

Whereas, the Chicago Tribune noted that the ties between a senior House Appropriations Committee member and Mr. Magliocchetti's firm "reflect a culture of pay-to-play in Washington." and ABC News indicated that "the firm's operations—millions out to lawmakers, hundreds of millions back in earmarks for clients—have made it, for many observers, the poster child for tacit "pay-to-play" politics . . ." (Chicago Tribune, March 2, 2009; ABC News The Blotter, March 4, 2009)

Whereas Roll Call has reported that "a handful of lawmakers had already begun to refund donations tied to" the firm "at the center of a federal probe . . ." (Roll Call, February 23, 2009)

Whereas, the persistent media attention focused on questions about the nature and timing of campaign contributions related to Mr. Magliocchetti, as well as reports of the Justice Department conducting research on earmarks and campaign contributions, raise concern about the integrity of Congressional proceedings and the dignity of the institution.

Whereas, the fact that cases are being investigated by the Justice Department does not preclude the Committee on Standards from taking investigative steps: Now, therefore, be it

*Resolved, That*

(a) The Committee on Standards of Official Conduct, or a subcommittee of the committee designated by the committee and its members appointed by the chairman and ranking member, shall immediately begin an investigation into the relationship between the source and timing of past campaign contributions to Members of the House related to the founder of the raided firm and earmark requests made by Members of the House on behalf of clients of the raided firm.

(b) The Committee on Standards of Official Conduct shall submit a report of its findings to the House of Representatives within 2 months after the date of adoption of the resolution.

The SPEAKER pro tempore. The resolution qualifies.

MOTION TO TABLE

Mr. BECERRA. Mr. Speaker, I move to lay the resolution on the table.

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

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

Mr. FLAKE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to table will be followed by 5-minute votes on ordering the previous question on H. Res. 257, and adopting H. Res. 257, if ordered.

The vote was taken by electronic device, and there were—yeas 226, nays 180, answered "present" 15, not voting 10, as follows:

[Roll No. 141]

YEAS—226

Abercrombie	Arcuri	Becerra
Ackerman	Baca	Berkley
Adler (NJ)	Baird	Berman
Altmire	Baldwin	Berry
Andrews	Barrow	Bishop (GA)

Bishop (NY)	Holt
Blumenauer	Honda
Boren	Hoyer
Boswell	Inslee
Boucher	Israel
Boyd	Jackson (IL)
Brady (PA)	Jackson-Lee
Braley (IA)	(TX)
Brown, Corrine	Johnson (GA)
Capps	Johnson, E. B.
Capuano	Jones
Cardoza	Kagen
Carnahan	Kanjorski
Carney	Kaptur
Carson (IN)	Kennedy
Childers	Kildee
Clarke	Kilpatrick (MI)
Clay	Kilroy
Cleaver	Kissell
Clyburn	Klein (FL)
Cohen	Kratovil
Connolly (VA)	Kucinich
Conyers	Langevin
Cooper	Larsen (WA)
Costa	Larson (CT)
Costello	Lee (CA)
Courtney	Levin
Crowley	Lewis (GA)
Cuellar	Lipinski
Cummings	Lowe
Dahlkemper	Lujan
Davis (AL)	Lynch
Davis (CA)	Maffei
Davis (IL)	Maloney
Davis (TN)	Markey (CO)
DeFazio	Markey (MA)
DeGette	Marshall
DeLauro	Massa
Dicks	Matheson
Dingell	Matsui
Doggett	McCarthy (NY)
Doyle	McCollum
Driehaus	McDermott
Edwards (MD)	McGovern
Edwards (TX)	McMahon
Ellison	Meek (FL)
Engel	Meeke (NY)
Eshoo	Melancon
Etheridge	Michaud
Farr	Miller (NC)
Fattah	Miller, George
Filner	Mollohan
Frank (MA)	Moore (KS)
Fudge	Moore (WI)
Gonzalez	Moran (VA)
Gordon (TN)	Murphy (CT)
Grayson	Murphy, Patrick
Green, Al	Murphy, Tim
Green, Gene	Murtha
Griffith	Nadler (NY)
Grijalva	Neal (MA)
Gutierrez	Nye
Hall (NY)	Oberstar
Hare	Obey
Harman	Olver
Hastings (FL)	Ortiz
Heinrich	Pallone
Herseth Sandlin	Pascrell
Higgins	Pastor (AZ)
Hinojosa	Payne
Hirono	Perlmutter
Holden	Peters

NAYS—180

Aderholt	Buchanan
Akin	Burgess
Alexander	Burton (IN)
Austria	Buyer
Bachmann	Calvert
Bachus	Camp
Bartlett	Campbell
Barton (TX)	Cantor
Bean	Cao
Biggert	Capito
Bilbray	Carter
Bilirakis	Cassidy
Bishop (UT)	Castle
Blackburn	Chaffetz
Blunt	Coble
Boccheri	Coffman (CO)
Boehner	Cole
Bono Mack	Crenshaw
Boozman	Davis (KY)
Brady (TX)	Deal (GA)
Bright	Diaz-Balart, M.
Broun (GA)	Donnelly (IN)
Brown (NJ)	Dreier
Brown-Waite,	Duncan
Ginny	Ehlers

Peterson	Hensarling
Pingree (ME)	Herger
Polis (CO)	Himes
Pomeroy	Hodes
Price (NC)	Hoekstra
Rahall	Hunter
Rangel	Inglis
Reyes	Issa
Richardson	Jenkins
Rodriguez	Johnson (IL)
Rohrabacher	Johnson, Sam
Ross	Jordan (OH)
Rothman (NJ)	Kind
Roybal-Allard	King (IA)
Ruppersberger	King (NY)
Rush	Kingston
Ryan (OH)	Kirk
Salazar	Kirkpatrick (AZ)
Sánchez, Linda	Kosmas
T.	Lamborn
Sanchez, Loretta	Lance
Sarbanes	Latham
Schakowsky	LaTourette
Schauer	Latta
Schiff	Lee (NY)
Schrader	Lewis (CA)
Schwartz	Linder
Scott (GA)	LoBiondo
Scott (VA)	Loeback
Serrano	Lucas
Sestak	Luetkemeyer
Shea-Porter	Lummis
Sherman	Lungren, Daniel
Shuler	E.
Sires	Mack
Skelton	Manzullo
Slaughter	
Smith (WA)	
Snyder	
Space	
Speier	
Spratt	
Stark	
Stupak	
Sutton	
Tanner	
Tauscher	
Taylor	
Thompson (CA)	
Thompson (MS)	
Tierney	
Titus	
Tonko	
Towns	
Tsongas	
Van Hollen	
Velázquez	
Wasserman	
Schultz	
Waters	
Watson	
Watt	
Waxman	
Weiner	
Wexler	
Wilson (OH)	
Woolsey	
Wu	
Yarmuth	
Young (AK)	

Marchant	Rogers (MI)
McCarthy (CA)	Rooney
McCaul	Ros-Lehtinen
McClintock	Roskam
McCotter	Royce
McHenry	Ryan (WI)
McHugh	Scalise
McIntyre	Schmidt
McKeon	Schock
McMorris	Sensenbrenner
Rodgers	Sessions
McNerney	Shadegg
Mica	Shimkus
Miller (FL)	Simpson
Miller (MI)	Smith (NE)
Minnick	Smith (NJ)
Mitchell	Smith (TX)
Moran (KS)	Stearns
Myrick	Sullivan
Neugebauer	Teague
Nunes	Terry
Paul	Thompson (PA)
Paulsen	Thornberry
Pence	Tiahrt
Perriello	Tiberi
Petri	Turner
Pitts	Upton
Platts	Visclosky
Posey	Walz
Price (GA)	Wamp
Putnam	Westmoreland
Rehberg	Whitfield
Reichert	Wilson (SC)
Roe (TN)	Wittman
Rogers (AL)	Wolf
Rogers (KY)	Young (FL)

ANSWERED "PRESENT"—15

Barrett (SC)	Conaway	Kline (MN)
Bonner	Dent	Lofgren, Zoe
Butterfield	Diaz-Balart, L.	Poe (TX)
Castor (FL)	Hastings (WA)	Walden
Chandler	Hill	Welch

NOT VOTING—10

Boustany	Miller, Gary	Shuster
Culberson	Napolitano	Souder
Delahunt	Olson	
Hinchey	Radanovich	

□ 1157

Messrs. CALVERT and TEAGUE changed their vote from "yea" to "nay."

Messrs. CONYERS, CLEAVER, ENGEL, SMITH of Washington and Ms. WATSON changed their vote from "nay" to "yea."

Messrs. BARRETT of South Carolina, LINCOLN DIAZ-BALART of Florida, and WALDEN changed their vote from "nay" to "present."

Mr. BUTTERFIELD changed his vote from "yea" to "present."

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

A motion to reconsider was laid on the table.

Stated for:

Mrs. NAPOLITANO. Madam Speaker, on Thursday, March 19, 2009, I was absent during rollcall vote No. 141 in order to attend an event with the President in my district. Had I been present, I would have voted "yea" on the motion to table H. Res. 265—Raising a question of privileges of the House.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 257, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 242, nays 180, not voting 9, as follows:

[Roll No. 142]

YEAS—242

Abercrombie	Grijalva	Olver
Ackerman	Gutierrez	Ortiz
Adler (NJ)	Hall (NY)	Pallone
Altmire	Halvorson	Pascrell
Andrews	Hare	Pastor (AZ)
Arcuri	Harman	Payne
Baca	Hastings (FL)	Perlmutter
Baird	Heinrich	Perriello
Baldwin	Herseth Sandlin	Peters
Bean	Higgins	Peterson
Becerra	Hill	Pingree (ME)
Berkley	Himes	Polis (CO)
Berman	Hinojosa	Pomeroy
Berry	Hirono	Price (NC)
Bishop (GA)	Hodes	Rahall
Bishop (NY)	Holden	Rangel
Blumenauer	Holt	Reyes
Boccieri	Honda	Richardson
Boren	Hoyer	Rodriguez
Boswell	Inslee	Ross
Boucher	Israel	Rothman (NJ)
Boyd	Jackson (IL)	Coffman (CO)
Brady (PA)	Jackson-Lee	Roybal-Allard
Braley (IA)	(TX)	Ruppersberger
Brown, Corrine	Johnson (GA)	Rush
Butterfield	Johnson, E. B.	Ryan (OH)
Capps	Kagen	Salazar
Capuano	Kanjorski	Sánchez, Linda
Cardoza	Kaptur	T.
Carahan	Kennedy	Sanchez, Loretta
Carney	Kildee	Sarbanes
Carson (IN)	Kilpatrick (MI)	Schakowsky
Castor (FL)	Kilroy	Schauer
Chandler	Kind	Schiff
Clarke	Kirkpatrick (AZ)	Schrader
Clay	Kissell	Schwartz
Cleaver	Klein (FL)	Scott (GA)
Clyburn	Kratovich	Scott (VA)
Cohen	Kucinich	Scott (VA)
Connolly (VA)	Langevin	Serrano
Conyers	Larsen (WA)	Sestak
Cooper	Larson (CT)	Shea-Porter
Costa	Lee (CA)	Sherman
Costello	Levin	Shuler
Courtney	Lewis (GA)	Sires
Crowley	Lipinski	Skelton
Cuellar	Loeb sack	Slaughter
Cummings	Lofgren, Zoe	Smith (WA)
Dahlkemper	Lowey	Snyder
Davis (AL)	Lujan	Space
Davis (CA)	Lynch	Speier
Davis (IL)	Maffei	Spratt
Davis (TN)	Maloney	Stark
DeFazio	Markey (CO)	Stupak
DeGette	Markey (MA)	Sutton
DeLauro	Marshall	Tanner
Dicks	Massa	Tauscher
Dingell	Matheson	Taylor
Doggett	Matsui	Teague
Donnelly (IN)	McCarthy (NY)	Thompson (CA)
Driehaus	Doyle	Thompson (MS)
Edwards (MD)	McDermott	Tierney
Edwards (TX)	McGovern	Titus
Ellison	McIntyre	Tonko
Ellsworth	McMahon	Towns
Engel	Meek (FL)	Tsongas
Eshoo	Meeks (NY)	Van Hollen
Etheridge	Melancon	Velázquez
Farr	Michaud	Visclosky
Fattah	Miller (NC)	Walz
Filner	Miller, George	Wasserman
Foster	Mollohan	Schultz
Frank (MA)	Moore (KS)	Waters
Fudge	Moore (WI)	Watson
Giffords	Moran (VA)	Watt
Gonzalez	Murphy (CT)	Waxman
Gordon (TN)	Murphy, Patrick	Weiner
Grayson	Murtha	Welch
Green, Al	Nadler (NY)	Wexler
Green, Gene	Neal (MA)	Wilson (OH)
Griffith	Oberstar	Woolsey
	Obey	Wu
		Yarmuth

NAYS—180

Aderholt	Austria	Barrett (SC)
Akin	Bachmann	Barrow
Alexander	Bachus	Bartlett

Barton (TX)	Gohmert	Moran (KS)
Biggert	Goodlatte	Murphy, Tim
Bilbray	Granger	Myrick
Bilirakis	Graves	Neugebauer
Bishop (UT)	Guthrie	Nunes
Blackburn	Hall (TX)	Nye
Blunt	Harper	Paul
Boehner	Hastings (WA)	Paulsen
Bonner	Heller	Pence
Bono Mack	Hensarling	Petri
Boozman	Herger	Pitts
Brady (TX)	Hoekstra	Platts
Bright	Hunter	Poe (TX)
Broun (GA)	Inglis	Posey
Brown (SC)	Issa	Price (GA)
Brown-Waite,	Jenkins	Putnam
Ginny	Johnson (IL)	Rehberg
Buchanan	Johnson, Sam	Reichert
Burgess	Jones	Roe (TN)
Burton (IN)	Jordan (OH)	Rogers (AL)
Buyer	King (IA)	Rogers (KY)
Calvert	King (NY)	Rogers (MI)
Camp	Kingston	Rohrabacher
Campbell	Kirk	Rooney
Cantor	Kline (MN)	Ros-Lehtinen
Cao	Kosmas	Roskam
Capito	Lamborn	Royce
Carter	Lance	Ryan (WI)
Cassidy	Latham	Scalise
Castle	LaTourrette	Schmidt
Richardson	Latta	Schock
Rodriguez	Lee (NY)	Sensenbrenner
Childers	Coble	Sessions
Coble	Coffman (CO)	Shadegg
Linder	Cole	Shimkus
LoBiondo	Conaway	Shuster
Lucas	Crenshaw	Simpson
Luetkemeyer	Davis (KY)	Smith (NE)
Lummis	Deal (GA)	Smith (NJ)
Lungren, Daniel	Dent	Smith (TX)
E.	Diaz-Balart, L.	Stearns
Mack	Diaz-Balart, M.	Sullivan
Manzullo	Dreier	Terry
Marchant	Duncan	Thompson (PA)
McCarthy (CA)	Ehlers	Thornberry
McCaul	Emerson	Tiaht
McClintock	Fallin	Tiberi
McCotter	Flake	Turner
McHenry	Fleming	Upton
McHugh	Forbes	Walden
McKeon	Fortenberry	Wamp
McMorris	Fox	Westmoreland
Rodgers	Franks (AZ)	Whitfield
McNerney	Frelinghuysen	Whitfield
Mica	Gallegly	Wilson (SC)
Miller (FL)	Garrett (NJ)	Wittman
Miller (MI)	Gerlach	Wolf
Minnick	Gingrey (GA)	Young (AK)
Mitchell		Young (FL)

NOT VOTING—9

Boustany	Hinchey	Olson
Culberson	Miller, Gary	Radanovich
Delahunt	Napolitano	Souder

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on this vote.

□ 1206

Mr. MCNERNEY changed his vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Madam Speaker, on Thursday, March 19, 2009, I was absent during rollcall vote No. 142 in order to attend an event with the President in my district. Had I been present, I would have voted “yea” on ordering the previous question to H. Res. 257—Which provides for consideration of motions to suspend the Rules.

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

**TAXING EXECUTIVE BONUSES PAID BY COMPANIES RECEIVING TARP ASSISTANCE**

Mr. RANGEL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1586

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

**SECTION 1. BONUSES RECEIVED FROM CERTAIN TARP RECIPIENTS.**

(a) IN GENERAL.—In the case of an employee or former employee of a covered TARP recipient, the tax imposed by chapter 1 of the Internal Revenue Code of 1986 for any taxable year shall not be less than the sum of—

(1) the tax that would be determined under such chapter if the taxable income of the taxpayer for such taxable year were reduced (but not below zero) by the TARP bonus received by the taxpayer during such taxable year, plus

(2) 90 percent of the TARP bonus received by the taxpayer during such taxable year.

(b) TARP BONUS.—For purposes of this section—

(1) IN GENERAL.—The term “TARP bonus” means, with respect to any individual for any taxable year, the lesser of—

(A) the aggregate disqualified bonus payments received from covered TARP recipients during such taxable year, or

(B) the excess of—

(i) the adjusted gross income of the taxpayer for such taxable year, over

(ii) \$250,000 (\$125,000 in the case of a married individual filing a separate return).

(2) DISQUALIFIED BONUS PAYMENT.—

(A) IN GENERAL.—The term “disqualified bonus payment” means any retention payment, incentive payment, or other bonus which is in addition to any amount payable to such individual for service performed by such individual at a regular hourly, daily, weekly, monthly, or similar periodic rate.

(B) EXCEPTIONS.—Such term shall not include commissions, welfare or fringe benefits, or expense reimbursements.

(C) WAIVER OR RETURN OF PAYMENTS.—Such term shall not include any amount if the employee irrevocably waives the employee’s entitlement to such payment, or the employee returns such payment to the employer, before the close of the taxable year in which such payment is due. The preceding sentence shall not apply if the employee receives any benefit from the employer in connection with the waiver or return of such payment.

(3) REIMBURSEMENT OF TAX TREATED AS TARP BONUS.—Any reimbursement by a covered TARP recipient of the tax imposed under subsection (a) shall be treated as a disqualified bonus payment to the taxpayer liable for such tax.