

HOUSE OF REPRESENTATIVES,
Washington, DC, August 17, 2009.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington,
DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued in the U.S. District Court for the Eastern District of California, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

DONNA J. DAMI,
Special Projects.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 324, by the yeas and nays;

H.R. 310, by the yeas and nays;

H.R. 3123, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

SANTA CRUZ VALLEY NATIONAL HERITAGE AREA ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 324, 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 Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 324.

The vote was taken by electronic device, and there were—yeas 249, nays 145, not voting 39, as follows:

[Roll No. 687]

YEAS—249

Abercrombie	Carson (IN)	Doggett
Ackerman	Castor (FL)	Donnelly (IN)
Adler (NJ)	Chandler	Doyle
Altmire	Childers	Driehaus
Andrews	Chu	Edwards (MD)
Arcuri	Clay	Edwards (TX)
Baca	Cleaver	Ehlers
Baird	Clyburn	Ellison
Baldwin	Cohen	Ellsworth
Barrow	Connolly (VA)	Engel
Bean	Conyers	Eshoo
Becerra	Cooper	Etheridge
Berman	Costa	Farr
Berry	Costello	Fattah
Bishop (GA)	Courtney	Fortenberry
Bishop (NY)	Crowley	Foster
Blumenauer	Cuellar	Frank (MA)
Bocciari	Cummings	Frelinghuysen
Boren	Dahlkemper	Fudge
Boswell	Davis (CA)	Giffords
Boucher	Davis (IL)	Gonzalez
Brady (PA)	Davis (TN)	Gordon (TN)
Braley (IA)	DeFazio	Grayson
Bright	DeGette	Green, Al
Butterfield	DeLauro	Green, Gene
Cao	Diaz-Balart, L.	Griffith
Capps	Diaz-Balart, M.	Grijalva
Cardoza	Dicks	Hall (NY)
Carnahan	Dingell	Halvorson

Hare	Massa	Roybal-Allard
Harman	Matheson	Ruppersberger
Hastings (FL)	Matsui	Salazar
Heinrich	McCollum	Sánchez, Linda
Herseht Sandlin	McDermott	T.
Higgins	McGovern	Sarbanes
Hill	McHugh	Schakowsky
Himes	McIntyre	Schauer
Hinchee	McMahon	Schiff
Hinojosa	McNerney	Schrader
Hirono	Meek (FL)	Schwartz
Hodes	Meeks (NY)	Scott (GA)
Holden	Melancon	Scott (VA)
Holt	Michaud	Serrano
Honda	Miller (NC)	Shea-Porter
Hoyer	Miller, George	Sherman
Inslee	Minnick	Shuler
Israel	Mitchell	Sires
Jackson (IL)	Mollohan	Skelton
Jackson-Lee	Moore (KS)	Slaughter
(TX)	Moore (WI)	Smith (NJ)
Johnson (GA)	Moran (VA)	Smith (WA)
Johnson, E. B.	Murphy (CT)	Snyder
Jones	Murphy (NY)	Space
Kagen	Murphy, Patrick	Speier
Kanjorski	Murphy, Tim	Spratt
Kaptur	Nadler (NY)	Stark
Kennedy	Napolitano	Stupak
Kildee	Neal (MA)	Sutton
Kilroy	Nye	Teague
Kind	Oberstar	Thompson (CA)
Kirkpatrick (AZ)	Obey	Thompson (MS)
Kissell	Olver	Tierney
Klein (FL)	Ortiz	Titus
Kosmas	Pallone	Tonko
Kratovil	Pascrell	Towns
Kucinich	Pastor (AZ)	Tsongas
Lance	Payne	Van Hollen
Langevin	Perlmutter	Velázquez
Larsen (WA)	Perriello	Visclosky
Larson (CT)	Peters	Walz
Lee (CA)	Peterson	Wasserman
Levin	Pingree (ME)	Schultz
Lewis (GA)	Platts	Waters
Lipinski	Pomeroy	Watson
LoBiondo	Price (NC)	Watt
Loeb sack	Quigley	Waxman
Lofgren, Zoe	Rahall	Weiner
Lowe y	Rangel	Welch
Lujan	Reichert	Wexler
Lynch	Reyes	Whitfield
Maffei	Richardson	Wilson (OH)
Maloney	Ros-Lehtinen	Woolsey
Markey (CO)	Ross	Wu
Marshall	Rothman (NJ)	Yarmuth

NAYS—145

Aderholt	Duncan	Lungren, Daniel
Akin	Emerson	E.
Alexander	Fallin	Mack
Austria	Flake	Manzullo
Bachmann	Fleming	Marchant
Bachus	Forbes	McCarthy (CA)
Bartlett	Fox	McCauley
Barton (TX)	Franks (AZ)	McClintock
Biggart	Garrett (NJ)	McCotter
Bilbray	Gingrey (GA)	McHenry
Bilirakis	Gohmert	McKeon
Blackburn	Goodlatte	McMorris
Blunt	Granger	Rodgers
Boehner	Graves	Mica
Bonner	Guthrie	Miller (FL)
Bono Mack	Hall (TX)	Miller (MI)
Boozman	Harper	Miller, Gary
Boustany	Hastings (WA)	Moran (KS)
Broun (GA)	Heller	Myrick
Brown (SC)	Hensarling	Neugebauer
Brown-Waite,	Herger	Nunes
Ginny	Hoekstra	Olson
Buchanan	Hunter	Paul
Burgess	Inglis	Paulsen
Burton (IN)	Issa	Pence
Buyer	Jenkins	Petri
Calvert	Johnson (IL)	Pitts
Camp	Johnson, Sam	Poe (TX)
Cantor	Jordan (OH)	Posey
Capito	King (IA)	Price (GA)
Carter	King (NY)	Putnam
Cassidy	Kingston	Radanovich
Davile	Kline (MN)	Rehberg
Chaffetz	Lamborn	Roe (TN)
Coble	Latta	Rogers (AL)
Coffman (CO)	Lee (NY)	Rooney
Cole	Lewis (CA)	Roskam
Conaway	Linder	Royce
Crenshaw	Lucas	Ryan (WI)
Culberson	Luetkemeyer	Scalise
Davis (KY)	Lummis	Schmidt
Dent		Schock

Sensenbrenner	Sullivan	Walden
Sessions	Terry	Wamp
Shadegg	Thompson (PA)	Westmoreland
Shuster	Thornberry	Wilson (SC)
Smith (NE)	Tiahrt	Wittman
Smith (TX)	Tiberi	Wolf
Souder	Turner	Young (FL)
Stearns	Upton	

NOT VOTING—39

Barrett (SC)	Dreier	Rodriguez
Berkley	Filner	Rogers (KY)
Bishop (UT)	Gallegly	Rogers (MI)
Boyd	Gerlach	Rohrabacher
Brady (TX)	Gutierrez	Rush
Brown, Corrine	Kilpatrick (MI)	Ryan (OH)
Campbell	Kirk	Sanchez, Loretta
Capuano	Latham	Sestak
Carney	LaTourette	Shimkus
Clarke	Markey (MA)	Simpson
Davis (AL)	McCarthy (NY)	Tanner
Deal (GA)	Murtha	Taylor
Delahunt	Polis (CO)	Young (AK)

□ 1902

Mrs. CAPITO, Messrs. CRENSHAW, TERRY, SCHOCK and HALL of Texas changed their vote from “yea” to “nay.”

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Madam speaker, on rollcall 687, I was unable to vote, as I was away from the Capitol in my capacity as Chairman of the House Veterans Affairs Committee. Had I been present, I would have voted “yea.”

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and in Afghanistan and their families, and all who serve in our Armed Forces and their families.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

HALE SCOUTS ACT

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 310, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mrs. DAHLKEMPER). The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 310.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 388, nays 0, answered “present” 7, not voting 38, as follows:

[Roll No. 688]

YEAS—388

Abercrombie Diaz-Balart, L. Kirkpatrick (AZ)
Ackerman Diaz-Balart, M. Kissell
Aderholt Dicks Klein (FL)
Adler (NJ) Dingell Kline (MN)
Akin Doggett Kosmas
Alexander Donnelly (IN) Kratovil
Altmire Doyle Lamborn
Andrews Driehaus Lance
Arcuri Duncan Langevin
Austria Edwards (MD) Larsen (WA)
Baca Edwards (TX) Larson (CT)
Bachmann Ehlers Latta
Bachus Ellison Lee (CA)
Baird Ellsworth Lee (NY)
Barrow Emerson Levin
Bartlett Engel Lewis (CA)
Barton (TX) Eshoo Lewis (GA)
Bean Etheridge Linder
Becerra Fallin Lipinski
Berman Farr LoBiondo
Berry Fattah Loeb sack
Biggert Flake Lofgren, Zoe
Bilbray Fleming Lowey
Bilirakis Forbes Lucas
Bishop (GA) Fortenberry Luetkemeyer
Bishop (NY) Foster Luján
Bishop (UT) Foss Lummis
Blackburn Franks (AZ) Lungren, Daniel
Blumenauer Frelinghuysen E.
Blunt Fudge Lynch
Bocciari Garrett (NJ) Mack
Boehner Giffords Maffei
Bonner Gingrey (GA) Maloney
Bono Mack Gohmert Manzuillo
Boozman Gonzalez Marchant
Boren Goodlatte Markey (CO)
Boswell Gordon (TN) Marshall
Boucher Granger Massa
Boustany Graves Matheson
Brady (PA) Grayson Matsui
Braley (IA) Green, Al McCarthy (CA)
Bright Green, Gene McCaul
Broun (GA) Griffith McClintock
Brown (SC) Grijalva McCollum
Brown-Waite, Ginny Guthrie McCotter
Buchanan Hall (NY) McDermott
Burgess Hall (TX) McGovern
Burton (IN) Halvorson McHenry
Butterfield Hare McHugh
Buyer Harman McIntyre
Calvert Harper McKeon
Camp Hastings (FL) McMahon
Camp Hastings (WA) McMorris
Cantor Heinrich Rodgers
Cao Heller McNeerney
Capito Hensarling Meek (FL)
Capps Herger Meeks (NY)
Cardoza Herseth Sandlin Melancon
Carnahan Higgins Mica
Carson (IN) Hill Michaud
Carter Himes Miller (FL)
Cassidy Hinchey Miller (MI)
Castle Miller (NC) Miller (NC)
Castor (FL) Hirono Miller, Gary
Chaffetz Hodes Mitchell
Chandler Hoekstra Mollohan
Childers Holden Moore (KS)
Chu Holt Moore (WI)
Clay Honda Moran (KS)
Cleaver Hoyer Moran (VA)
Clyburn Hunter Murphy (CT)
Coble Inglis Murphy (NY)
Coffman (CO) Inslee Murphy, Patrick
Cohen Israel Murphy, Tim
Cole Issa Myrick
Conaway Jackson (IL) Nadler (NY)
Connolly (VA) Jackson-Lee Napolitano
Conyers (TX) Jenkins Neugebauer
Cooper Jenkins Nunes
Costa Johnson (GA) Oberstar
Costello Johnson (IL) Obey
Courtney Johnson, E. B. Olson
Crenshaw Johnson, Sam Oliver
Crowley Jones Pallone
Cuellar Jordan (OH) Pascarell
Culberson Kagen Pastor (AZ)
Cummings Kanjorski Paul
Dahlkemper Kaptur Paulsen
Davis (CA) Kennedy Payne
Davis (IL) Kildee Pence
Davis (KY) Kilpatrick (MI) Perlmutter
Davis (TN) Kilroy Perriello
DeFazio Kind PETERS
DeGette King (IA) King (NY)
DeLauro King (NY) Kingston
Dent Kingston

Peterson Schakowsky Thompson (PA)
Petri Schauer Thornberry
Pingree (ME) Schiff Tiahrt
Pitts Schmidt Tiberi
Platts Schock Tierney
Pomeroy Schrader Titus
Posey Schwartz Towns
Price (GA) Scott (VA) Tsongas
Price (NC) Sensenbrenner Turner
Putnam Serrano Upton
Quigley Sessions Van Hollen
Radanovich Shadegg Velázquez
Rahall Shea-Porter Visclosky
Rangel Sherman Walden
Rehberg Shuler Walz
Reichert Shuster Wamp
Reyes Sires Wasserman
Richardson Skelton Schultz
Roe (TN) Smith (NE) Waters
Rogers (AL) Smith (NJ) Watson
Rooney Smith (TX) Watt
Ros-Lehtinen Smith (WA) Weiner
Roskam Snyder Welch
Ross Souder Westmoreland
Rothman (NJ) Space Wexler
Roybal-Allard Speier Whitfield
Royce Spratt Wilson (OH)
Ruppersberger Stearns Wilson (SC)
Ryan (OH) Stupak Wittman
Ryan (WI) Sullivan Wolf
Salazar Sutton Teague
Sánchez, Linda T. Terry
T. Thompson (CA) Yarmuth
Sarbanes Thompson (MS) Young (FL)
Scalise

ANSWERED “PRESENT”—7

Baldwin Miller, George Woolsey
Frank (MA) Stark
Kucinich Waxman

NOT VOTING—38

Barrett (SC) Filner Rogers (KY)
Berkley Gallegly Rogers (MI)
Boyd Gerlach Rohrabacher
Brady (TX) Gutierrez Rush
Brown, Corrine Kirk Sanchez, Loretta
Campbell Latham Sestak
Capuano LaTourette Shimkus
Carney Markey (MA) Simpson
Clarke McCarthy (NY) Slaughter
Davis (AL) Minnick Tanner
Deal (GA) Murtha Taylor
Delahunt Polis (CO) Young (AK)
Dreier Rodriguez

□ 1914

Messrs. GEORGE MILLER of California and KUCINICH changed their vote from “yea” to “present.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall 688, I was unable to vote, as I was away from the Capitol in my capacity as Chairman of the House Veterans' Affairs Committee. Had I been present, I would have voted “yea.”

LEADVILLE MINE DRAINAGE TUNNEL REMEDIATION ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3123, 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 Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 3123, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 206, nays 191, not voting 36, as follows:

[Roll No. 689]

YEAS—206

Aderholt Granger Mitchell
Akin Graves Moran (KS)
Alexander Griffith Murphy (NY)
Altmire Guthrie Murphy, Tim
Arcuri Hall (NY) Myrick
Austria Hall (TX) Neugebauer
Bachmann Harper Nunes
Bachus Hastings (WA) Nye
Baird Heinrich Oberstar
Bean Heller Olson
Biggert Hensarling Paulsen
Bilbray Herger Pence
Bilirakis Herseth Sandlin Perlmutter
Bishop (UT) Higgins Perriello
Blackburn Hill Pitts
Blunt Hoekstra Platts
Bocciari Hunter Poe (TX)
Boehner Inglis Posey
Bonner Issa Price (GA)
Bono Mack Jenkins Putnam
Boozman Johnson (IL) Radanovich
Boren Johnson, Sam Rehberg
Boucher Jones Reichert
Boustany Jordan (OH) Richardson
Bright Kaptur Roe (TN)
Brown (SC) Kilroy Rogers (AL)
Brown-Waite, Kind Rooney
Ginny King (IA) Ros-Lehtinen
Buchanan King (NY) Roskam
Burgess Kingstone Ross
Burton (IN) Kirkpatrick (AZ) Royce
Buyer Kline (MN) Ruppersberger
Calvert Kratovil Ryan (WI)
Camp Lamborn Salazar
Cantor Lance Scalise
Cao LaTourette Schmidt
Capito Latta Schock
Carnahan Lee (NY) Sensenbrenner
Carter Lewis (CA) Sessions
Cassidy Linder Shadegg
Castle Lipinski Shuster
Chaffetz LoBiondo Smith (NE)
Childers Lucas Smith (NJ)
Coffman (CO) Luetkemeyer Smith (TX)
Cole Lummis Snyder
Conaway Lungren, Daniel Souder
Crenshaw E. Space
Culberson Mack Spratt
Dahlkemper Manzuillo Stearns
Davis (KY) Marchant Sullivan
Dent Marshall Teague
Diaz-Balart, L. McCarthy (CA) Terry
Diaz-Balart, M. McCaul Thompson (PA)
Dicks McCintock Thornberry
Donnelly (IN) McCotter Tiahrt
Ehlers McHenry Tiberi
Emerson McHugh Titus
Fallin McIntyre Towns
Fattah McKeon Turner
Fleming McMorris Upton
Forbes Rodgers Visclosky
Fortenberry McNeerney Walden
Foster Melancon Wamp
Foss Mica Westmoreland
Franks (AZ) Michaud Whitfield
Frelinghuysen Miller (FL) Wilson (SC)
Garrett (NJ) Miller (MI) Wittman
Gingrey (GA) Miller (NC) Wolf
Gohmert Miller, Gary Young (FL)
Goodlatte Minnick

NAYS—191

Abercrombie Cummings
Ackerman Davis (CA)
Adler (NJ) Davis (IL)
Andrews Carson (IN)
Baca Castor (FL)
Baird Chandler DeFazio
Baldwin Chu DeGette
Barrow Clay DeLauro
Bartlett Cleaver Dingell
Becerra Clyburn Doggett
Berry Coble Doyle
Bishop (GA) Cohen Driehaus
Bishop (NY) Connolly (VA) Duncan
Blumenauer Conyers Edwards (MD)
Boswell Cooper Edwards (TX)
Brady (PA) Costa Ellison
Braley (IA) Costello Ellsworth
Broun (GA) Courtney Engel
Butterfield Crowley Eshoo
Cuellar Cuellar Etheridge