

Owens	Ryan (WI)	Souder	Bishop (NY)	Franks (AZ)	Maloney	Schauer	Smith (TX)	Tsongas
Paul	Scalise	Stearns	Bishop (UT)	Frelinghuysen	Manzullo	Schiff	Smith (WA)	Turner
Petri	Schmidt	Sullivan	Blackburn	Fudge	Marchant	Schmidt	Snyder	Upton
Pitts	Schock	Terry	Blumenauer	Garamendi	Markey (CO)	Schock	Souder	Van Hollen
Poe (TX)	Sensenbrenner	Thornberry	Boccheri	Garrett (NJ)	Markey (MA)	Schrader	Space	Velázquez
Price (GA)	Sessions	Turner	Boehner	Gerlach	Marshall	Schwartz	Speier	Visclosky
Rehberg	Shadegg	Upton	Bonner	Giffords	Matheson	Scott (GA)	Spratt	Walden
Roe (TN)	Shimkus	Westmoreland	Bono Mack	Gingrey (GA)	Matsui	Scott (VA)	Stark	Walz
Rogers (KY)	Shuster	Whitfield	Boozman	Gohmert	McCarthy (CA)	Sensenbrenner	Stearns	Waters
Rohrabacher	Simpson	Wittman	Boren	Goodlatte	McCarthy (NY)	Serrano	Stupak	Watson
Roskam	Smith (NE)	Wolf	Boswell	Gordon (TN)	McCaul	Sessions	Sullivan	Watt
Royce	Smith (TX)		Boucher	Granger	McClintock	Sestak	Sutton	Waxman

NOT VOTING—24

Barrett (SC)	Kosmas	Sánchez, Linda
Berry	McCotter	T.
Bilbray	Meek (FL)	Tiahrt
Boyd	Miller (FL)	Towns
Brown (SC)	Murphy, Patrick	Wamp
Gallegly	Neugebauer	Wasserman
Gonzalez	Pence	Schultz
Hoekstra	Radanovich	Young (AK)
Jackson Lee	Ruppersberger	
(TX)		

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there are less than 2 minutes remaining in this vote.

□ 1717

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 for:

Mr. BOYD. Mr. Speaker, due to personal reasons, I was unable to attend a vote. Had I been present, my vote would have been "yea" on final passage of H.R. 4715—Clean Estuaries Act of 2010.

CONGRATULATING DUKE UNIVERSITY ON WINNING THE NCAA BASKETBALL CHAMPIONSHIP

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 1242.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Ohio (Ms. FUDGE) that the House suspend the rules and agree to the resolution, H. Res. 1242.

The question was taken.

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

RECORDED VOTE

Mr. SCHAUER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 390, noes 0, answered "present" 12, not voting 28, as follows:

[Roll No. 210]

AYES—390

Ackerman	Austria	Barton (TX)
Aderholt	Baca	Bean
Adler (NJ)	Bachmann	Becerra
Akin	Bachus	Berkley
Alexander	Baird	Berman
Altmire	Baldwin	Biggert
Andrews	Barrow	Bilirakis
Arcuri	Bartlett	Bishop (GA)

Bishop (NY)	Franks (AZ)	Maloney	Smith (TX)	Tsongas
Bishop (UT)	Frelinghuysen	Manzullo	Smith (WA)	Turner
Blackburn	Fudge	Marchant	Snyder	Upton
Blumenauer	Garamendi	Markey (CO)	Souder	Van Hollen
Boccheri	Garrett (NJ)	Markey (MA)	Space	Velázquez
Boehner	Gerlach	Marshall	Speier	Visclosky
Bonner	Giffords	Matheson	Spratt	Walden
Bono Mack	Gingrey (GA)	Matsui	Stark	Walz
Boozman	Gohmert	McCarthy (CA)	Stearns	Waters
Boren	Goodlatte	McCarthy (NY)	Serrano	Stupak
Boswell	Gordon (TN)	McCaul	Sessions	Sullivan
Boucher	Granger	McClintock	Sestak	Sutton
Boustany	Graves	McCollum	Shadegg	Tanner
Brady (PA)	Grayson	McDermott	Shea-Porter	Taylor
Brady (TX)	Green, Al	McGovern	Sherman	Teague
Bright	Green, Gene	McHenry	Shimkus	Terry
Broun (GA)	Griffith	McIntyre	Shuler	Thompson (CA)
Brown, Corrine	Guthrie	McKeon	Shuster	Thompson (MS)
Buchanan	Gutierrez	McMahon	Simpson	Thompson (PA)
Burgess	Hall (NY)	McMorris	Sires	Thornberry
Burton (IN)	Hall (TX)	Rodgers	Skelton	Tiberi
Butterfield	Halvorson	McNerney	Slaughter	Tierney
Buyer	Hare	Meeks (NY)	Smith (NE)	Titus
Calvert	Harman	Melancon	Smith (NJ)	Tonko
Camp	Harper	Mica		
Campbell	Hastings (FL)	Michaud		
Cantor	Hastings (WA)	Miller (MI)		
Cao	Heinrich	Miller (NC)		
Capito	Heller	Miller, Gary		
Capps	Hensarling	Miller, George		
Capuano	Herger	Minnick		
Carnahan	Herseth Sandlin	Mitchell		
Carson (IN)	Higgins	Mollohan		
Carter	Hill	Moore (KS)		
Cassidy	Himes	Moore (WI)		
Castle	Hinchey	Moran (KS)		
Castor (FL)	Hinojosa	Moran (VA)		
Chaffetz	Hirono	Murphy (CT)		
Chandler	Hodes	Murphy (NY)		
Childers	Holden	Murphy, Patrick		
Chu	Holt	Murphy, Tim		
Clarke	Honda	Myrick		
Clay	Hoyer	Nadler (NY)		
Cleaver	Hunter	Napolitano		
Clyburn	Inglis	Neal (MA)		
Coble	Inslee	Nunes		
Coffman (CO)	Israel	Obey		
Cohen	Issa	Olson		
Cole	Jackson (IL)	Olver		
Conaway	Jenkins	Ortiz		
Connolly (VA)	Johnson (GA)	Owens		
Conyers	Johnson (IL)	Pallone		
Costa	Johnson, E. B.	Pascarell		
Costello	Johnson, Sam	Pastor (AZ)		
Crenshaw	Jones	Paul		
Crowley	Jordan (OH)	Paulsen		
Cuellar	Kanjorski	Payne		
Culberson	Kaptur	Perlmutter		
Cummings	Kennedy	Perriello		
Dahlkemper	Kildee	Peters		
Davis (AL)	Kilpatrick (MI)	Peterson		
Davis (CA)	Kilroy	Petri		
Davis (IL)	Kind	Pingree (ME)		
Davis (KY)	King (IA)	Pitts		
Davis (TN)	King (NY)	Platts		
DeGette	Kingston	Poe (TX)		
Delahunt	Kirk	Polis (CO)		
DeLauro	Kirkpatrick (AZ)	Pomeroy		
Dent	Kissell	Posey		
Deutch	Klein (FL)	Price (GA)		
Diaz-Balart, L.	Kline (MN)	Price (NC)		
Diaz-Balart, M.	Kucinich	Putnam		
Dicks	Lamborn	Quigley		
Dingell	Lance	Rahall		
Doggett	Langevin	Rangel		
Donnelly (IN)	Larsen (WA)	Rehberg		
Doyle	Larson (CT)	Reichert		
Dreier	Latham	Reyes		
Driebehaus	LaTourette	Richardson		
Duncan	Latta	Rodriguez		
Edwards (TX)	Lee (CA)	Roe (TN)		
Ehlers	Lee (NY)	Rogers (AL)		
Ellison	Levin	Rogers (KY)		
Ellsworth	Lewis (CA)	Rohrabacher		
Emerson	Lewis (GA)	Rooney		
Engel	Linder	Ros-Lehtinen		
Eshoo	Lipinski	Roskam		
Etheridge	LoBiondo	Ross		
Fallin	Loeb sack	Rothman (NJ)		
Farr	Loftgren, Zoe	Roybal-Allard		
Fattah	Lowe	Royce		
Filner	Lucas	Rush		
Flake	Luetkemeyer	Ryan (OH)		
Fleming	Luján	Ryan (WI)		
Forbes	Lummis	Salazar		
Fortenberry	Lungren, Daniel	Sanchez, Loretta		
Foster	E.	Sarbanes		
Fox	Lynch	Scalise		
Fox	Mack	Schakowsky		

ANSWERED "PRESENT"—12

Braley (IA)	Courtney	Kratovil
Cardoza	DeFazio	Maffei
Carney	Edwards (MD)	Nye
Cooper	Kagen	Oberstar

NOT VOTING—28

Barrett (SC)	Hoekstra	Ruppersberger
Berry	Jackson Lee	Sánchez, Linda
Bilbray	(TX)	T.
Blunt	Kosmas	Tiahrt
Boyd	McCotter	Towns
Brown (SC)	Meek (FL)	Wamp
Brown-Waite,	Miller (FL)	Wasserman
Ginny	Neugebauer	Schultz
Gallegly	Pence	Welch
Gonzalez	Radanovich	Young (AK)
Grijalva	Rogers (MI)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are less than 2 minutes remaining in this vote.

□ 1725

Mr. KRATOVL changed his vote from "no" to "present."

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 877

Mr. FORBES. Mr. Speaker, I ask unanimous consent to remove Ms. ESHOO of California as a cosponsor of H.R. 877.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 5 o'clock and 25 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1910

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Mr. JACKSON of Illinois) at 7 o'clock and 10 minutes p.m.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 15, 2010.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 15, 2010 at 6:46 p.m.:

That the Senate passed with an amendment H.R. 4851.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

MAKING IN ORDER CONSIDERATION OF SENATE AMENDMENT TO H.R. 4851, CONTINUING EXTENSION ACT OF 2010

Mr. LEVIN. Mr. Speaker, I ask unanimous consent that it be in order at any time to take from the Speaker's table the bill (H.R. 4851) to provide a temporary extension of certain programs, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order or question of consideration, a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment; that the Senate amendment be considered as read; that the motion be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and that the previous question be considered as ordered on the motion to final adoption without intervening motion.

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

There was no objection.

CONTINUING EXTENSION ACT OF 2010

Mr. LEVIN. Mr. Speaker, pursuant to the order of the House of today, I call up the bill (H.R. 4851) to provide a temporary extension of certain programs, and for other purposes, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Continuing Extension Act of 2010".

SEC. 2. EXTENSION OF UNEMPLOYMENT INSURANCE PROVISIONS.

(a) IN GENERAL.—(1) Section 4007 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(A) by striking "April 5, 2010" each place it appears and inserting "June 2, 2010";

(B) in the heading for subsection (b)(2), by striking "APRIL 5, 2010" and inserting "JUNE 2, 2010"; and

(C) in subsection (b)(3), by striking "September 4, 2010" and inserting "November 6, 2010".

(2) Section 2002(e) of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 438), is amended—

(A) in paragraph (1)(B), by striking "April 5, 2010" and inserting "June 2, 2010";

(B) in the heading for paragraph (2), by striking "APRIL 5, 2010" and inserting "JUNE 2, 2010"; and

(C) in paragraph (3), by striking "October 5, 2010" and inserting "December 7, 2010".

(3) Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 444), is amended—

(A) by striking "April 5, 2010" each place it appears and inserting "June 2, 2010"; and

(B) in subsection (c), by striking "September 4, 2010" and inserting "November 6, 2010".

(4) Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110–449; 26 U.S.C. 3304 note) is amended by striking "September 4, 2010" and inserting "November 6, 2010".

(b) FUNDING.—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(1) in subparagraph (C), by striking "and" at the end;

(2) by inserting after subparagraph (D) the following new subparagraph:

"(E) the amendments made by section 2(a)(1) of the Continuing Extension Act of 2010; and".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Temporary Extension Act of 2010 (Public Law 111–144).

SEC. 3. EXTENSION AND IMPROVEMENT OF PREMIUM ASSISTANCE FOR COBRA BENEFITS.

(a) EXTENSION OF ELIGIBILITY PERIOD.—Subsection (a)(3)(A) of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), as amended by section 3(a) of the Temporary Extension Act of 2010 (Public Law 111–144), is amended by striking "March 31, 2010" and inserting "May 31, 2010".

(b) RULES RELATING TO 2010 EXTENSION.—Subsection (a) of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), as amended by section 3(b) of the Temporary Extension Act of 2010 (Public Law 111–144), is amended by adding at the end the following:

"(18) RULES RELATED TO APRIL AND MAY 2010 EXTENSION.—In the case of an individual who, with regard to coverage described in paragraph (10)(B), experiences a qualifying event related to a termination of employment on or after April 1, 2010 and prior to the date of the enactment of this paragraph, rules similar to those in paragraphs (4)(A) and (7)(C) shall apply with respect to all continuation coverage, including State continuation coverage programs."

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of section 3001 of division B of the American Recovery and Reinvestment Act of 2009.

SEC. 4. INCREASE IN THE MEDICARE PHYSICIAN PAYMENT UPDATE.

Paragraph (10) of section 1848(d) of the Social Security Act, as added by section 1011(a) of the

Department of Defense Appropriations Act, 2010 (Public Law 111–118) and as amended by section 5 of the Temporary Extension Act of 2010 (Public Law 111–144), is amended—

(1) in subparagraph (A), by striking "March 31, 2010" and inserting "May 31, 2010"; and

(2) in subparagraph (B), by striking "April 1, 2010" and inserting "June 1, 2010".

SEC. 5. EHR CLARIFICATION.

(a) QUALIFICATION FOR CLINIC-BASED PHYSICIANS.—

(1) MEDICARE.—Section 1848(o)(1)(C)(ii) of the Social Security Act (42 U.S.C. 1395w–4(o)(1)(C)(ii)) is amended by striking "setting (whether inpatient or outpatient)" and inserting "inpatient or emergency room setting".

(2) MEDICAID.—Section 1903(t)(3)(D) of the Social Security Act (42 U.S.C. 1396b(t)(3)(D)) is amended by striking "setting (whether inpatient or outpatient)" and inserting "inpatient or emergency room setting".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective as if included in the enactment of the HITECH Act (included in the American Recovery and Reinvestment Act of 2009 (Public Law 111–5)).

(c) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services may implement the amendments made by this section by program instruction or otherwise.

SEC. 6. EXTENSION OF USE OF 2009 POVERTY GUIDELINES.

Section 1012 of the Department of Defense Appropriations Act, 2010 (Public Law 111–118), as amended by section 7 of the Temporary Extension Act of 2010 (Public Law 111–144), is amended by striking "March 31, 2010" and inserting "May 31, 2010".

SEC. 7. EXTENSION OF NATIONAL FLOOD INSURANCE PROGRAM.

(a) EXTENSION.—Section 129 of the Continuing Appropriations Resolution, 2010 (Public Law 111–68), as amended by section 8 of Public Law 111–144, is amended by striking "by substituting" and all that follows through the period at the end and inserting "by substituting May 31, 2010, for the date specified in each such section."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be considered to have taken effect on February 28, 2010.

SEC. 8. COMPENSATION AND RATIFICATION OF AUTHORITY RELATED TO LAPSE IN HIGHWAY PROGRAMS.

(a) COMPENSATION FOR FEDERAL EMPLOYEES.—Any Federal employees furloughed as a result of the lapse in expenditure authority from the Highway Trust Fund after 11:59 p.m. on February 28, 2010, through March 2, 2010, shall be compensated for the period of that lapse at their standard rates of compensation, as determined under policies established by the Secretary of Transportation.

(b) RATIFICATION OF ESSENTIAL ACTIONS.—All actions taken by Federal employees, contractors, and grantees for the purposes of maintaining the essential level of Government operations, services, and activities to protect life and property and to bring about orderly termination of Government functions during the lapse in expenditure authority from the Highway Trust Fund after 11:59 p.m. on February 28, 2010, through March 2, 2010, are hereby ratified and approved if otherwise in accord with the provisions of the Continuing Appropriations Resolution, 2010 (division B of Public Law 111–68).

(c) FUNDING.—Funds used by the Secretary to compensate employees described in subsection (a) shall be derived from funds previously authorized out of the Highway Trust Fund and made available or limited to the Department of Transportation by the Consolidated Appropriations Act, 2010 (Public Law 111–117) and shall be subject to the obligation limitations established in such Act.

(d) EXPENDITURES FROM HIGHWAY TRUST FUND.—To permit expenditures from the Highway Trust Fund to effectuate the purposes of