he says.

Well, I don't really think he means that I am incompetent and should step down. I don't think he really means or thinks that the Speaker is going to remove me from the House of Representatives. I don't think that he thinks I am a threat to this honorable House, which I am so proud to be a Member of. And for those people who say hey, let the Ethics Committee make the decision, I thank you for myself, for my name, for my friends and for my supporters.

But believe it or not, I want to do this for the House of Representatives. I don't want any Member, Republican or Democrat, that is less politically secure than me to go through what I have had to go through for the last several weeks, because for them they never could survive. They would lose the election. And it won't be of anything that the voters knew. It would be what this Congress has done to each other.

You know, the Ways and Means Committee, we made a special effort to be civil, even when we disagreed. We are so proud, with the support of Speaker PELOSI, of STENY HOYER, and, yes, JOHN BOEHNER, working with us and trying to see what we can get done.

At the end of this election, this Congress is going to have serious things to take care of. And we won't have Democratic solutions to taxes and health and Social Security and the variety of things with peace and war. We are going to have to resolve these issues as a United States Congress in a bipartisan way. There is not going to be any Democratic way to do it.

And we are going to have to work together, not because we like each other, but we have a special responsibility to the people of the United States to make certain that our reputations may be low in terms of production, but if someone doesn't get health care, doesn't get that Social Security check, or for any reason finds himself without a house, they are not going to say the Democrats did it or the Republicans did it. They are going to say that this Congress let them down. It is going to be difficult, no matter who is the President or who is in the leadership.

But it does not help to polarize this body and take wild shots at each other, whether they are chairmen or whether they are freshmen, knowing that at the end of the day you are not going to accomplish anything substantive, but you are going to make it more difficult for us to get a law.

Do I say that JOHN BOEHNER knows this? I tell you this: To show you the depth of my friendship, I am embarrassed that he feels he has to do this. There is no way in the world, based on his knowledge of my love for this House, that he would believe that I would do anything to dishonor it. And

there is no question in my mind that at the end of the day, when the dust settles, that this issue is going to be moot. But I just don't know what the relationship between people is going to be. So I don't know the next move, but I would suggest that this is not the way to go.

JOHN BOEHNER, JOHN BOEHNER, JOHN BOEHNER. On the Tim Russert show, what they did to my friend there in saying that he was passing out illegal checks on the floor. A mistake? We all make them, and we all have to say we are sorry. But we all don't have to attack each other, because at the end of the day, that is all we may have to do to each other and get nothing done.

I am suggesting to you this: Mistakes may have been made by me, and I briefly want to let you know the issues that are before the Ethics Committee as relates to three subjects. And I will be brief.

Some 20 years ago, I was in the Dominican Republic. I got a call from a long and dear friend of mine to visit this place called Punta Cana, Dominican Republic, where he had some dream of making this a resort. I didn't want to go. My wife said friendship dictated it.

I got there and he was telling me about the dream. And I was impressed with his dream, but I said, what the heck has that got to do with me?

Well, he says, they want to start, they want to build some beach houses here, and there is the sand and there is the beach, and I think it's a good deal.

I said, it may be a good deal for you, but I really don't need a beach house and I can't afford it. And, besides, there is no house here.

He says, no, we haven't built them yet.

So I said, look, Ted, I don't have the time.

By the time they showed me the renderings, and they told me that it would cost \$82,000, I said I wish I had the \$82,000. Good-bye.

He says, no, if you have got \$28,000, then all they have to do is take the rentals from it and reduce the mortgages, and you can only use it for 9 months, but ultimately it would be yours.

I said, we can talk.

I refinanced my house. We had no savings, no nothing, and, quite frankly, I relied on the reputation, as I did then and will now, of a guy whose reputation is untouched.

Gradually the mortgage was coming down. I had received no financial statement. I could not break the culture in terms of Dominican and Spanish. I received no money, no check. Never did. But let's face it, I should have known. And after this hit the fan, I had my lawyer to go. He broke the balance and found out the fact that they didn't give out statements. Some years there was no statement. There was a half a dozen statements that we have accumulated. And then we took the balance, added to the mortgage of about \$50,000, another \$20,000 for another room.

All of the reports would indicate that RANGEL had a cash cow. RANGEL got some money. No. What happened was anybody who had a villa, whatever money they got, the hotel first would take their cut. Then they would take out taxes, they would take out renovations, they would take out hurricane expenses, they would take out interest, they would take out everything. At the end of the thing, whether your place was used or not used, they would equally distribute the money. Some years it was \$5,000. Some years it was nothing.

How many times did I use it in the nine weeks? I wish I had used it for nine weeks. I never spent nine days down there. I have never spent more than four days in any one year, and in several years I never was able to get there at all.

What has this got to do with the charges and the allegations? The charges and the allegation is how did he get rid of the mortgage? And the mortgage is that if I had done what I was supposed to have done, I would have found some way to find out how the allocation was there. Because legally and theoretically, the reduction of the mortgage meant income was coming somewhere, even if I didn't receive it.

□ 1900

And I should have found that out because, at the end of the day, my accountant tells me after 20 years of research there would be no tax liability because of the deduction of the foreign tax, which was higher, because I was an American and because of depreciation. They changed it and said that because I sold the house that I was raised in that it did not allow me to take full credit that I could have done for that year. It means, at the end of the day, my accountant believes that I would be liable for \$5,000. Do I take that lightly? No.

As a Member of Congress, as a public servant, I should have a higher standard than most people. Whether I owed \$5,000 or \$5 million, it was wrong, but it certainly doesn't mean that I should be kicked out of the House and say that I caused disservice to this august body. I just hope none of you have ever made mistakes on your income taxes, because what I have done is I've gone back 20 years and I've waived all statutes, and I'm prepared to pay whatever price there is, and I hope that at the end of the day that will take care of that. That's the roughest one.

The second thing is that one would have you to believe that I received some type of a gift in housing, because the headline is that RANGEL had four subsidized apartments in New York. The fact that there is no law in having four subsidized apartments in New York, of course, is no account to anybody. I don't have four apartments.

Briefly, what happened is that, 20 years ago, the kids were grown. We got tired of paying the bills on our house and getting into oil and doing all those

things. My wife said let's move to an apartment. I'd spent all of my life on 32nd Street and Lenox Avenue. She finds a place on 35th and Lenox Avenue. I refused to leave Harlem then as I do now, and there was a place called Lenox Terrace, where we now live, that had so many vacancies.

At that time 20 years ago, there weren't a whole lot of people who could afford not to live in Harlem, who were rushing to get into Harlem. Crime was really high. There were a lot of vacancies there, but they did have a doorman, and I felt since I was away from home so much that it might provide some security to my wife. In that house, people knowing that Alma would want to leave, there was a popular reverend, a pastor, and he, too, was leaving Harlem and was leaving an apartment that he had. I did not know and did not care that the apartment that he managed to get for us actually had been two apartments. He had it as one apartment. I got a lease for one apartment. I paid rent for one apartment. There's no way in the world I can imagine what it looked like when it was two apartments, and I don't care what the architect says. Under the law, that is one apartment.

Ten years after I was in the apartment, my wife was notified by the landlord—incidentally, he was the one who was supposed to give me the gift. I wouldn't know what he looks like. I've never met him in my life or his agent, but he was saying that there was a studio apartment next to mine, and did I have any interest in it. They were really pushing apartments then. My wife says she didn't see any need for it.

I said, "Well, let's talk about this, Alma. You don't want my political friends to come here and talk in the living room. You get so tired of me doing my work, you know, while you're doing something else. You don't want any smoke in here. I can't have a card game here. Let's take a look at this one room apartment."

I took it, and I can tell you that it saved my marriage. There's not a day when I'm home that I don't spend some time just sitting there. Sometimes it's reading. Sometimes it's studying. Sometimes the gang comes. Sometimes we raise a lot of devil. I pay the maximum rent for what cannot be described physically as any more than two apartments, but we can get two—the so-called fourth and third apartments.

It's hard for me to admit to those of you who have a lot of political problems that, for most all of my political life in Congress, I've never picked up the phone to ask anybody to give me any money because I'd never really had any problems. I did have a guy in Washington that would give a fundraiser—one in Washington and one in New York—but it's kind of hard, when you're not challenged, to ask for money, but I guess it was my personality or my seniority on the Ways and

Means Committee, one or the other. Somehow funds were coming in, so I hired somebody. We worked down at the political club. The money was coming in. He said he needed a little help. He thought that I should open up a headquarters. Well, I don't agree in spending a lot of money, but he said he'd heard that the Lenox Terrace, where I lived, had people living in apartments that were converted but that were not commercial for running McDonald's and other business.

I said, "Do what you want. We can afford to do it."

They got this apartment. A staff of two became a staff of three, four and five, and I guess the Republican campaign committee can tell you how successful I've been.

It reached the point where they said, "Look, Congressman. We've got too many people. There's no air conditioning here. We need more space. Things are going well. You're sending out a lot of checks. We will not renew the lease." This is before what happened in the paper.

I said, "Do what you have to do."

They spoke with the landlord and negotiated: an apartment with him for a larger staff, office accommodations in a place that was double the rent, much larger, right there in the Lenox Terrace, which means that everyone knew what they were doing and what other people were doing. We decided it would be best just to leave the Lenox Terrace in lieu of what happened because it was just too awkward.

That ends, once and for all, the whole idea of a gift. I paid the maximum rent. If I'd decided that because I wanted to please somebody that I should look for a marketplace rent, I would not know where to go, but I sure am not going to give the landlord what I think is a higher rent because I want to please somebody as to what is market rent, but if I'd left the apartment because of some foolish, stupid reason, the landlord would've come in, slapped some paint on it and doubled the rent. So, therefore, it would not be of any assistance to somebody of a lesser income.

Whatever doubts you may have, which I don't see how—I told somebody show me the gift, and I'll walk away. Leave it to the bipartisan Ethics Committee to decide. It's not only the right and fair thing to do. It's the only thing to do.

The last point gives me a little more difficulty. They are saying that I may have used my stationery to solicit funds for the City College of New York for an institution that the board of trustees has named the Charles Rangel Public School for Public Service.

I have to let you know that, on November 30, 1950, I was shot and left for dead in Korea, and I came home in '52. I had more medals, more self-esteem than any guy 22 years old should have. The only time it was shattered is when I went for a job and found out that nobody wanted heroes, that nobody wanted infantry men and that nobody want-

ed the expertise that I enjoyed in directing fire on the enemy to 18 155-millimeter Howitzers at 75 shell bombs on the enemy. So, it was clear that I not only was unemployed but that I was unemployable. It was clear in one day when I had my truck full of stuff on the street in the Garment Center that I joined the Army to avoid. The rain came; the boxes were scattered all over, and the policeman was cursing me out for blocking traffic. Sergeant RANGEL was being cursed out on a public street.

I dropped everything. I went to the VA, and I said, "I need some help." They told me that because I had to go back to high school that I couldn't go to college. I raised so much hell. Finally, because of the GI Bill—I was a high school dropout—I got the training to become a Member of Congress, a member of the Ways and Means Committee and become its chairman.

Am I overzealous about education? You bet your life. Do I go everywhere and tell businesspeople that you owe it to this country to assist us in making certain that Americans can produce, that we shouldn't be embarrassed of having to import people here who have knowledge in science and all of that? I want America to be as strong as it can be, and I'm going to do everything legally, morally and ethically possible to make certain that we support our young people and expose them to education.

This CCNY, this City College of New York, has excelled. Colin Powell and so many people had dreams and have succeeded. All I was saying is that we have thousands of Barack Obamas in the Black community. We have so few who are willing to get involved in public service. They go to Wall Street. They make their money and they're bright. What I want to do is to encourage minorities and be able to say, "Hey, you don't have to run for public office, but please understand the importance of public service." They said, "There should be a school for you to do that." I said, "Well, let's get a school. Let's do it." They said, "Let's do it."

Two, three days ago, I heard Secretary Rice talking to some group, and she was saying that she goes to so many countries and that she doesn't see people in the Foreign Service who look like her. Those who look like the gorgeous mosaic of America is not abroad. But she said, "Thanks to Congressman RANGEL, we have worked out a program where we go to the historically Black colleges where we train these people there. When they graduate, they not only have degrees, but they are members of the Foreign Service, and they learn to understand the great contribution they can make to this country." That was what I wanted to do.

I made certain that, in this letter, I did not ask for any public funds or for any kind of funds at all, but they said, because they knew that the reason I wanted these not-for-profit people,

these private people, to take a look and see whether they could support this not-for-profit public college, there may have been some stretch in the line because it was on stationery. Had I not had the seal that had the Capitol, it would have been all right.

I'm glad this happened because I'm going to find some way to do what I do, and I'm going to do it the way the Ethics Committee says to do it, but I hope I can get some of you to encourage the private sector to do what our government is not doing. Education is too important to leave to the local and State schools. Corporations have an obligation to help us to educate our people. Condoleezza Rice said it, and I truly know that you believe a failure to educate our young people is a threat to our national security. If for whatever reason the Federal Government is not doing it, everyone ought to do their bit. So, whatever the Ethics Committee says to do, we have to do.

Finally, I've changed my mind in bringing to your attention how they beat up on Mr. BOEHNER on the Tim Russert show: where he's been, how he got there and what he violated. At the end of the day, I think I'm trying to make certain that my presentation ends up on as positive a note as I can because of my longtime respect for my friend. Mr. BOEHNER said it was a big mistake and I regret it. I shouldn't have done it. It was an old practice in the House that had gone on for a long time. Well, I think he knows what I'm talking about.

If you made a mistake, I may have made a mistake.

I'll tell you one thing. The judgment of our mistakes should not be to attack each other. It should not be to defame us in front of our family and friends. Whatever difference that we had with each other, that's why we have the Ethics Committee. So, at the end of the day, that's how it's going to be resolved. We don't have that many issues that we've got to work with, perhaps, in a bipartisan way. Whatever we have to do because of the election we have to do, and I don't expect this short talk is going to change anything, but I do hope there is one thing that we keep in mind: that for those of us who are going to be here next year with a new administration, the last thing we have to do is to threaten each other politically and destroy the friendships and the camaraderie that we have worked so hard to try to restore.

I conclude by letting you know that some of you old-timers may know a guy named Guy Vander Jagt. Guy Vander Jagt was chairperson of the Republican Campaign Committee. Could he speak? Could he raise money? Was he partisan? Guy Vander Jagt was my friend. Guy Vander Jagt would come to my fund-raisers. I would stop over to his. His wife and my wife are the best of friends. Even though Guy Vander Jagt is gone, they asked me to speak in the Congress to say how he was loved by both sides. Was he a good Repub-

lican? Was he fierce? Was he eloquent? Was he liked? Yes.

I don't think I'll live long enough to see the days when we'll have that type of relationship. The little we do have let's not destroy. We have a big responsibility to our Nation and to this Congress. I know in my heart that my friend JOHN BOEHNER does not mean truly what he has said, and whoever has put him in the position where he felt that he had to say it, hey, it's campaign time. I understand it. It has to stop somewhere before we leave here. I hope it can stop now.

I yield back the balance of my time.

□ 1915

Mr. BOEHNER. Madam Speaker, I demand a point of personal privilege under the rules.

The SPEAKER pro tempore. The Chair has not been made aware of the basis for the point of personal privilege. Does the gentleman seek recognition under unanimous consent?

Mr. BOEHNER. Madam Speaker, I ask unanimous consent to speak out of order for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

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

Mr. BOEHNER. I appreciate all my colleagues and their endurance in this. And you all should know that CHARLIE RANGEL and I are friends. We've had fierce debates. We've worked together on many bills, and he's someone who I talk to virtually every day in this House. And it pains me, it pains me to do what I had to do on behalf of my colleagues.

We all live under a system of laws; not only all of us, but all of the American people. Those of us that work in this Chamber, we work under a set of laws and a set of rules. And when the rules are violated, the court system doesn't take into effect whether you were aware of the rules or you were aware of the laws. You either violated the laws or you didn't.

And I say to my friend from New York that, considering the stories that occurred over the summer about the rent-controlled apartments, the fact that one of them was a campaign office, you could conjure up the fact that because it was rent-subsidized that it was, in fact, a campaign gift. And this latest round of stories—

Mr. RANGEL. Will you yield just on that one point?

Mr. BOEHNER. I will be happy to yield.

Mr. RANGEL. Rent-subsidized. If you lived a million years you could not tell where one subsidy came from. Stabilization and subsidies are entirely two different things. There is no subsidy involved. It's a cap.

Mr. BOEHNER. Reclaiming my time. And then this latest round of stories that the gentleman from New York was kind enough to share with all of us

raise serious questions, serious questions.

And I just—the point of the letter that was sent yesterday was to ask the gentleman if he would step aside until the Ethics Committee had time to investigate this.

I believe that the Ethics Committee needs to do its job, not just in this case, but in all cases. And I've been concerned for some time that the Ethics Committee has not been a functioning committee of the House. I understand the current circumstances. We all understand the current circumstances.

But I don't want to condemn the gentleman. I've never convicted the gentleman, nor would I, because he is my friend. But just because he's my friend doesn't mean that I can excuse him from the rules of the House or the law of our land.

And so I ask my colleagues to work with us. I believe, like CHARLIE does, that we, as a Congress, have to find a way to get beyond what's gone on around here over the last 7 or 8 years, that we have to find a way to work together.

If you look at the issues that CHARLIE and I have worked on, GEORGE MILLER and I have worked on, and a lot of other Members that I've worked on on both sides of the aisle, the big issues of our country will not get done by one side or the other. They will only be addressed in a bipartisan way if we're going to be successful. And we know we have big issues facing this country that are being ignored because we're too busy clawing at each other.

My intent here is not to claw at my friend from New York. My intent here is to have justice and to have all of us live by the rules of the House.

I'm sorry that I had to do it, but I have a job to do on behalf of my colleagues in this Chamber. I believe all of us are being held accountable and should be held accountable.

Yes, I've made mistakes, and I've paid for them. I just think that the sooner we get this cleaned up, the better.

But, in the meantime, in fairness to the Members of the House, that stepping aside would, in fact, be the right thing to do.

#### PREVENT ALL CIGARETTE TRAFFICKING ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 4081, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 4081, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 379, nays 12, not voting 42, as follows: