

[Roll No. 471]

## YEAS—394

Ackerman	DeFazio	Kilpatrick (MI)
Adler (NJ)	DeGette	Kilroy
Alexander	DeLauro	Kind
Altmire	Dent	King (IA)
Andrews	Deutch	King (NY)
Arcuri	Diaz-Balart, L.	Kingston
Austria	Diaz-Balart, M.	Kirk
Baca	Dicks	Kirkpatrick (AZ)
Bachmann	Dingell	Kissell
Bachus	Djoudj	Klein (FL)
Baird	Doggett	Kline (MN)
Baldwin	Donnelly (IN)	Kosmas
Barrett (SC)	Doyle	Kratovil
Barrow	Dreier	Kucinich
Bartlett	Driehaus	Lamborn
Barton (TX)	Duncan	Lance
Bean	Edwards (MD)	Langevin
Becerra	Edwards (TX)	Larsen (WA)
Berkley	Ehlers	Larson (CT)
Berman	Ellison	Latham
Biggert	Ellsworth	Latta
Bilbray	Emerson	Lee (CA)
Bilirakis	Eshoo	Lee (NY)
Bishop (GA)	Etheridge	Levin
Bishop (NY)	Fallin	Lewis (CA)
Bishop (UT)	Farr	Lewis (GA)
Blackburn	Fattah	Linder
Blumenauer	Filner	Lipinski
Blunt	Flake	LoBiondo
Boccheri	Fleming	Loeb sack
Bonner	Forbes	Lofgren, Zoe
Bono Mack	Fortenberry	Lowe y
Boozman	Foster	Lucas
Boswell	Fox x	Luetkemeyer
Boucher	Franks (AZ)	Lujan
Boustany	Frelinghuysen	Lummis
Boyd	Fudge	Lun gren, Daniel
Brady (PA)	Galle gley	E.
Brady (TX)	Garamendi	Mack
Braley (IA)	Garrett (NJ)	Maffei
Bright	Gerlach	Maloney
Broun (GA)	Giffords	Manzullo
Brown (SC)	Gingrey (GA)	Marchant
Brown, Corrine	Gohmert	Markey (CO)
Brown-Waite,	Gonzalez	Marshall
Ginny	Goodlatte	Matheson
Buchanan	Gordon (TN)	McCarthy (CA)
Burgess	Granger	McCarthy (NY)
Burton (IN)	Graves (GA)	McCaul
Butterfield	Grayson	McClintock
Buyer	Green, Al	McCollum
Calvert	Green, Gene	McCotter
Camp	Griffith	McDermott
Campbell	Grijalva	McGovern
Cantor	Gutierrez	McHenry
Cao	Hall (NY)	McIntyre
Capito	Hall (TX)	McKeon
Capps	Halvorson	McMahon
Cardoza	Hare	McMorris
Carnahan	Harman	Rodgers
Carney	Harper	McNerney
Carson (IN)	Hastings (FL)	Meeks (NY)
Carter	Hastings (WA)	Melancon
Cassidy	Heinrich	Mica
Castle	Hensarling	Michaud
Castor (FL)	Herger	Miller (FL)
Chaffetz	Herse th Sandlin	Miller (MI)
Chandler	Higgins	Miller (NC)
Childers	Hill	Miller, Gary
Chu	Himes	Miller, George
Clarke	Hinojosa	Minnick
Clay	Hirono	Mitchell
Cleaver	Hodes	Mollohan
Clyburn	Hoekstra	Moore (KS)
Coble	Holt	Moore (WI)
Coffman (CO)	Honda	Moran (VA)
Cohen	Hoyer	Murphy (CT)
Cole	Hunter	Murphy (NY)
Conaway	Inglis	Murphy, Patrick
Connolly (VA)	Inslee	Murphy, Tim
Cooper	Israel	Myrick
Costa	Issa	Nadler (NY)
Costello	Jackson (IL)	Napolitano
Courtney	Jackson Lee	Neugebauer
Crenshaw	(TX)	Nunes
Critz	Jenkins	Oberstar
Crowley	Johnson (GA)	Obey
Cuellar	Johnson (IL)	Olson
Culberson	Johnson, E. B.	Olver
Cummings	Johnson, Sam	Ortiz
Dahlkemper	Jones	Owens
Davis (AL)	Jordan (OH)	Pallone
Davis (CA)	Kagen	Pascarell
Davis (IL)	Kaptur	Pastor (AZ)
Davis (KY)	Kennedy	Paul
Davis (TN)	Kildee	Paulsen

Payne	Salazar	Sullivan
Pence	Sanchez, Linda	Sutton
Perriello	T.	Tanner
Peters	Sanchez, Loretta	Taylor
Peterson	Sarbanes	Teague
Petri	Scalise	Terry
Pingree (ME)	Schakowsky	Thompson (CA)
Pitts	Schauer	Thompson (MS)
Platts	Schiff	Thornberry
Polis (CO)	Schmidt	Tiberi
Pomeroy	Schock	Titus
Posey	Schrader	Tonko
Price (GA)	Schwartz	Towns
Price (NC)	Scott (GA)	Tsongas
Putnam	Sensenbrenner	Turner
Quigley	Serrano	Upton
Rahall	Sessions	
Rangel	Sestak	Van Hollen
Rehberg	Shadegg	Velázquez
Reichert	Shea-Porter	Visclosky
Reyes	Sherman	Walden
Richardson	Shimkus	Walz
Rodriguez	Shuler	Wamp
Roe (TN)	Shuster	Wasserman
Rogers (KY)	Simpson	Schultz
Rogers (MI)	Sires	Waters
Rohrabacher	Skelton	Watt
Rooney	Slaughter	Waxman
Ros-Lehtinen	Smith (NE)	Welch
Roskam	Smith (NJ)	Westmoreland
Ross	Smith (TX)	Whitfield
Rothman (NJ)	Smith (WA)	Wilson (SC)
Roybal-Allard	Snyder	
Royce	Speier	Wittman
Ruppersberger	Spratt	Wolf
Rush	Stark	Woolsey
Ryan (OH)	Stearns	Wu
Ryan (WI)	Stupak	Yarmuth

## NAYS—23

Aderholt	Holden	Scott (VA)
Berry	Kanjorski	Space
Capuano	LaTourette	Thompson (PA)
Conyers	Lynch	Tierney
Delahunt	Markey (MA)	Weiner
Frank (MA)	Neal (MA)	Wilson (OH)
Guthrie	Nye	Young (AK)
Hinche y	Rogers (AL)	

## NOT VOTING—15

Akin	Heller	Poe (TX)
Boehner	Matsui	Radanovich
Boren	Meek (FL)	Tiahrt
Engel	Moran (KS)	Watson
Graves (MO)	Perlmutter	Young (FL)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1611

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. HELLER. Mr. Speaker, on rollcall No. 471, had I been present, I would have voted “yea.”

Mr. PERLMUTTER. Mr. Speaker, on rollcall No. 471. I was in a meeting and was unavoidably detained. Had I been present, I would have voted “yea.”

# RECOGNIZING THE FREIGHT RAILROAD INDUSTRY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 1366) recognizing and honoring the freight rail industry, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. COSTELLO) that the House suspend the rules and agree to the resolution, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 0, answered “present” 2, not voting 19, as follows:

[Roll No. 472]

## YEAS—411

Ackerman	Connolly (VA)	Heinrich
Aderholt	Conyers	Hensarling
Adler (NJ)	Cooper	Herger
Alexander	Costa	Herse th Sandlin
Altmire	Costello	Higgins
Andrews	Courtney	Hill
Arcuri	Crenshaw	Himes
Austria	Critz	Hinche y
Baca	Crowley	Hinojosa
Bachmann	Cuellar	Hirono
Bachus	Culberson	Hodes
Baird	Cummings	Hoekstra
Baldwin	Dahlkemper	Holden
Barrett (SC)	Davis (AL)	Holt
Barrow	Davis (CA)	Honda
Bartlett	Davis (IL)	Hoyer
Barton (TX)	Davis (KY)	Hunter
Becerra	Davis (TN)	Inglis
Berkley	DeFazio	Inslee
Berman	DeGette	Israel
Berry	Delahunt	Issa
Biggert	DeLauro	Jackson (IL)
Bilbray	Dent	Jackson Lee
Bilirakis	Deutch	(TX)
Bishop (GA)	Diaz-Balart, L.	Jenkins
Bishop (NY)	Diaz-Balart, M.	Johnson (GA)
Bishop (UT)	Dicks	Johnson (IL)
Blackburn	Dingell	Johnson, E. B.
Blumenauer	Djou	Johnson, Sam
Blunt	Doggett	Jones
Boccheri	Donnelly (IN)	Jordan (OH)
Boehner	Doyle	Kagen
Bonner	Dreier	Kanjorski
Bono Mack	Driehaus	Kaptur
Boozman	Duncan	Kildee
Boswell	Edwards (MD)	Kilpatrick (MI)
Boucher	Edwards (TX)	Kilroy
Boustany	Ehlers	Kind
Boyd	Ellison	King (IA)
Brady (PA)	Ellsworth	King (NY)
Brady (TX)	Emerson	Kingston
Braley (IA)	Eshoo	Kirk
Bright	Etheridge	Kirkpatrick (AZ)
Broun (GA)	Fallin	Kissell
Brown (SC)	Farr	Klein (FL)
Brown, Corrine	Fattah	Kline (MN)
Brown-Waite,	Filner	Kosmas
Ginny	Flake	Kratovil
Buchanan	Fleming	Kucinich
Burgess	Forbes	Lamborn
Burton (IN)	Fortenberry	Lance
Butterfield	Fox x	Langevin
Buyer	Frank (MA)	Larsen (WA)
Calvert	Franks (AZ)	Larson (CT)
Camp	Frelinghuysen	Latham
Campbell	Fudge	LaTourette
Cantor	Galle gley	Latta
Cao	Garamendi	Lee (CA)
Capito	Garrett (NJ)	Lee (NY)
Capps	Gerlach	Levin
Capuano	Giffords	Lewis (CA)
Cardoza	Gingrey (GA)	Lewis (GA)
Carnahan	Gohmert	Linder
Carney	Gonzalez	Lipinski
Carson (IN)	Goodlatte	LoBiondo
Carter	Gordon (TN)	Loeb sack
Cassidy	Granger	Lofgren, Zoe
Castle	Graves (GA)	Lowe y
Castor (FL)	Grayson	Lucas
Chaffetz	Green, Al	Luetkemeyer
Chandler	Green, Gene	Lujan
Childers	Griffith	Lummis
Chu	Grijalva	Lun gren, Daniel
Clarke	Guthrie	E.
Clay	Hall (NY)	Lynch
Cleaver	Hall (TX)	Mack
Clyburn	Halvorson	Maffei
Coble	Hare	Maloney
Coffman (CO)	Harman	Manzullo
Cohen	Harper	Marchant
Cole	Hastings (FL)	Markey (CO)
Conaway	Hastings (WA)	Markey (MA)

Matheson	Peters	Shuler
McCarthy (CA)	Peterson	Shuster
McCarthy (NY)	Petri	Simpson
McCaul	Pingree (ME)	Sires
McClintock	Pitts	Skelton
McCollum	Platts	Smith (NE)
McCotter	Polis (CO)	Smith (NJ)
McDermott	Pomeroy	Smith (TX)
McGovern	Posey	Smith (WA)
McHenry	Price (GA)	Snyder
McIntyre	Price (NC)	Space
McKeon	Putnam	Speier
McMahon	Quigley	Spratt
McMorris	Rahall	Stark
Rodgers	Rangel	Stearns
McNerney	Rehberg	Stupak
Meeks (NY)	Reichert	Sullivan
Melancon	Reyes	Sutton
Mica	Richardson	Tanner
Michaud	Rodriguez	Taylor
Miller (FL)	Roe (TN)	Teague
Miller (MI)	Rogers (AL)	Terry
Miller (NC)	Rogers (KY)	Thompson (CA)
Miller, Gary	Rogers (MI)	Thompson (MS)
Miller, George	Rohrabacher	Thompson (PA)
Minnick	Rooney	Thornberry
Mitchell	Ros-Lehtinen	Tiberi
Mollohan	Roskam	Tierney
Moore (KS)	Ross	Titus
Moore (WI)	Rothman (NJ)	Tonko
Moran (VA)	Roybal-Allard	Towns
Murphy (CT)	Royce	Tsongas
Murphy (NY)	Ruppersberger	Turner
Murphy, Patrick	Rush	Upton
Murphy, Tim	Ryan (OH)	Van Hollen
Myrick	Ryan (WI)	Velázquez
Nadler (NY)	Salazar	Visclosky
Napolitano	Sanchez, Loretta	Walden
Neal (MA)	Sarbanes	Walz
Neugebauer	Scalise	Wamp
Nunes	Schakowsky	Wasserman
Nye	Schauer	Schiff
Oberstar	Schiff	Waters
Obey	Schmidt	Watt
Olson	Schock	Waxman
Olver	Schrader	Weiner
Ortiz	Schwartz	Welch
Owens	Scott (GA)	Westmoreland
Pallone	Scott (VA)	Wilson (OH)
Pascarell	Sensenbrenner	Wilson (SC)
Pastor (AZ)	Serrano	Wittman
Paul	Sessions	Wolf
Paulsen	Sestak	Woolsey
Payne	Shadeeg	Wu
Pence	Shea-Porter	Yarmuth
Perlmutter	Sherman	Young (AK)
Perriello	Shimkus	

## ANSWERED "PRESENT"—2

Bean	Slaughter
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## NOT VOTING—19

Akin	Kennedy	Sánchez, Linda
Boren	Marshall	T.
Engel	Matsui	Tiahrt
Foster	Meek (FL)	Watson
Graves (MO)	Moran (KS)	Whitfield
Gutierrez	Poe (TX)	Young (FL)
Heller	Radanovich	

□ 1619

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

The result of the vote was announced as above recorded.

The title was amended so as to read: "Resolution recognizing and honoring the freight railroad industry and its employees."

A motion to reconsider was laid on the table.

Stated for:

Mr. HELLER. Mr. Speaker, on rollcall No. 472, had I been present, I would have voted "yea."

## PERSONAL EXPLANATION

Mr. AKIN. Madam Speaker, on July 27, 2010, I was absent from the House and missed rollcall votes 470, 471, and 472. Had I been present, I would have voted "no" on

rollcall 470, "yes" on rollcall 471, and "yes" on rollcall 472.

## PERSONAL EXPLANATION

Mr. POE of Texas. Mr. Speaker, on rollcall Nos. 470—H. Res. 1556, 471—H. Res. 5730, and 472—H. Res. 1366, I was unable to vote today, since I was at the White House meeting with the President. Had I been present, I would have voted "no" on H. Res. 1556, "yes" on H. Res. 5730, and "yes" on H. Res. 1366.

## PAKISTAN WAR POWERS RESOLUTION

Mr. KUCINICH. Mr. Speaker, pursuant to House Resolution 1556, I call up the concurrent resolution (H. Con. Res. 301) directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Pakistan, and ask for its immediate consideration.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 1556, the concurrent resolution is considered read.

The text of the concurrent resolution is as follows:

## H. CON. RES. 301

*Resolved by the House of Representatives (the Senate concurring),*

## SECTION 1. REMOVAL OF UNITED STATES ARMED FORCES FROM PAKISTAN.

Pursuant to section 5(c) of the War Powers Resolution (50 U.S.C. 1544(c)), Congress directs the President to remove the United States Armed Forces from Pakistan—

(1) by no later than the end of the period of 30 days beginning on the day on which this concurrent resolution is adopted; or

(2) if the President determines that it is not safe to remove the United States Armed Forces before the end of that period, by no later than December 31, 2010, or such earlier date as the President determines that the Armed Forces can safely be removed.

The SPEAKER pro tempore. The concurrent resolution shall be debatable for 1 hour, with 30 minutes controlled by the gentleman from Ohio (Mr. KUCINICH) or his designee and 30 minutes equally divided and controlled by the chair and ranking member of the Committee on Foreign Affairs.

The gentleman from Ohio (Mr. KUCINICH) will control 30 minutes. The gentleman from California (Mr. BERMAN) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 15 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. KUCINICH. Mr. Speaker, I yield myself 3 minutes.

U.S. forces are in Pakistan. Congress never voted expressly to send troops there. Congress has a constitutional responsibility under Article I, Section 8 of the Constitution. And I will insert Article I, Section 8, in the RECORD.

SECTION 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment and counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and Post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all places purchased by the Consent of the Legislature of the State in which the same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Under Article I, Section 8 of the Constitution, it is Congress which has the power to declare war.

Now, the War Powers Act extended the debate over Article I, Section 8 by pointing out that, if circumstances occurred where the President committed troops to imminent hostilities, that Congress has the right to create a debate and to create a vote over whether or not those troops should stay in those hostilities.

Now, are there hostilities involving U.S. troops in Pakistan? The answer is that three U.S. troops were killed as a result of an IED in Pakistan in February. Now, that was reported last week in The Wall Street Journal. There's just no question that troops have been involved in imminent hostilities. In this case, they perished.

Now, there are those who maintain that the War Powers Act is superseded