

FUDGE, and Mr. ELLISON changed their vote from “yea” to “nay.”

Mr. REYES, Ms. CASTOR of Florida, and Messrs. HALL of New York, LUJÁN and SMITH of Washington changed their vote from “nay” to “yea.”

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

Ms. WASSERMAN SCHULTZ, Madam Speaker, pursuant to the instructions of the House in the motion to recommit, I report the bill, H.R. 2918, back to the House with an amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Ms. WASSERMAN SCHULTZ:

Page 2, line 9, strike “\$1,375,300,000” and insert “\$1,375,200,000”.

Page 5, line 19, strike “\$317,940,000” and insert “\$317,840,000”.

Page 5, line 25, strike “\$278,378,000” and insert “\$278,278,000”.

The SPEAKER pro tempore. 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.

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

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 232, nays 178, not voting 23, as follows:

[Roll No. 413]

YEAS—232

Abercrombie
Ackerman
Aderholt
Andrews
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cao
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole

Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (TN)
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Filner
Foster
Frank (MA)
Fudge
Gonzalez
Gordon (TN)
Grayson
Green, Al

Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
Johnson (GA)
Johnson, E. B.
Kagen
Kaptur
Kildee
Kilroy
Kirk
Kissell
Klein (FL)
Kosmas
Kucinich
Lance
Langevin
Larsen (WA)

Larson (CT)
Latham
Lee (CA)
Levin
Lewis (CA)
Lipinski
Loeback
Lofgren, Zoe
Lowey
Lujan
Lynch
Maffei
Maloney
Markey (MA)
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Oliver

Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Shuler

NAYS—178

Adler (NJ)
Akin
Alexander
Altmire
Arcuri
Austria
Bachus
Bartlett
Barton (TX)
Bean
Biggart
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Costello
Culberson
Davis (KY)
Dent
Donnelly (IN)
Dreier
Driehaus
Duncan
Ehlers
Fallin
Flake
Fleming
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen

Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Green, Gene
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kind
King (IA)
King (NY)
Kingston
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Latta
Lee (NY)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Markey (CO)
Marshall
Massa
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon

Simpson
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Visclosky
Walz
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

Tiberi
Turner
Upton

Walden
Whitfield
Wilson (SC)

Wittman
Wolf

NOT VOTING—23

Bachmann
Barrett (SC)
Bishop (GA)
Bishop (NY)
Capuano
Davis (AL)
Deal (GA)
DeFazio

Fattah
Harman
Kanjorski
Kennedy
Kilpatrick (MI)
LaTourette
Lewis (GA)
Miller (FL)

Sánchez, Linda
T.
Sessions
Sestak
Shadegg
Sullivan
Velázquez
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in the vote.

□ 1309

Ms. CORRINE BROWN of Florida changed her vote from “nay” to “yea.” So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. MILLER of Florida. Madam Speaker, on rollcall No. 413, I was detained in a meeting. Had I been present, I would have voted “nay.”

PERSONAL EXPLANATION

Ms. KILPATRICK of Michigan. I was unable to attend to several votes today. Had I been present, I would have voted “yea” on the Motion to Recommit H.R. 2918, Legislative Branch Appropriations Act for FY 2010, and “yea” on Final Passage of H.R. 2918, Legislative Branch Appropriations Act for 2010.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker’s approval of the Journal, which the Chair will put de novo.

The question is on the Speaker’s approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

IMPEACHING JUDGE SAMUEL B. KENT

Mr. CONYERS. Mr. Speaker, by direction of the Committee on Judiciary, I call up House Resolution 520 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 520

Resolved, That Samuel B. Kent, a judge of the United States District Court for the Southern District of Texas, is impeached for high crimes and misdemeanors, and that the following articles of impeachment be exhibited to the Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and all of the people of the United States of America, against Samuel B. Kent, a judge of the United States District Court for the Southern District of Texas, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

ARTICLE I

Incident to his position as a United States district court judge, Samuel B. Kent has engaged in conduct with respect to employees

associated with the court that is incompatible with the trust and confidence placed in him as a judge, as follows:

(1) Judge Kent is a United States District Judge in the Southern District of Texas. From 1990 to 2008, he was assigned to the Galveston Division of the Southern District, and his chambers and courtroom were located in the United States Post Office and Courthouse in Galveston, Texas.

(2) Cathy McBroom was an employee of the Office of the Clerk of Court for the Southern District of Texas, and served as a Deputy Clerk in the Galveston Division assigned to Judge Kent's courtroom.

(3) On one or more occasions between 2003 and 2007, Judge Kent sexually assaulted Cathy McBroom, by touching her private areas directly and through her clothing against her will and by attempting to cause her to engage in a sexual act with him.

Wherefore, Judge Samuel B. Kent is guilty of high crimes and misdemeanors and should be removed from office.

ARTICLE II

Incident to his position as a United States district court judge, Samuel B. Kent has engaged in conduct with respect to employees associated with the court that is incompatible with the trust and confidence placed in him as a judge, as follows:

(1) Judge Kent is a United States District Judge in the Southern District of Texas. From 1990 to 2008, he was assigned to the Galveston Division of the Southern District, and his chambers and courtroom were located in the United States Post Office and Courthouse in Galveston, Texas.

(2) Donna Wilkerson was an employee of the United States District Court for the Southern District of Texas.

(3) On one or more occasions between 2001 and 2007, Judge Kent sexually assaulted Donna Wilkerson, by touching her in her private areas against her will and by attempting to cause her to engage in a sexual act with him.

Wherefore, Judge Samuel B. Kent is guilty of high crimes and misdemeanors and should be removed from office.

ARTICLE III

Samuel B. Kent corruptly obstructed, influenced, or impeded an official proceeding as follows:

(1) On or about May 21, 2007, Cathy McBroom filed a judicial misconduct complaint with the United States Court of Appeals for the Fifth Circuit. In response, the Fifth Circuit appointed a Special Investigative Committee (hereinafter in this article referred to as "the Committee") to investigate Cathy McBroom's complaint.

(2) On or about June 8, 2007, at Judge Kent's request and upon notice from the Committee, Judge Kent appeared before the Committee.

(3) As part of its investigation, the Committee sought to learn from Judge Kent and others whether he had engaged in unwanted sexual contact with Cathy McBroom and individuals other than Cathy McBroom.

(4) On or about June 8, 2007, Judge Kent made false statements to the Committee regarding his unwanted sexual contact with Donna Wilkerson as follows:

(A) Judge Kent falsely stated to the Committee that the extent of his unwanted sexual contact with Donna Wilkerson was one kiss, when in fact and as he knew he had engaged in repeated sexual contact with Donna Wilkerson without her permission.

(B) Judge Kent falsely stated to the Committee that when told by Donna Wilkerson his advances were unwelcome no further contact occurred, when in fact and as he knew, Judge Kent continued such advances even after she asked him to stop.

(5) Judge Kent was indicted and pled guilty and was sentenced to imprisonment for the felony of obstruction of justice in violation of section 1512(c)(2) of title 18, United States Code, on the basis of false statements made to the Committee. The sentencing judge described his conduct as "a stain on the justice system itself".

Wherefore, Judge Samuel B. Kent is guilty of high crimes and misdemeanors and should be removed from office.

ARTICLE IV

Judge Samuel B. Kent made material false and misleading statements about the nature and extent of his nonconsensual sexual contact with Cathy McBroom and Donna Wilkerson to agents of the Federal Bureau of Investigation on or about November 30, 2007, and to agents of the Federal Bureau of Investigation and representatives of the Department of Justice on or about August 11, 2008.

Wherefore, Judge Samuel B. Kent is guilty of high crimes and misdemeanors and should be removed from office.

□ 1315

CALL OF THE HOUSE

Mr. SENSENBRENNER. Mr. Speaker, under clause 7 of rule XX, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 414]

- Abercrombie
- Aderholt
- Adler (NJ)
- Akin
- Alexander
- Altmire
- Andrews
- Arcuri
- Austria
- Baca
- Bachus
- Baird
- Baldwin
- Barrow
- Bartlett
- Barton (TX)
- Bean
- Becerra
- Berkley
- Berry
- Biggett
- Bilbray
- Bilirakis
- Bishop (UT)
- Blackburn
- Blumenauer
- Blunt
- Boccieri
- Boehner
- Bonner
- Bono Mack
- Boozman
- Boren
- Boswell
- Boustany
- Boyd
- Brady (PA)
- Brady (TX)
- Bralley (IA)
- Bright
- Broun (GA)
- Brown (SC)
- Brown, Corrine
- Brown-Waite, Ginny
- Buchanan
- Butterfield
- Buyer
- Calvert
- Camp
- Campbell
- Cantor
- Cao
- Capito
- Capps
- Cardoza
- Carnahan
- Carney
- Carson (IN)
- Carter
- Cassidy
- Castle
- Castor (FL)
- Chaffetz
- Chandler
- Childers
- Clarke
- Clay
- Cleaver
- Clyburn
- Coble
- Coffman (CO)
- Cohen
- Cole
- Conaway
- Connolly (VA)
- Conyers
- Cooper
- Costa
- Costello
- Courtney
- Crenshaw
- Crowley
- Cuellar
- Culberson
- Cummings
- Dahlkemper
- Davis (CA)
- Davis (IL)
- Davis (KY)
- Davis (TN)
- DeGette
- Delahunt
- DeLauro
- Dent
- Diaz-Balart, L.
- Diaz-Balart, M.
- Dicks
- Doggett
- Donnelly (IN)
- Doyle
- Dreier
- Driehaus
- Duncan
- Edwards (MD)
- Edwards (TX)
- Ehlers
- Ellison
- Ellsworth
- Emerson
- Engel
- Etheridge
- Fallin
- Filner
- Flake
- Fleming
- Forbes
- Fortenberry
- Foster
- Fox
- Franks (AZ)
- Frelinghuysen
- Fudge
- Gallegly
- Garrett (NJ)
- Gerlach
- Giffords
- Gingrey (GA)
- Gohmert
- Gonzalez
- Goodlatte
- Gordon (TN)
- Granger
- Graves
- Grayson
- Green, Al
- Green, Gene
- Griffith
- Grijalva
- Guthrie
- Gutierrez
- Hall (NY)
- Hall (TX)
- Halvorson
- Hare
- Harper
- Hastings (FL)
- Hastings (WA)
- Heinrich
- Heller
- Hensarling
- Henger
- Herseth Sandlin
- Higgins
- Hill
- Himes
- Hinche
- Hinojosa
- Hirono
- Hodes
- Hoekstra
- Holden

- McMahon
- McMorris
- Rodgers
- McNerney
- Meek (FL)
- Meeks (NY)
- Mica
- Michaud
- Miller (FL)
- Miller (MI)
- Miller (NC)
- Miller, Gary
- Miller, George
- Minnick
- Mitchell
- Mollohan
- Moore (KS)
- Moore (WI)
- Moran (KS)
- Moran (VA)
- Murphy (CT)
- Murphy (NY)
- Murphy, Patrick
- Murphy, Tim
- Murtha
- Myrick
- Nadler (NY)
- Napolitano
- Neal (MA)
- Neugebauer
- Nunes
- Nye
- Oberstar
- Obey
- Olson
- Olver
- Ortiz
- Pascrell
- Pastor (AZ)
- Paul
- Paulsen
- Payne
- Levin
- Lewis (CA)
- Linder
- Lipinski
- LoBiondo
- Loeb
- Lofgren, Zoe
- Lowe
- Lucas
- Luetkemeyer
- Lujan
- Lummis
- Lungren, Daniel E.
- Lynch
- Mack
- Maffei
- Maloney
- Manzullo
- Marchant
- Markey (CO)
- Markey (MA)
- Marshall
- Massa
- Matheson
- Matsui
- McCarthy (CA)
- McCarthy (NY)
- McCaul
- McClintock
- McCollum
- McCotter
- McDermott
- McGovern
- McHenry
- McHugh
- McIntyre
- McKeon
- Ryan (OH)
- Ryan (WI)
- Salazar
- Sanchez, Loretta
- Sarbanes
- Scalise
- Schakowsky
- Schauer
- Schiff
- Schmidt
- Schock
- Schrader
- Schwartz
- Scott (GA)
- Scott (VA)
- Sensenbrenner
- Serrano
- Shea-Porter
- Sherman
- Shimkus
- Shuler
- Shuster
- Simpson
- Sires
- Skelton
- Slaughter
- Smith (NE)
- Smith (NJ)
- Smith (TX)
- Smith (WA)
- Snyder
- Souder
- Space
- Spratt
- Stearns
- Stupak
- Sutton
- Tanner
- Tauscher
- Taylor
- Teague
- Terry
- Pence
- Perlmutter
- Perriello
- Peters
- Peterson
- Petri
- Pingree (ME)
- Pitts
- Platts
- Poe (TX)
- Polis (CO)
- Pomeroy
- Posey
- Price (GA)
- Price (NC)
- Putnam
- Quigley
- Radanovich
- Rahall
- Rehberg
- Reichert
- Reyes
- Richardson
- Rodriguez
- Roe (TN)
- Rogers (AL)
- Rogers (KY)
- Rogers (MI)
- Rohrabacher
- Rooney
- Ros-Lehtinen
- Roskam
- Ross
- Rothman (NJ)
- Roybal-Allard
- Royce
- Ruppersberger
- Rush
- Thompson (CA)
- Thompson (MS)
- Thompson (PA)
- Thornberry
- Tiahrt
- Tiberi
- Tierney
- Titus
- Tonko
- Towns
- Tsongas
- Turner
- Upton
- Van Hollen
- Viscosky
- Walden
- Walz
- Wamp
- Wasserman
- Schultz
- Waters
- Watson
- Watt
- Weiner
- Welch
- Wexler
- Whitfield
- Wilson (OH)
- Wilson (SC)
- Wittman
- Wolf
- Woolsey
- Wu
- Yarmuth
- Young (AK)
- Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. JACKSON of Illinois) (during the vote). There are 2 minutes remaining in the call of the House.

□ 1333

The SPEAKER pro tempore. 395 Members have recorded their presence. A quorum is present.