

## NOT VOTING—9

Blunt	Delahunt	Radanovich
Buyer	Fallin	Sherman
Davis (TN)	Graves (MO)	Young (FL)

□ 2344

Messrs. ADERHOLT and CANTOR changed their vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## FEDERAL ELECTION INTEGRITY ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 512) to amend the Federal Election Campaign Act of 1971 to prohibit certain State election administration officials from actively participating in electoral campaigns, 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 gentlewoman from California (Mrs. DAVIS) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 296, nays 129, not voting 7, as follows:

[Roll No. 563]

YEAS—296

Ackerman	Childers	Farr
Adler (NJ)	Chu	Fattah
Altmire	Clarke	Filner
Andrews	Clay	Fortenberry
Arcuri	Cleaver	Poster
Austria	Clyburn	Frank (MA)
Baca	Cofman (CO)	Fudge
Baldwin	Cohen	Gallely
Barrow	Connolly (VA)	Garamendi
Bean	Conyers	Garamendi
Becerra	Cooper	Giffords
Berkley	Costa	Gonzalez
Berman	Costello	Gordon (TN)
Berry	Courtney	Grayson
Bilbray	Critz	Green, Al
Bishop (GA)	Crowley	Green, Gene
Bishop (NY)	Cuellar	Grijalva
Blumenauer	Cummings	Guthrie
Boccieri	Dahlkemper	Gutierrez
Bono Mack	Davis (AL)	Hall (NY)
Boren	Davis (CA)	Halvorson
Boswell	Davis (IL)	Hare
Boucher	Davis (TN)	Harman
Boyd	DeFazio	Hastings (FL)
Brady (PA)	DeGette	Heinrich
Braley (IA)	DeLauro	Herseth Sandlin
Bright	Dent	Higgins
Brown (SC)	Deutch	Hill
Brown, Corrine	Diaz-Balart, L.	Himes
Brown-Waite,	Diaz-Balart, M.	Hinchee
Ginny	Dicks	Hinojosa
Buchanan	Dingell	Hirono
Butterfield	Djou	Hodes
Buyer	Doggett	Holden
Cao	Donnelly (IN)	Holt
Capito	Doyle	Honda
Capps	Driehaus	Hoyer
Capuano	Edwards (MD)	Inslee
Cardoza	Edwards (TX)	Israel
Carnahan	Ehlers	Jackson (IL)
Carney	Ellison	Jackson Lee
Carson (IN)	Ellsworth	(TX)
Castle	Engel	Johnson (GA)
Castor (FL)	Eshoo	Johnson (IL)
Chandler	Etheridge	Johnson, E. B.

Jones	Mitchell	Schiff
Kagen	Mollohan	Schrader
Kanjorski	Moore (KS)	Schwartz
Kaptur	Moran (VA)	Scott (GA)
Kennedy	Murphy (CT)	Scott (VA)
Kildee	Murphy (NY)	Serrano
Kilpatrick (MI)	Murphy, Patrick	Sestak
Kilroy	Murphy, Tim	Shea-Porter
Kind	Nadler (NY)	Sherman
King (NY)	Napolitano	Shuler
Kirkpatrick (AZ)	Neal (MA)	Simpson
Kissell	Nye	Sires
Klein (FL)	Oberstar	Skelton
Kosmas	Obey	Slaughter
Kratovil	Oliver	Smith (NJ)
Kucinich	Ortiz	Smith (TX)
Langevin	Owens	Smith (WA)
Larsen (WA)	Pallone	Snyder
Larson (CT)	Pascrell	Space
LaTourette	Pastor (AZ)	Speier
Lee (CA)	Payne	Spratt
Levin	Perlmutter	Stark
Lewis (GA)	Perriello	Stupak
Lipinski	Peters	Sutton
LoBiondo	Peterson	Tanner
Loeb sack	Pingree (ME)	Taylor
Lofgren, Zoe	Platts	Teague
Lowe	Polis (CO)	Thompson (CA)
Luetkemeyer	Pomeroy	Thompson (MS)
Lujan	Posey	Thompson (PA)
Lynch	Price (NC)	Tiberi
Maffei	Putnam	Tierney
Maloney	Quigley	Titus
Markey (CO)	Rahall	Tonko
Markey (MA)	Rangel	Towns
Marshall	Reichert	Tsongas
Matheson	Reyes	Turner
Matsui	Richardson	Van Hollen
McCarthy (NY)	Rodriguez	Velázquez
McCaul	Rogers (KY)	Visclosky
McClintock	Rogers (MI)	Walz
McCollum	Ros-Lehtinen	Wasserman
McCotter	Ross	Schultz
McDermott	Rothman (NJ)	Waters
McGovern	Roybal-Allard	Watson
McIntyre	Ruppersberger	Watt
McMahon	Rush	Waxman
McNerney	Ryan (OH)	Weiner
Meek (FL)	Salazar	Welch
Meeks (NY)	Sánchez, Linda	Whitfield
Melancon	T.	Wilson (OH)
Michaud	Sanchez, Loretta	Wittman
Miller (NC)	Sarbanes	Woolsey
Miller, George	Schakowsky	Wu
Minnick	Schauer	Yarmuth

NAYS—129

Aderholt	Frelinghuysen	McMorris
Akin	Garrett (NJ)	Rodgers
Alexander	Gingrey (GA)	Mica
Bachmann	Gohmert	Miller (FL)
Bachus	Goodlatte	Miller (MI)
Baird	Granger	Miller, Gary
Barrett (SC)	Graves (GA)	Moran (KS)
Bartlett	Griffith	Myrick
Barton (TX)	Hall (TX)	Neugebauer
Biggert	Harper	Nunes
Bilirakis	Hastings (WA)	Olson
Bishop (UT)	Heller	Paul
Blackburn	Hensarling	Paulsen
Boehner	Herger	Pence
Bonner	Hoekstra	Petri
Boozman	Hunter	Pitts
Boustany	Inglis	Poe (TX)
Brady (TX)	Issa	Price (GA)
Broun (GA)	Jenkins	Rehberg
Burgess	Johnson, Sam	Roe (TN)
Burton (IN)	Jordan (OH)	Rogers (AL)
Calvert	King (IA)	Rohrabacher
Camp	Kingston	Rooney
Campbell	Kirk	Roskam
Cantor	Kline (MN)	Royce
Carter	Lamborn	Ryan (WI)
Cassidy	Lance	Scalise
Chaffetz	Latham	Schmidt
Coble	Latta	Schock
Cole	Lee (NY)	Sensenbrenner
Conaway	Lewis (CA)	Sessions
Crenshaw	Linder	Shadegg
Culberson	Lucas	Shimkus
Davis (KY)	Lummis	Shuster
Dreier	Lungren, Daniel	Smith (NE)
Duncan	E.	Stearns
Emerson	Mack	Sullivan
Flake	Manzullo	Terry
Fleming	Marchant	Thornberry
Forbes	McCarthy (CA)	Tiahrt
Fox	McHenry	Upton
Franks (AZ)	McKeon	

Walden	Westmoreland	Wolf
Wamp	Wilson (SC)	Young (AK)

NOT VOTING—7

Blunt	Graves (MO)	Young (FL)
Delahunt	Moore (WI)	
Fallin	Radanovich	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 2352

Messrs. GOODLATTE, WOLF and McKEON changed their vote from “yea” to “nay.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 3774. An act to extend the deadline for Social Services Block Grant expenditures of supplemental funds appropriated following disasters occurring in 2008.

## CONTINUING APPROPRIATIONS ACT, 2011

Mr. OBEY. Mr. Speaker, pursuant to House Resolution 1682, I call up the bill (H.R. 3081) making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2010, and for other purposes, with the Senate amendments thereto, and offer the motion.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. LARSEN of Washington). The Clerk will designate the Senate amendments.

The text of the Senate amendments is as follows:

Senate amendments:

Strike all after the enacting clause and insert the following:

*That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2011, and for other purposes, namely:*

*SEC. 101. Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2010 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this Act, that were conducted in fiscal year 2010, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:*

*(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (Public Law 111–80).*

*(2) Division A of the Department of Defense Appropriations Act, 2010 (division A of Public Law 111–118).*

(3) The Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85).

(4) The Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83) and section 601 of the Supplemental Appropriations Act, 2010 (Public Law 111–212).

(5) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 (division A of Public Law 111–88).

(6) The Legislative Branch Appropriations Act, 2010 (division A of Public Law 111–68).

(7) The Consolidated Appropriations Act, 2010 (Public Law 111–117).

(8) Chapter 3 of title I of the Supplemental Appropriations Act, 2010 (Public Law 111–212), except for appropriations under the heading “Operation and Maintenance” relating to Haiti following the earthquake of January 12, 2010, or the Port of Guam: Provided, That the amount provided for the Department of Defense pursuant to this paragraph shall not exceed a rate for operations of \$29,387,401,000: Provided further, That the Secretary of Defense shall allocate such amount to each appropriation account, budget activity, activity group, and subactivity group, and to each program, project, and activity within each appropriation account, in the same proportions as such appropriations for fiscal year 2010.

(9) Section 102(c) of chapter 1 of title I of the Supplemental Appropriations Act, 2010 (Public Law 111–212) that addresses guaranteed loans in the rural housing insurance fund.

(10) The appropriation under the heading “Department of Commerce—United States Patent and Trademark Office” in the United States Patent and Trademark Office Supplemental Appropriations Act, 2010 (Public Law 111–224).

SEC. 102. (a) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for (1) the new production of items not funded for production in fiscal year 2010 or prior years; (2) the increase in production rates above those sustained with fiscal year 2010 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P–1 line item in a budget activity within an appropriation account and an R–1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2010.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 104. Except as otherwise provided in section 102, no appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2010.

SEC. 105. Appropriations made and authority granted pursuant to this Act shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this Act.

SEC. 106. Unless otherwise provided for in this Act or in the applicable appropriations Act for fiscal year 2011, appropriations and funds made available and authority granted pursuant to this Act shall be available until whichever of the following first occurs: (1) the enactment into

law of an appropriation for any project or activity provided for in this Act; (2) the enactment into law of the applicable appropriations Act for fiscal year 2011 without any provision for such project or activity; or (3) December 3, 2010.

SEC. 107. Expenditures made pursuant to this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. Appropriations made and funds made available by or authority granted pursuant to this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this Act may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this Act, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2011 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this Act that would impinge on final funding prerogatives.

SEC. 110. This Act shall be implemented so that only the most limited funding action of that permitted in the Act shall be taken in order to provide for continuation of projects and activities.

SEC. 111. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2010, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2010, to be continued through the date specified in section 106(3).

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2010 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

SEC. 112. Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2010, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 113. Funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 114. The following amounts are designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010:

(1) Amounts incorporated by reference in this Act that were previously designated as available for overseas deployments and other activities pursuant to such concurrent resolution.

(2) Amounts made available pursuant to paragraph (8) of section 101 of this Act.

SEC. 115. Notwithstanding any other provision of this Act, funds appropriated under the head-

ing “Food for Peace Title II Grants” in chapter 1 of title I of the Supplemental Appropriations Act, 2010 (Public Law 111–212) may be used to reimburse obligations incurred for the purposes provided therein prior to the enactment of such Act.

SEC. 116. The authority provided by section 18(h)(5) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(h)(5)) shall continue in effect through the earlier of the date of enactment of an authorization Act related to the Richard B. Russell National School Lunch Act or the date specified in section 106(3) of this Act.

SEC. 117. Notwithstanding section 101, amounts are provided for “Department of Commerce—Bureau of the Census—Periodic Censuses and Programs”, for necessary expenses to collect and publish statistics for periodic censuses and programs provided for by law, at a rate for operations of \$964,315,000.

SEC. 118. The authority provided by section 1202 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163), as most recently amended by section 1222 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2518), shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 119. Notwithstanding subsection (b) of section 310 of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1870), a claim described in that subsection that is submitted before the date specified in section 106(3) of this Act shall be treated as a claim for which payment may be made under such section 310.

SEC. 120. (a) RESCISSION.—The unobligated balance of authority provided for investigations under the heading “Department of Defense—Civil, Department of the Army, Corps of Engineers—Civil, Investigations”, in chapter 4 of title I of the Supplemental Appropriations Act, 2010 (Public Law 111–212; 124 Stat. 2312) is rescinded as of the date of enactment of this Act.

(b) APPROPRIATION.—Notwithstanding any other provision in this Act—

(1) there is appropriated to the Department of the Army, Corps of Engineers, an amount equal to the unobligated balance rescinded by subsection (a), to remain available until expended, for investigations;

(2) that such amount be available on the date of enactment of this Act; and

(3) the amount is designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 121. (a) RESCISSION.—The unobligated balance of authority provided for in section 401 of chapter 4 of title I of the Supplemental Appropriations Act, 2010 (Public Law 111–212; 124 Stat. 2313) for drought emergency assistance is rescinded as of the date of enactment of this Act.

(b) APPROPRIATION.—Notwithstanding any other provision in this Act—

(1) there is appropriated to the Bureau of Reclamation, an amount equal to the unobligated balance rescinded by subsection (a), to remain available until expended, for drought emergency assistance: Provided, That financial assistance may be provided under the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2201 et seq.) and any other applicable Federal law (including regulations) for the optimization and conservation of project water supplies to assist drought-plagued areas of the West;

(2) that such amount be available on the date of enactment of this Act; and

(3) the amount is designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 122. Notwithstanding section 101, amounts are provided for “Department of Energy—Weapons Activities” at a rate for operations of \$7,008,835,000.

SEC. 123. Notwithstanding any other provision of this Act, except section 106, the District of Columbia may expend local funds for programs and activities under the heading "District of Columbia Funds" for such programs and activities under title IV of S. 3677 (111th Congress), as reported by the Committee on Appropriations of the Senate, at the rate set forth under "District of Columbia Funds" as included in the Fiscal Year 2011 Budget Request Act (D.C. Act 18-448), as modified as of the date of the enactment of this Act.

SEC. 124. Section 550(b) of Public Law 109-295, as amended by section 550 of Public Law 111-83, shall be applied by substituting the date specified in section 106(3) of this Act for "October 4, 2010".

SEC. 125. Section 203(m) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133(m)) shall be applied by substituting the date specified in section 106(3) of this Act for "September 30, 2010".

SEC. 126. Any funds made available pursuant to section 101 for the Federal Air Marshals may be obligated at a rate for operations not exceeding that necessary to sustain domestic and international flight coverage at the same level as the final quarter of fiscal year 2010.

SEC. 127. Any funds made available pursuant to section 101 for U.S. Customs and Border Protection may be obligated at a rate for operations not exceeding that necessary to sustain the numbers of personnel in place in the final quarter of fiscal year 2010. The Commissioner of U.S. Customs and Border Protection shall notify the Committees on Appropriations of the House of Representatives and the Senate on each use of the authority provided in this section.

SEC. 128. Notwithstanding section 101, amounts are provided for "Department of the Interior—Minerals Management Service—Royalty and Offshore Minerals Management" at a rate for operations of \$365,000,000: Provided, That amounts provided herein from the general fund shall be reduced in an amount not to exceed \$154,890,000, as receipts from increases to rates in effect on August 5, 1993, and from cost recovery fees are received: Provided further, That of the prior-year unobligated balances available for "Department of the Interior—Minerals Management Service—Royalty and Offshore Minerals Management", \$25,000,000 are rescinded.

SEC. 129. Section 2(e)(1)(B) of Public Law 109-129 shall be applied by substituting the date specified in section 106(3) of this Act for "September 30, 2010".

SEC. 130. From funds transferred to "Department of Health and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund" by Public Law 111-117 in the fourth paragraph under such heading, amounts shall be available through the date specified in section 106(3) of this Act to support advanced research and development pursuant to section 319L of the Public Health Service Act, at a rate for operations of \$305,000,000.

SEC. 131. (a) EXTENSION OF THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM.—Activities authorized by part A of title IV and section 1108(b) of the Social Security Act (other than the Emergency Contingency Fund for State Temporary Assistance for Needy Families Programs established under subsection (c) of section 403 of such Act) shall continue through the date specified in section 106(3) of this Act in the manner authorized for fiscal year 2010, subject to the amendments made by subsection (b) of this section, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this authority through the applicable portion of the first quarter of fiscal year 2011 at the pro rata portion of the level provided for such activities through the first quarter of fiscal year 2010.

(b) CONFORMING AMENDMENTS.—

(1) SUPPLEMENTAL GRANTS FOR POPULATION INCREASES.—Section 403(a)(3)(H)(ii) of the Social Security Act (42 U.S.C. 603(a)(3)(H)(ii)) is amended to read as follows:

"(ii) subparagraph (G) shall be applied as if 'the date specified in section 106(3) of the Continuing Appropriations Act, 2011' were substituted for 'fiscal year 2011'; and".

(2) CONTINGENCY FUND.—

(A) DEPOSIT INTO FUND.—Section 403(b)(2) of such Act (42 U.S.C. 603(b)(2)) is amended—

(i) by striking "fiscal years 1997" and all that follows through "2003" and inserting "fiscal years 2011 and 2012"; and

(ii) by striking "\$2,000,000,000" and inserting "in the case of fiscal year 2011, \$506,000,000 and in the case of fiscal year 2012, \$612,000,000".

(B) CONFORMING AMENDMENT.—Section 403(b)(3)(C)(ii) of such Act (42 U.S.C. 603(b)(3)(C)(ii)) is amended by striking "fiscal years 1997 through 2010 shall not exceed the total amount appropriated pursuant to paragraph (2)" and inserting "fiscal year 2011 and 2012, respectively, shall not exceed the total amount appropriated pursuant to paragraph (2) for each such fiscal year".

(3) MAINTENANCE OF EFFORT.—Section 409(a)(7) of such Act (42 U.S.C. 609(a)(7)) is amended—

(A) in subparagraph (A), by striking "or 2011" and inserting "2011, or 2012"; and

(B) in subparagraph (B)(ii), by striking "2010" and inserting "2011".

SEC. 132. Activities authorized by section 429 of the Social Security Act shall continue through September 30, 2011, in the manner authorized for fiscal year 2010, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this authority on a quarterly basis through fiscal year 2011 at the level provided for such activities for the corresponding quarter of fiscal year 2010.

SEC. 133. Effective October 1, 2010, subpart 2 of part B of title IV of the Social Security Act is amended—

(1) in section 436 (42 U.S.C. 629f)—

(A) in subsection (a)—

(i) by striking "2011" and inserting "2010"; and

(ii) by inserting before the period the following: "and \$365,000,000 for fiscal year 2011"; and

(B) by striking "\$10,000,000" in subsection (b)(2) and inserting "\$30,000,000"; and

(2) in section 438 (42 U.S.C. 629h)—

(A) by striking "2010" in subsection (c)(2)(A) and inserting "2011"; and

(B) by adding at the end of subsection (e) the following flush sentence: "For fiscal year 2011, out of the amount reserved pursuant to section 436(b)(2) for such fiscal year, there are available \$10,000,000 for grants referred to in subsection (b)(2)(B), and \$10,000,000 for grants referred to in subsection (b)(2)(C)."

SEC. 134. Notwithstanding any other provision of this Act, for payment in equal shares to the children and grandchildren of Robert C. Byrd, \$193,400 is appropriated.

SEC. 135. Notwithstanding section 101, amounts are provided for deposit into "Department of Defense Base Closure Account 2005" at a rate for operations of \$2,354,285,000.

SEC. 136. Notwithstanding section 101, amounts are provided for "Department of State—Administration of Foreign Affairs—Diplomatic and Consular Programs" at a rate for operations of \$8,601,000,000.

SEC. 137. Notwithstanding section 101, amounts are provided for "International Security Assistance—Funds Appropriated to the President—Foreign Military Financing Program" at a rate for operations of \$5,160,000,000, of which not less than \$2,775,000,000 shall be available for grants only for Israel, not less

than \$1,300,000,000 shall be available for grants only for Egypt, and not less than \$300,000,000 shall be available for assistance for Jordan: Provided, That the dollar amount in the fourth proviso under such heading in title IV of division F of Public Law 111-117 shall be deemed to be \$729,825,000.

SEC. 138. (a) Notwithstanding section 101, amounts are provided for "International Security Assistance—Funds Appropriated to the President—Pakistan Counterinsurgency Capability Fund" at a rate for operations of \$700,000,000.

(b) Amounts provided by subsection (a) shall be available to the Secretary of State under the terms and conditions provided for this Fund in Public Law 111-32 and Public Law 111-212 through the date specified in section 106(3) of this Act.

SEC. 139. Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by substituting the date specified in section 106(3) of this Act for "September 30, 2010".

SEC. 140. (a) Section 1115(d) of Public Law 111-32 shall be applied by substituting the date specified in section 106(3) of this Act for "October 1, 2010".

(b) Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) shall be applied by substituting the date specified in section 106(3) of this Act for "October 1, 2010" in paragraph (2).

(c) Section 61(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2733(a)) shall be applied by substituting the date specified in section 106(3) of this Act for "October 1, 2010" in paragraph (2).

(d) Section 625(j)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by substituting the date specified in section 106(3) of this Act for "October 1, 2010" in subparagraph (B).

SEC. 141. The authority provided by section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) shall remain in effect through the date specified in section 106(3) of this Act.

SEC. 142. Commitments to guarantee loans incurred under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), shall not exceed a rate for operations of \$20,000,000,000: Provided, That total loan principal, any part of which is to be guaranteed, may be apportioned through the date specified in section 106(3) of this Act, at \$80,000,000 multiplied by the number of days covered by this Act.

SEC. 143. The provisions of title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11311 et seq.) shall continue in effect, notwithstanding section 209 of such Act, through the earlier of: (1) the date specified in section 106(3) of this Act; or (2) the date of the enactment into law of an authorization Act relating to the McKinney-Vento Homeless Assistance Act.

SEC. 144. Notwithstanding any other provision of law or of this Act, for mortgages for which the mortgagee issues credit approval for the borrower during fiscal year 2011, the second sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z-20(g)) shall be considered to require that in no case may the benefits of insurance under such section 255 exceed 150 percent of the maximum dollar amount in effect under the sixth sentence of section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(a)(2)).

SEC. 145. (a) LOAN LIMIT FLOOR BASED ON 2008 LEVELS.—For mortgages for which the mortgagee issues credit approval for the borrower during fiscal year 2011, if the dollar amount limitation on the principal obligation of a mortgage determined under section 203(b)(2) of the National Housing Act (12 U.S.C. 1709(b)(2)) for any size residence for any area is less than such dollar amount limitation that was in effect for such size residence for such area for 2008

pursuant to section 202 of the Economic Stimulus Act of 2008 (Public Law 110-185; 122 Stat. 620), notwithstanding any other provision of law or of this Act, the maximum dollar amount limitation on the principal obligation of a mortgage for such size residence for such area for purposes of such section 203(b)(2) shall be considered (except for purposes of section 255(g) of such Act (12 U.S.C. 1715z-20(g))) to be such dollar amount limitation in effect for such size residence for such area for 2008.

(b) **DISCRETIONARY AUTHORITY FOR SUB-AREAS.**—Notwithstanding any other provision of law or of this Act, if the Secretary of Housing and Urban Development determines, for any geographic area that is smaller than an area for which dollar amount limitations on the principal obligation of a mortgage are determined under section 203(b)(2) of the National Housing Act, that a higher such maximum dollar amount limitation is warranted for any particular size or sizes of residences in such sub-area by higher median home prices in such sub-area, the Secretary may, for mortgages for which the mortgagee issues credit approval for the borrower during fiscal year 2011, increase the maximum dollar amount limitation for such size or sizes of residences for such sub-area that is otherwise in effect (including pursuant to subsection (a) of this section), but in no case to an amount that exceeds the amount specified in section 202(a)(2) of the Economic Stimulus Act of 2008.

**SEC. 146. (a) LOAN LIMIT FLOOR BASED ON 2008 LEVELS.**—For mortgages originated during fiscal year 2011, if the limitation on the maximum original principal obligation of a mortgage that may be purchased by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation determined under section 302(b)(2) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(b)(2)) or section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1754(a)(2)) respectively, for any size residence for any area is less than such maximum original principal obligation limitation that was in effect for such size residence for such area for 2008 pursuant to section 201 of the Economic Stimulus Act of 2008 (Public Law 110-185; 122 Stat. 619), notwithstanding any other provision of law or of this Act, the limitation on the maximum original principal obligation of a mortgage for such Association and Corporation for such size residence for such area shall be such maximum limitation in effect for such size residence for such area for 2008.

(b) **DISCRETIONARY AUTHORITY FOR SUB-AREAS.**—Notwithstanding any other provision of law or of this Act, if the Director of the Federal Housing Finance Agency determines, for any geographic area that is smaller than an area for which limitations on the maximum original principal obligation of a mortgage are determined for the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation, that a higher such maximum original principal obligation limitation is warranted for any particular size or sizes of residences in such sub-area by higher median home prices in such sub-area, the Director may, for mortgages originated during fiscal year 2011, increase the maximum original principal obligation limitation for such size or sizes of residences for such sub-area that is otherwise in effect (including pursuant to subsection (a) of this section) for such Association and Corporation, but in no case to an amount that exceeds the amount specified in the matter following the comma in section 201(a)(1)(B) of the Economic Stimulus Act of 2008.

This Act may be cited as the “Continuing Appropriations Act, 2011”.

Amend the title so as to read: “An Act making continuing appropriations for fiscal year 2011, and for other purposes.”.

#### MOTION TO CONCUR

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. OBEY moves that the House concur in the Senate amendments.

The SPEAKER pro tempore. Pursuant to House Resolution 1682, the motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

#### GENERAL LEAVE

Mr. OBEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the pending legislation.

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

There was no objection.

Mr. OBEY. Mr. Speaker, I reserve the balance of my time.

Mr. LEWIS of California. I yield myself such time as I might consume.

(Mr. LEWIS of California asked and was given permission to revise and extend his remarks.)

Mr. LEWIS of California. Mr. Speaker, I had planned to deliver a 10-minute oration outlining my concerns about this CR before us. However, given the late hour, I'll simply say that I believe it spends too much by continuing funding at least year's levels.

Mr. Speaker, I am reminded of the words of my friend and yours, Will Rogers, whose statue stands outside the door of the House Chamber. He said, “Never miss a good chance to shut up.”

Mr. Speaker, by any definition, this year's appropriations process has been a complete and utter failure. The current fiscal year ends tomorrow and to date, only two spending bills have cleared the full Appropriations Committee and passed the House. In two of the last four years under Democrat control, Congress has failed to enact a single appropriations bill by the beginning of the new fiscal year.

It is now certain that any further consideration of the ten unfinished spending bills is unlikely this year, leaving a massive, end-of-the-year omnibus bill as the most likely course of action following the November elections.

The omnibus would be the latest in a long list of big money bills passed by this Congress—on top of health care reform, Stimulus, TARP, and too many bailouts to mention by name—over the loud objections of House Republicans. Taken together, these costly measures have cemented this legislative session's reputation as the most expensive in our country's history.

According to CNN, this Democrat-controlled Congress has committed our country to at least \$11 trillion in bailout spending alone over the last 2 years. Let me repeat that: Over eleven trillion dollars in new bailout spending in just two years paid for by the American taxpayer.

It is this spending by this Administration and this Democrat controlled Congress that has re-

sulted in historic deficits and record levels of debt. Add to this spending the potential cost of cap and trade legislation, more costly regulations on small businesses, and the prospect of higher taxes on all Americans at the end of this year, it's no wonder that our country is facing 10 percent unemployment.

This is the most pro-spending, pro-regulation, anti-small business Congress in memory. What company or small business wants to hire anyone in this environment?

This record is all the more striking when you consider the fact that the House has spent week after week, month after month, considering hundreds of insignificant bills while ignoring the substantive work required of Congress each year to pass a federal budget.

This Continuing Resolution would have been the Democrat majority's last hope of telling voters that they're listening to the public's concern about out-of-control spending—and yet, one more time, they have turned a deaf ear. If voters need any additional motivation to go to the polls in November, this Democrat-controlled Congress has certainly provided it.

While I recognize the need to keep the government running in the absence of any spending bills being enacted, I cannot and will not support this CR because it continues unsustainable and unrestrained levels of spending established last year. Republicans have, and will continue, to advocate for lower spending that is nearly \$100 billion below the current level set by Chairman OBEY and the White House.

We should pass a bill that includes these reductions while maintaining the essential functions of government until Congress completes this year's budget. This CR as presently written fails that critical test.

In closing, I want to applaud the Senate for resisting the temptation to add a variety of legislative items and billions in additional spending requested by the Obama White House. At a time of extreme spending fatigue, it's simply unacceptable to use a must-pass CR as a legislative vehicle for more wasteful federal spending or completing an array of unfinished political business before the election.

Mr. Speaker, I don't believe we should shut down the government. But voters are telling Congress that Uncle Sam needs a diet. At a time of historic deficits, record debt, and 10 percent unemployment, I believe we owe our constituents more than the status quo. There's no question that we can keep government running and spend far less of the voters' money than we're presently spending.

With that, Mr. Speaker, I urge a “no” vote and yield back the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, this continuing resolution is designed to keep the government open and running. We have an obligation to do this. We've got enough problems in the economy right now without adding to uncertainty. The Senate passed this continuing resolution by a vote of 69-30. The House ought to pass it. It is a relatively straightforward and unadorned CR which simply keeps the government open for 64 days.

As far as the funding levels are concerned, in total this CR is a bit below what was enacted in 2010. The CR allows agencies to continue fiscal 2010

levels, with three exceptions. First, it provides additional funding for the National Nuclear Security Administration at the President's requested level of \$7 billion. This is for weapons security, included at the request of Senate Republicans. Second, the CR provides less funding for the Census and Defense BRAC activities because less is needed for 2011. Third, the CR provides funding equal to last year's security assistance for Israel, Egypt, Jordan, Pakistan, and the State Department operations in Iraq and Afghanistan. This exception is needed because some of last year's funding was provided in the 2009 supplemental. It also extends a number of authorizations that would otherwise expire, such as TANF. It also extends higher mortgage loan limits, stop-loss payments to our troops, and other programs.

Frankly, I had hoped that this CR would do a few other things, but the Senate would not accept them. For example, I had hoped that the CR would allow continuation of the emergency job program through which 37 States provide subsidized jobs for nearly 250,000 otherwise unemployed parents and youth. The Senate would not allow this program to continue.

I urge an "aye" vote on the legislation. And I would simply note that, given the calendar, a vote against this proposition would be a vote to shut down the government.

Mr. VAN HOLLEN. Madam Speaker, I rise in support of this Continuing Resolution, which will fund continued government operations through December 3, 2010.

Mr. Speaker, I have no substantive objection to the temporary funding, authorization extensions and other spending included in this legislation. They are necessary to keep the government running and to minimize program disruption until Congress' FY 2011 appropriations bills can be enacted into law. But I am deeply disappointed that due to Republican opposition in the Senate the bill does not include a critical provision for our nation's wounded warriors.

This zero-cost technical correction, developed in consultation with and supported by the Department of Defense, would have allowed \$300 million of already appropriated FY 10 funds to be spent on needed BRAC-related infrastructure improvements at our nation's military medical hospitals. As a result of the action in the Senate, wounded warriors and their families may very well not get timely access to the care they have earned and deserve.

Mr. Speaker, I will support today's Continuing Resolution, but I will continue to work with the Department of Defense and my colleagues in both chambers on both sides of the aisle to make sure the federal government meets its responsibilities to our nation's wounded warriors. With BRAC-mandated consolidation at our military medical facilities now less than a year away, there is literally not a moment to waste.

Mr. KUCINICH. Mr. Speaker, I rise in opposition to the Senate Amendment to H.R. 3081 and the Continuing Appropriations Act of 2011. This bill is necessary to keep federal agencies running and I support a number of provisions contained in it. These programs

provide vital assistance to American families across the country as we continue to experience the worst economic downturn in recent history.

However, I cannot support any bill that provides funding for the wars in Afghanistan and Iraq. Vice President JOE BIDEN was recently quoted in The Washington Post as telling President Obama that we were "locked into Vietnam" with the war in Afghanistan. The exposé on the war by veteran journalist Bob Woodward showed a military that was unwilling to provide our Commander in Chief with a way out. We are stuck in a seemingly endless war in Afghanistan.

The Obama Administration also wants us to believe that combat operations in Iraq have ended. The reality is that the remaining 50,000 U.S. troops in the country continue to conduct joint combat operations with Iraqi military forces. This number does not reflect the 11,000 private security contractors currently operating in Iraq. Innocent Iraqi civilians and U.S. troops continue to be killed.

I also oppose funding in this bill that provides counterinsurgency assistance to Pakistan. These funds go toward their military, police and Frontier Corps forces—and toward U.S. military personnel operating in the country. I have long expressed concern over the growing presence of U.S. military personnel in Pakistan and the implications it has for our own national security.

We cannot afford to continue the status quo in Pakistan, Afghanistan and Iraq. Our counterinsurgency strategy places our troops and our national security in great peril. The truth is that we cannot afford these wars. We cannot afford an open-ended commitment to wars that have done nothing to further our security or moral standing in the world. The American people cannot afford to have Congress allocate vital resources under the façade of nation-building overseas, especially while people here at home have such urgent unmet economic needs.

Mr. OBEY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1682, the previous question is ordered.

The question is on the motion offered by the gentleman from Wisconsin (Mr. OBEY).

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

#### RECORDED VOTE

Mr. LEWIS of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to concur will be followed by a 5-minute vote on concurring in Senate amendments to H.R. 3940.

The vote was taken by electronic device, and there were—ayes 228, noes 194, not voting 10, as follows:

[Roll No. 564]

AYES—228

Ackerman  
Altmire  
Andrews  
Arcuri

Baca  
Baird  
Baldwin  
Barrow

Becerra  
Berkley  
Berman  
Berry

Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bocciari  
Boren  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Braley (IA)  
Brown, Corrine  
Butterfield  
Cao  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Castor (FL)  
Chandler  
Chu  
Clarke  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Critz  
Crowley  
Cuellar  
Cummings  
Dahlkemper  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis (TN)  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Edwards (MD)  
Edwards (TX)  
Ellison  
Ellsworth  
Engel  
Eshoo  
Etheridge  
Farr  
Fattah  
Filner  
Foster  
Frank (MA)  
Fudge  
Garamendi  
Gonzalez  
Gordon (TN)  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hall (NY)  
Halvorson  
Hare

Harman  
Hastings (FL)  
Heinrich  
Higgins  
Hill  
Hinchey  
Hinojosa  
Hirono  
Holden  
Holt  
Honda  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Kagen  
Kanjorski  
Kaptur  
Kennedy  
Kildee  
Kilpatrick (MI)  
Kilroy  
Kind  
Kissell  
Klein (FL)  
Kosmas  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loebach  
Lofgren, Zoe  
Lowey  
Lujan  
Lynch  
Maffei  
Maloney  
Markey (CO)  
Markey (MA)  
Marshall  
Matheson  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McMahon  
McNerney  
Meek (FL)  
Meeks (NY)  
Melancon  
Michaud  
Miller (NC)  
Miller, George  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Nadler (NY)  
Napolitano  
Neal (MA)  
Oberstar  
Obey  
Oliver

Ortiz  
Owens  
Pallone  
Pascarelli  
Pastor (AZ)  
Payne  
Perlmutter  
Peters  
Peterson  
Pingree (ME)  
Polis (CO)  
Pomeroy  
Price (NC)  
Quigley  
Rahall  
Rangel  
Reyes  
Richardson  
Rodriguez  
Ross  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Salazar  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schauer  
Schiff  
Schrader  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Sestak  
Shea-Porter  
Sherman  
Sires  
Skelton  
Slaughter  
Smith (WA)  
Snyder  
Speier  
Spratt  
Stupak  
Sutton  
Tanner  
Teague  
Thompson (CA)  
Thompson (MS)  
Tierney  
Titus  
Tonko  
Towns  
Tsongas  
Van Hollen  
Velázquez  
Walz  
Wasserman  
Schultz  
Waters  
Watson  
Waxman  
Weiner  
Welch  
Wilson (OH)  
Woolsey  
Wu  
Yarmuth

#### NOES—194

Aderholt  
Adler (NJ)  
Akin  
Alexander  
Austria  
Bachmann  
Bachus  
Barrett (SC)  
Bartlett  
Barton (TX)  
Bean  
Biggert  
Billbray  
Bilirakis  
Bishop (UT)  
Blackburn  
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  
Capito  
Carter  
Cassidy  
Castle  
Chaffetz  
Coble  
Coffman (CO)  
Cole  
Conaway  
Crenshaw  
Culberson  
Davis (KY)  
DeFazio  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Djou  
Dreier  
Driehaus  
Duncan  
Ehlers  
Emerson  
Flake  
Fleming  
Forbes  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Giffords  
Gingrey (GA)  
Gohmert  
Goodlatte  
Granger

Graves (GA) Mack  
 Griffith Manzullo  
 Guthrie Marchant  
 Hall (TX) McCarthy (CA)  
 Harper McCaul  
 Hastings (WA) McClintock  
 Heller McCotter  
 Hensarling McHenry  
 Herger McIntyre  
 Herseth Sandlin McKeon  
 Hodes McMorris  
 Hoekstra Rodgers  
 Hunter Mica  
 Inglis Miller (FL)  
 Issa Miller (MI)  
 Jenkins Miller, Gary  
 Johnson (IL) Minnick  
 Johnson, Sam Mitchell  
 Jones Moran (KS)  
 Jordan (OH) Murphy (NY)  
 King (IA) Murphy, Tim  
 King (NY) Myrick  
 Kingston Neugebauer  
 Kirk Nunes  
 Kirkpatrick (AZ) Nye  
 Kline (MN) Olson  
 Kratochvil Paul  
 Kucinich Paulsen  
 Lamborn Pence  
 Lance Perriello  
 Latham Petri  
 LaTourette Pitts  
 Latta Platts  
 Lee (NY) Poe (TX)  
 Lewis (CA) Posey  
 Linder Price (GA)  
 LoBiondo Putnam  
 Lucas Rehberg  
 Luetkemeyer Reichert  
 Lummis Roe (TN)  
 Lungren, Daniel Rogers (AL)  
 E. Rogers (KY)

## NOT VOTING—10

Blunt Fallin  
 Childers Graves (MO)  
 Clay Himes  
 Delahunt Radanovich

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 0018

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# DELAYING MINIMUM WAGE INCREASE IN AMERICAN SAMOA AND NORTHERN MARIANA ISLANDS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendments to the bill (H.R. 3940) to authorize the Secretary of the Interior to extend grants and other assistance to facilitate a political status public education program for the people of Guam, 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 California (Mr. GEORGE MILLER) that the House suspend the rules and concur in the Senate amendments.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 386, nays 5, not voting 41, as follows:

Rogers (MI)  
 Rohrabacher  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Royce  
 Ryan (WI)  
 Scalise  
 Schmidt  
 Schock  
 Sensenbrenner  
 Sessions  
 Shadegg  
 Shimkus  
 Shuler  
 Shuster  
 Simpson  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Space  
 Stark  
 Stearns  
 Sullivan  
 Taylor  
 Terry  
 Thompson (PA)  
 Thornberry  
 Tiahrt  
 Tiberi  
 Turner  
 Upton  
 Visclosky  
 Walden  
 Wamp  
 Westmoreland  
 Whitfield  
 Wilson (SC)  
 Wittman  
 Wolf  
 Young (AK)

Ackerman  
 Aderholt  
 Adler (NJ)  
 Akin  
 Alexander  
 Altmire  
 Andrews  
 Arcuri  
 Austria  
 Baca  
 Bachmann  
 Bachus  
 Baird  
 Baldwin  
 Barrett (SC)  
 Barrow  
 Bartlett  
 Bean  
 Becerra  
 Biggert  
 Bilbray  
 Bilirakis  
 Bishop (GA)  
 Bishop (NY)  
 Bishop (UT)  
 Blackburn  
 Blumenauer  
 Boccieri  
 Boehner  
 Bonner  
 Bono Mack  
 Boozman  
 Boren  
 Boswell  
 Boucher  
 Boustany  
 Boyd  
 Brady (PA)  
 Brady (TX)  
 Braley (IA)  
 Bright  
 Broun (GA)  
 Brown (SC)  
 Brown, Corrine  
 Buchanan  
 Burgess  
 Burton (IN)  
 Butterfield  
 Buyer  
 Camp  
 Campbell  
 Cantor  
 Cao  
 Capito  
 Capps  
 Capuano  
 Cardoza  
 Carnahan  
 Carney  
 Carson (IN)  
 Carter  
 Cassidy  
 Castle  
 Castor (FL)  
 Chaffetz  
 Chandler  
 Childers  
 Chu  
 Clarke  
 Honda  
 Cleaver  
 Clyburn  
 Coble  
 Coffman (CO)  
 Cohen  
 Cole  
 Conaway  
 Connolly (VA)  
 Conyers  
 Cooper  
 Costa  
 Costello  
 Courtney  
 Crenshaw  
 Critz  
 Cuellar  
 Culberson  
 Cummings  
 Dahlkemper  
 Davis (CA)  
 Davis (IL)  
 Davis (KY)  
 Davis (TN)  
 DeFazio  
 DeLauro  
 Dent

[Roll No. 565]

## YEAS—386

Deutch  
 Diaz-Balart, L.  
 Diaz-Balart, M.  
 Dingell  
 Djou  
 Doggett  
 Donnelly (IN)  
 Doyle  
 Dreier  
 Driehaus  
 Duncan  
 Edwards (MD)  
 Edwards (TX)  
 Ehlers  
 Ellison  
 Ellsworth  
 Emerson  
 Engel  
 Eshoo  
 Etheridge  
 Farr  
 Fattah  
 Filner  
 Flake  
 Fleming  
 Forbes  
 Fortenberry  
 Foster  
 Foxx  
 Frank (MA)  
 Franks (AZ)  
 Frelinghuysen  
 Garamendi  
 Garrett (NJ)  
 Gerlach  
 Giffords  
 Gingrey (GA)  
 Gohmert  
 Gonzalez  
 Goodlatte  
 Gordon (TN)  
 Granger  
 Graves (GA)  
 Grayson  
 Green, Al  
 Green, Gene  
 Griffith  
 Grijalva  
 Guthrie  
 Gutierrez  
 Hall (NY)  
 Hare  
 Harman  
 Harper  
 Hastings (FL)  
 Hastings (WA)  
 Heinrich  
 Heller  
 Hensarling  
 Herger  
 Herseth Sandlin  
 Higgins  
 Himes  
 Hinchey  
 Hinojosa  
 Hirono  
 Hoekstra  
 Holden  
 Holt  
 Honda  
 Hoyer  
 Hunter  
 Inglis  
 Inslee  
 Israel  
 Issa  
 Jackson (IL)  
 Jackson Lee  
 (TX)  
 Jenkins  
 Johnson (GA)  
 Johnson (IL)  
 Johnson, E. B.  
 Johnson, Sam  
 Jones  
 Jordan (OH)  
 Kagen  
 Kanjorski  
 Kaptur  
 Kilroy  
 Kind  
 King (IA)  
 Kingston  
 Kirk  
 Kissell  
 Klein (FL)

Kline (MN)  
 Kosmas  
 Kratochvil  
 Kucinich  
 Lamborn  
 Lance  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Latham  
 Latta  
 Lee (CA)  
 Levin  
 Lewis (CA)  
 Lewis (GA)  
 Lipinski  
 LoBiondo  
 Loeb sack  
 Lofgren, Zoe  
 Lowey  
 Lucas  
 Luetkemeyer  
 Luján  
 Lummis  
 Lungren, Daniel  
 E.  
 Lynch  
 Mack  
 Maffei  
 Maloney  
 Manzullo  
 Markey (CO)  
 Markey (MA)  
 Marshall  
 Matheson  
 Matsui  
 McCarthy (CA)  
 McCarthy (NY)  
 McCaul  
 McClintock  
 McCollum  
 McCotter  
 McDermott  
 McGovern  
 McIntyre  
 McMahon  
 McMorris  
 Rodgers  
 McNeerney  
 Meek (FL)  
 Meeks (NY)  
 Melancon  
 Mica  
 Michaud  
 Miller (FL)  
 Miller (MI)  
 Miller (NC)  
 Miller, George  
 Minnick  
 Mitchell  
 Mollohan  
 Moore (KS)  
 Moore (WI)  
 Moran (KS)  
 Moran (VA)  
 Murphy (CT)  
 Murphy (NY)  
 Murphy, Patrick  
 Murphy, Tim  
 Myrick  
 Nadler (NY)  
 Napolitano  
 Neugebauer  
 Nye  
 Oberstar  
 Obey  
 Olson  
 Olver  
 Ortiz  
 Pallone  
 Pascarell  
 Pastor (AZ)  
 Paul  
 Paulsen  
 Payne  
 Pence  
 Perlmutter  
 Perriello  
 Peters  
 Peterson  
 Petri  
 Pingree (ME)  
 Pitts  
 Platts  
 Poe (TX)  
 Polis (CO)

Pomeroy  
 Posey  
 Price (GA)  
 Price (NC)  
 Putnam  
 Quigley  
 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  
 Ruppertsberger  
 Rush  
 Ryan (OH)  
 Ryan (WI)  
 Salazar  
 Sánchez, Linda  
 T.  
 Sarbanes  
 Scalise  
 Schakowsky  
 Schauer

Schiff  
 Schmidt  
 Schock  
 Schrader  
 Schwartz  
 Scott (GA)  
 Scott (VA)  
 Sensenbrenner  
 Serrano  
 Sessions  
 Shadegg  
 Shea-Porter  
 Sherman  
 Shimkus  
 Shuler  
 Shuster  
 Simpson  
 Sires  
 Skelton  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Snyder  
 Space  
 Speier  
 Spratt  
 Stearns  
 Stupak  
 Sullivan  
 Sutton  
 Tanner  
 Taylor  
 Teague  
 Terry

Thompson (MS)  
 Thompson (PA)  
 Thornberry  
 Tiahrt  
 Tiberi  
 Tierney  
 Titus  
 Tonko  
 Towns  
 Turner  
 Upton  
 Van Hollen  
 Velázquez  
 Visclosky  
 Walden  
 Walz  
 Wamp  
 Wasserman  
 Schultz  
 Waters  
 Watson  
 Watt  
 Weiner  
 Welch  
 Westmoreland  
 Whitfield  
 Wilson (OH)  
 Wilson (SC)  
 Wittman  
 Wolf  
 Woolsey  
 Wu  
 Young (AK)

## NAYS—5

Hall (TX) McHenry  
 Kildee Nunes

## NOT VOTING—41

Barton (TX) Fudge  
 Berkley Gallegly  
 Berman Graves (MO)  
 Berry Halvorson  
 Blunt Hill  
 Brown-Waite, Hodes  
 Ginny Kennedy  
 Calvert Kilpatrick (MI)  
 Crowley King (NY)  
 Davis (AL) Kirkpatrick (AZ)  
 DeGette LaTourette  
 Delahunt Lee (NY)  
 Dicks Linder  
 Fallin Marchant  
 Owens  
 McKeon  
 Miller, Gary  
 Neal (MA)  
 Radanovich  
 Rangel  
 Sanchez, Loretta  
 Sestak  
 Slaughter  
 Stark  
 Thompson (CA)  
 Tsongas  
 Waxman  
 Yarmuth  
 Young (FL)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 0025

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HALL of Texas. Mr. Speaker, I inadvertently voted “nay” on H.R. 3940, rollcall vote 565. I intended to vote “yea.”

## ALL-AMERICAN FLAG ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 2853) to require the purchase of domestically made flags of the United States of America for use by the Federal Government, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. DRIEHAUS) that the House suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds being in the affirmative) the