

PINGREE of Maine changed their vote from “yea” to “nay.”

Messrs. YOUNG of Alaska, LEWIS of California, PERRIELLO and SAM JOHNSON of Texas changed their vote from “nay” to “yea.”

So the motion to commit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. SIMPSON. Mr. Speaker, on rollcall No. 51, had I been present, I would have voted “yea.”

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

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

Mr. WALDEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 264, nays 158, not voting 10, as follows:

[Roll No. 52]

YEAS—264

| | | |
|----------------|-----------------|------------------|
| Abercrombie | DeLauro | Kaptur |
| Ackerman | Diaz-Balart, L. | Kennedy |
| Andrews | Diaz-Balart, M. | Kildee |
| Arcuri | Dicks | Kilpatrick (MI) |
| Baca | Dingell | Kilroy |
| Baird | Doggett | Kirkpatrick (AZ) |
| Baldwin | Donnelly (IN) | Klein (FL) |
| Barrow | Doyle | Kosmas |
| Bean | Driehaus | Kratovil |
| Becerra | Duncan | Kucinich |
| Berman | Edwards (MD) | Langevin |
| Berry | Edwards (TX) | Larson (CT) |
| Bilirakis | Ellison | LaTourette |
| Bishop (GA) | Ellsworth | Lee (CA) |
| Bishop (NY) | Emerson | Levin |
| Blumenauer | Engel | Lewis (GA) |
| Boccieri | Eshoo | Lipinski |
| Boren | Etheridge | LoBiondo |
| Boswell | Farr | Loebsack |
| Boucher | Fattah | Logren, Zoe |
| Boyd | Filner | Lowey |
| Brady (PA) | Foster | Lujan |
| Braley (IA) | Frank (MA) | Lynch |
| Bright | Fudge | Maffei |
| Brown, Corrine | Giffords | Maloney |
| Brown-Waite, | Gonzalez | Markey (CO) |
| Ginny | Gordon (TN) | Markey (MA) |
| Buchanan | Grayson | Marshall |
| Butterfield | Green, Al | Massa |
| Cao | Green, Gene | Matheson |
| Capps | Griffith | Matsui |
| Capuano | Grijalva | McCarthy (NY) |
| Cardoza | Gutierrez | McCintock |
| Carnahan | Hall (NY) | McCollum |
| Carney | Halvorson | McDermott |
| Carson (IN) | Hare | McGovern |
| Chandler | Harman | McHugh |
| Childers | Hastings (FL) | McIntyre |
| Clarke | Heinrich | McMahon |
| Clay | Herseth Sandlin | McNerney |
| Cleaver | Higgins | Meek (FL) |
| Clyburn | Hill | Meeks (NY) |
| Cohen | Himes | Michaud |
| Connolly (VA) | Hinchev | Miller (NC) |
| Conyers | Hinojosa | Miller, George |
| Cooper | Hirono | Minnick |
| Costa | Hodes | Mitchell |
| Costello | Holt | Mollohan |
| Courtney | Honda | Moore (KS) |
| Crowley | Hoyer | Moore (WI) |
| Cuellar | Inslie | Moran (VA) |
| Cummings | Israel | Murphy (CT) |
| Dahlkemper | Jackson (IL) | Murphy, Patrick |
| Davis (AL) | Jackson-Lee | Murtha |
| Davis (CA) | (TX) | Nadler (NY) |
| Davis (IL) | Johnson (GA) | Napolitano |
| Davis (TN) | Johnson, E. B. | Neal (MA) |
| DeFazio | Jones | Nye |
| DeGette | Kagen | Oberstar |
| Delahunt | Kanjorski | Obey |

| | | |
|---------------|------------------|---------------|
| Oliver | Sánchez, Linda | Tanner |
| Ortiz | T. | Tauscher |
| Pallone | Sanchez, Loretta | Taylor |
| Pascarell | Sarbanes | Teague |
| Pastor (AZ) | Schakowsky | Thompson (CA) |
| Payne | Schauer | Thompson (MS) |
| Perriello | Schiff | Tierney |
| Peters | Schrader | Titus |
| Peterson | Schwartz | Tonko |
| Pingree (ME) | Scott (GA) | Towns |
| Polis (CO) | Scott (VA) | Tsongas |
| Pomeroy | Sensenbrenner | Turner |
| Posey | Serrano | Van Hollen |
| Price (NC) | Sestak | Velázquez |
| Rahall | Shea-Porter | Visclosky |
| Rangel | Sherman | Wasserman |
| Reyes | Shuster | Schultz |
| Richardson | Sires | Waters |
| Rodriguez | Skelton | Watson |
| Roe (TN) | Slaughter | Watt |
| Rogers (AL) | Smith (NJ) | Waxman |
| Rogers (KY) | Smith (WA) | Weiner |
| Ros-Lehtinen | Snyder | Welch |
| Ross | Solis (CA) | Wexler |
| Rothman (NJ) | Space | Wilson (OH) |
| Roybal-Allard | Speier | Woolsey |
| Ruppersberger | Spratt | Wu |
| Rush | Stupak | Yarmuth |
| Ryan (OH) | Sullivan | |
| Salazar | Sutton | |

NAYS—158

| | | |
|---------------|-----------------|---------------|
| Adler (NJ) | Gerlach | Miller, Gary |
| Akin | Gingrey (GA) | Moran (KS) |
| Altmire | Gohmert | Murphy, Tim |
| Austria | Goodlatte | Myrick |
| Bachmann | Granger | Neugebauer |
| Bachus | Graves | Nunes |
| Barrett (SC) | Guthrie | Olson |
| Bartlett | Hall (TX) | Paulsen |
| Barton (TX) | Harper | Pence |
| Berkley | Hastings (WA) | Perlmutter |
| Biggert | Heller | Petri |
| Bilbray | Hensarling | Pitts |
| Bishop (UT) | Herger | Platts |
| Blackburn | Hoekstra | Poe (TX) |
| Blunt | Holden | Price (GA) |
| Boehner | Hunter | Putnam |
| Bonner | Inglis | Radanovich |
| Bono Mack | Issa | Rehberg |
| Boozman | Jenkins | Reichert |
| Boustany | Johnson (IL) | Rogers (MI) |
| Brady (TX) | Johnson, Sam | Rohrabacher |
| Broun (GA) | Jordan (OH) | Rooney |
| Brown (SC) | Kind | Roskam |
| Burgess | King (IA) | Royce |
| Burton (IN) | King (NY) | Ryan (WI) |
| Buyer | Kingston | Scalise |
| Calvert | Kirk | Schmidt |
| Camp | Kline (MN) | Schock |
| Cantor | Lamborn | Sessions |
| Capito | Lance | Shadegg |
| Carter | Larsen (WA) | Shimkus |
| Cassidy | Latham | Shuler |
| Castle | Latta | Smith (NE) |
| Chaffetz | Lee (NY) | Smith (TX) |
| Coble | Lewis (CA) | Souder |
| Coffman (CO) | Linder | Stearns |
| Cole | Lucas | Terry |
| Conaway | Luetkemeyer | Thompson (PA) |
| Crenshaw | Lummis | Thornberry |
| Culberson | Lungren, Daniel | E. |
| Davis (KY) | E. | Mack |
| Deal (GA) | Dent | Manzullo |
| Dent | Dreier | Marchant |
| Dreier | Ehlers | McCarthy (CA) |
| Fallin | Heinrich | McCaul |
| Fleming | McMahon | McCotter |
| Forbes | McNerney | McHenry |
| Fortenberry | Meek (FL) | McMorris |
| Fox | Meeks (NY) | Rodgers |
| Franks (AZ) | Michaud | Melancon |
| Frelinghuysen | Miller (NC) | Mica |
| Galleghy | Miller, George | Miller (FL) |
| Garrett (NJ) | Minnick | Miller (MI) |
| | Mitchell | |
| | Mollohan | |
| | Moore (KS) | |
| | Moore (WI) | |
| | Moran (VA) | |
| | Murphy (CT) | |
| | Murphy, Patrick | |
| | Murtha | |
| | Nadler (NY) | |
| | Napolitano | |
| | Neal (MA) | |
| | Nye | |
| | Oberstar | |
| | Obey | |

NOT VOTING—10

| | | |
|-------------|---------|---------|
| Aderholt | Flake | Simpson |
| Alexander | Kissell | Stark |
| Campbell | McKeon | |
| Castor (FL) | Paul | |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1612

Ms. FOXX changed her vote from “yea” to “nay.”

So the Senate 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. PETRI. Mr. Speaker, on rollcall No. 52, I inadvertently voted “nay.” I would like the RECORD to show that I meant to vote “yea.”

Stated against:

Mr. SIMPSON. Mr. Speaker, on rollcall No. 52, had I been present, I would have voted “nay.”

DEATH IN CUSTODY REPORTING ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 738.

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. 738.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CARTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 1, not voting 24, as follows:

[Roll No. 53]

YEAS—407

| | | |
|--------------|----------------|-----------------|
| Abercrombie | Brady (PA) | Costa |
| Ackerman | Brady (TX) | Costello |
| Adler (NJ) | Braley (IA) | Courtney |
| Akin | Bright | Crenshaw |
| Altmire | Brown (SC) | Crowley |
| Andrews | Brown, Corrine | Cuellar |
| Arcuri | Brown-Waite, | Culberson |
| Austria | Ginny | Cummings |
| Baca | Buchanan | Dahlkemper |
| Bachmann | Burgess | Davis (AL) |
| Bachus | Burton (IN) | Davis (CA) |
| Baird | Butterfield | Davis (IL) |
| Baldwin | Buyer | Davis (KY) |
| Barrett (SC) | Camp | Davis (TN) |
| Barrow | Cantor | Deal (GA) |
| Bartlett | Cao | DeFazio |
| Barton (TX) | Capito | DeGette |
| Bean | Capps | Delahunt |
| Becerra | Capuano | DeLauro |
| Berkley | Cardoza | Dent |
| Berman | Carnahan | Diaz-Balart, L. |
| Berry | Carney | Diaz-Balart, M. |
| Biggert | Carson (IN) | Dicks |
| Bilbray | Carter | Dingell |
| Bilirakis | Cassidy | Doggett |
| Bishop (GA) | Castle | Donnelly (IN) |
| Bishop (NY) | Chaffetz | Doyle |
| Bishop (UT) | Chandler | Dreier |
| Blackburn | Childers | Driehaus |
| Blumenauer | Clarke | Duncan |
| Blunt | Clay | Edwards (MD) |
| Boccieri | Cleaver | Edwards (TX) |
| Boehner | Clyburn | Ehlers |
| Bonner | Coble | Ellison |
| Bono Mack | Coffman (CO) | Emerson |
| Boozman | Cohen | Engel |
| Boren | Cole | Eshoo |
| Boswell | Conaway | Etheridge |
| Boucher | Connolly (VA) | Fallin |
| Boustany | Conyers | Farr |
| Boyd | Cooper | Fattah |

Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
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
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herse
Herseth Sandlin
Higgins
Hill
Himes
Hinchoy
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Insee
Israel
Issa
Jackson (IL)
Jackson-Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)

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
McMahon
McMorris
Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascarella
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Rahall
Rehberg
Reichert
Richardson
Rodriguez
Roe (TN)
Rogers (AL)

Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Solis (CA)
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberti
Tierney
Titus
Tonko
Townsend
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—1

Ellsworth
NOT VOTING—24

Aderholt
Alexander
Broun (GA)
Calvert
Campbell
Castor (FL)
Flake
Gallegly
Kissell
Larson (CT)
McKeon
Miller, Gary
Mollohan
Paul
Peterson
Radanovich
Rangel
Reyes
Schwartz
Simpson
Slaughter
Smith (WA)
Stark
Tiahrt

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1619

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. SIMPSON. Mr. Speaker, on rollcall No. 53, had I been present, I would have voted "yea."

NOTICE OF INTENTION TO OFFER
RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. CARTER. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

Whereas, the gentleman from New York, Charles B. Rangel, the fourth most senior Member of the House of Representatives, serves as chairman of the House Ways and Means Committee, a position of considerable power and influence within the House of Representatives; and,

Whereas, clause one of rule 23 of the Rules of the House of Representatives provides, "A Member, Delegate, Resident Commissioner, officer, or employee of the House shall conduct himself at all times in a manner that shall reflect creditably on the House;"

Whereas, The New York Times reported on September 5, 2008, that, "Representative Charles B. Rangel has earned more than \$75,000 in rental income from a villa he has owned in the Dominican Republic since 1988, but never reported it on his federal or state tax returns, according to a lawyer for the congressman and documents from the resort."; and,

Whereas, in an article in the September 5, 2008 edition of The New York Times, his attorney confirmed that Representative Rangel's annual congressional Financial Disclosure statements failed to disclose the rental income from his resort villa; and,

Whereas, The New York Times reported on September 6, 2008 that, "Representative Charles B. Rangel paid no interest for more than a decade on a mortgage extended to him to buy a villa at a beachfront resort in the Dominican Republic, according to Mr. Rangel's lawyer and records from the resort. The loan, which was extended to Mr. Rangel in 1988, was originally to be paid back over seven years at a rate of 10.5 percent. But within two years, interest on the loan was waived for Mr. Rangel."; and,

Whereas, clause 5(a)(2)(A) of House Rule 25 defines a gift as, ". . . a gratuity, favor, dis-

count, entertainment, hospitality, loan, forbearance, or other item having monetary value" and prohibits the acceptance of such gifts except in limited circumstances; and,

Whereas, Representative Rangel's acceptance of thousands of dollars in interest forgiveness is a violation of the House gift ban; and,

Whereas, Representative Rangel's failure to disclose the aforementioned gifts and income on his Personal Financial Disclosure Statements violates House rules and federal law; and,

Whereas, Representative Rangel's failure to report the aforementioned gifts and income on federal, state and local tax returns is a violation of the tax laws of those jurisdictions; and,

Whereas, the Committee on Ways and Means, which Representative Rangel chairs, has jurisdiction over the United States Tax Code; and,

Whereas, the House Committee on Standards of Official Conduct first announced on July 31, 2008 that it was reviewing allegations of misconduct by Representative Rangel; and,

Whereas, the House Committee on Standards of Official Conduct announced on September 24, 2008 that it had established an investigative subcommittee in the matter of Representative Rangel; and,

Whereas, The New York Times reported on November 24, 2008 that, "Congressional records and interviews show that Mr. Rangel was instrumental in preserving a lucrative tax loophole that benefited [Nabors Industries] an oil drilling company last year, while at the same time its chief executive was pledging \$1 million to the Charles B. Rangel School of Public Service at C.C.N.Y."; and,

Whereas, the House Committee on Standards of Official Conduct announced on December 9, 2008 that it had expanded the jurisdiction of the aforementioned investigative subcommittee to examine the allegations related to Representative Rangel's involvement with Nabors Industries; and,

Whereas, Roll Call newspaper reported on September 15, 2008 that, "The inconsistent reports are among myriad errors, discrepancies and unexplained entries on Rangel's personal disclosure forms over the past eight years that make it almost impossible to get a clear picture of the Ways and Means chairman's financial dealings."; and,

Whereas, Roll Call newspaper reported on September 16, 2008 that, "Rangel said he would hire a forensic accountant to review all of his disclosure forms going back 20 years, and to provide a report to the House Committee on Standards of Official Conduct, which Rangel said will then make public."; and,

Whereas, nearly five months after Representative Rangel pledged to provide a public forensic accounting of his tax and federal financial disclosure records, he has failed to do so; and,

Whereas, an editorial in The New York Times on September 15, 2008 stated, "Mounting embarrassment for taxpayers and Congress makes it imperative that Representative Charles Rangel step aside as chairman of the Ways and Means Committee while his ethical problems are investigated."; and,

Whereas, on May 24, 2006, then Minority Leader Nancy Pelosi cited "high ethical standards" in a letter to Representative William Jefferson asking that he resign his seat on the Committee on Ways and Means in light of ongoing investigations into alleged financial impropriety by Representative Jefferson.

Whereas, by the conduct giving rise to this resolution, Representative Charles B. Rangel has dishonored himself and brought discredit to the House; and,