

Matheson
McDermott
Meek (FL)
Melancon

Mollohan
Oberstar
Platts
Putnam

Space
Stark
Tanner

□ 1651

Mr. ROE of Tennessee changed his vote from “nay” to “yea.”

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.

CONGRATULATING TARBORO, NORTH CAROLINA, ON ITS 250TH ANNIVERSARY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 1475) congratulates the town of Tarboro, North Carolina, on the occasion of its 250th anniversary, 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 gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and agree to the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 406, nays 0, not voting 26, as follows:

[Roll No. 570]

YEAS—406

Ackerman	Brown-Waite,	Cummings
Aderholt	Ginny	Dahlkemper
Adler (NJ)	Buchanan	Davis (CA)
Akin	Burgess	Davis (IL)
Alexander	Burton (IN)	Davis (KY)
Altmire	Butterfield	Davis (TN)
Andrews	Calvert	DeFazio
Arcuri	Camp	DeGette
Austria	Campbell	Delahunt
Baca	Cantor	DeLauro
Bachmann	Cao	Dent
Bachus	Capito	Deutch
Baird	Capps	Diaz-Balart, L.
Baldwin	Capuano	Diaz-Balart, M.
Barrett (SC)	Cardoza	Dicks
Barrow	Carnahan	Dingell
Bartlett	Carney	Djou
Barton (TX)	Carson (IN)	Doggett
Becerra	Carter	Donnelly (IN)
Berkley	Cassidy	Doyle
Berman	Castle	Dreier
Berry	Castor (FL)	Driehaus
Biggert	Chaffetz	Duncan
Bilbray	Chandler	Edwards (MD)
Bilirakis	Childers	Edwards (TX)
Bishop (GA)	Chu	Ehlers
Bishop (NY)	Clarke	Ellison
Bishop (UT)	Clay	Ellsworth
Blackburn	Cleaver	Emerson
Blunt	Clyburn	Engel
Boccheri	Coble	Eshoo
Boehner	Coffman (CO)	Etheridge
Bonner	Cohen	Farr
Bono Mack	Cole	Fattah
Boren	Conaway	Finer
Boswell	Connolly (VA)	Flake
Boucher	Conyers	Fleming
Boustany	Cooper	Forbes
Boyd	Costa	Fortenberry
Brady (PA)	Costello	Foster
Brady (TX)	Courtney	Fox
Braley (IA)	Crenshaw	Frank (MA)
Bright	Critz	Franks (AZ)
Brown (GA)	Crowley	Frelinghuysen
Brown (SC)	Cuellar	Fudge
Brown, Corrine	Culberson	Gallegly

Garamendi	Lowey	Rohrabacher
Garrett (NJ)	Lucas	Rooney
Gerlach	Luetkemeyer	Ros-Lehtinen
Giffords	Lujan	Roskam
Gingrey (GA)	Lummis	Ross
Gohmert	Lungren, Daniel	Rothman (NJ)
Gonzalez	E.	Roybal-Allard
Goodlatte	Lynch	Royce
Gordon (TN)	Mack	Ruppersberger
Granger	Maffei	Rush
Graves (GA)	Maloney	Ryan (WI)
Graves (MO)	Manzullo	Salazar
Grayson	Marchant	Sanchez, Linda
Green, Al	Markey (CO)	T.
Green, Gene	Markey (MA)	Sanchez, Loretta
Griffith	Marshall	Sarbanes
Grijalva	Matsui	Scalise
Guthrie	McCarthy (CA)	Schakowsky
Hall (NY)	McCarthy (NY)	Schauer
Hall (TX)	McClintock	Schiff
Halvorson	McCollum	Schmidt
Hare	McCotter	Schock
Harman	McGovern	Schrader
Harper	McHenry	Schwartz
Hastings (FL)	McIntyre	Scott (GA)
Hastings (WA)	McKeon	Scott (VA)
Heinrich	McMahon	Sensenbrenner
Heller	McMorris	Serrano
Hensarling	Rodgers	Sessions
Herger	McNerney	Sestak
Herseth Sandlin	Meeks (NY)	Shadegg
Higgins	Mica	Sherman
Hill	Michaud	Shimkus
Himes	Miller (FL)	Shuler
Hinche	Miller (MI)	Shuster
Hinojosa	Miller (NC)	Simpson
Hirono	Miller, Gary	Sires
Hodes	Miller, George	Skelton
Hoekstra	Minnick	Slaughter
Holden	Mitchell	Smith (NE)
Holt	Moore (KS)	Smith (NJ)
Honda	Moore (WI)	Smith (TX)
Hoyer	Moran (KS)	Smith (WA)
Hunter	Moran (VA)	Snyder
Inglis	Murphy (CT)	Speier
Inslee	Murphy (NY)	Spratt
Israel	Murphy, Patrick	Stearns
Issa	Murphy, Tim	Stupak
Jackson (IL)	Myrick	Sullivan
Jackson Lee	Nadler (NY)	Sutton
(TX)	Neal (MA)	Teague
Jenkins	Neugebauer	Terry
Johnson (GA)	Nunes	Thompson (CA)
Johnson (IL)	Nye	Thompson (MS)
Johnson, E. B.	Obey	Thompson (PA)
Johnson, Sam	Olson	Thornberry
Jones	Olver	Tiahrt
Jordan (OH)	Ortiz	Tiberi
Kagen	Owens	Tierney
Kanjorski	Pallone	Titus
Kaptur	Pascarella	Tonko
Kildee	Pastor (AZ)	Towns
Kilpatrick (MI)	Paul	Tsongas
Kilroy	Paulsen	Turner
Kind	Payne	Upton
King (IA)	Pence	Van Hollen
King (NY)	Perlmutter	Velázquez
Kingston	Perriello	Visclosky
Kirkpatrick (AZ)	Peters	Walden
Kissell	Peterson	Walz
Klein (FL)	Petri	Wamp
Kline (MN)	Pingree (ME)	Wasserman
Kosmas	Pitts	Schultz
Kratovil	Poe (TX)	Waters
Kucinich	Polis (CO)	Watson
Lamborn	Pomeroy	Watt
Lance	Posey	Waxman
Langevin	Price (GA)	Weiner
Larsen (WA)	Price (NC)	Welch
Latham	Quigley	Westmoreland
LaTourette	Radanovich	Whitfield
Latta	Rahall	Wilson (OH)
Lee (CA)	Rangel	Wilson (SC)
Lee (NY)	Rehberg	Wittman
Levin	Reichert	Wolf
Lewis (CA)	Reyes	Woolsey
Lewis (GA)	Richardson	Wu
Linder	Rodriguez	Yarmuth
Lipinski	Roe (TN)	Young (AK)
LoBiondo	Rogers (AL)	Young (FL)
Loeb	Rogers (KY)	
Loeb	Rogers (MI)	

NOT VOTING—26

Bean	Fallin
Blumenauer	Gutierrez
Boozman	Kennedy
Buyer	Kirk
Davis (AL)	Larson (CT)

Matheson
McCaul
McDermott
Meek (FL)
Melancon

Mollohan
Napolitano
Oberstar
Platts

Putnam
Ryan (OH)
Shea-Porter
Space

Stark
Tanner
Taylor

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. LORETTA SANCHEZ of California) (during the vote). Two minutes remain in this vote.

□ 1659

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.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, Nov. 5, 2010.

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

DEAR MADAM SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from the Honorable Todd Rokita, Secretary of State, State of Indiana, indicating that, according to the unofficial returns of the Special Election held November 2, 2010, the Honorable Marlin A. Stutzman was elected Representative to Congress for the Third Congressional District, State of Indiana.

With best wishes, I am
Sincerely,

LORRAINE C. MILLER,
Clerk.

Enclosure.

SECRETARY OF STATE,
STATE OF INDIANA,
Nov. 5, 2010.

Lorraine C. Miller,
Office of the Clerk, House of Representatives,
Washington, DC.

Re Special Election in Third Congressional District of Indiana.

DEAR CLERK MILLER: On November 2, 2010, a special election was conducted in the 3rd Congressional District of Indiana to fill the vacancy in that office.

Based on the unofficial results provided by the county election boards of the counties located within that district, The Honorable Marlin A. Stutzman has been elected to fill this vacancy. A spreadsheet showing the unofficial results is attached.

There is no information indicating that the results of this special election will be recounted or contested in any way.

If you have further questions, please let me know.

Very truly yours,
TODD ROKITA,
Secretary of State of Indiana.

SWEARING IN OF THE HONORABLE MARLIN A. STUTZMAN, OF INDIANA, AS A MEMBER OF THE HOUSE

Mr. BURTON of Indiana. Madam Speaker, I ask unanimous consent that the gentleman from Indiana, the Honorable MARLIN A. STUTZMAN, be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER. Will Representative-elect STUTZMAN and the members of the Indiana delegation present themselves in the well.

Mr. STUTZMAN appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 111th Congress.

WELCOMING THE HONORABLE MARLIN A. STUTZMAN TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. Without objection, the gentleman from Indiana is recognized for 1 minute.

There was no objection.

Mr. BURTON of Indiana. Thank you, Madam Speaker.

As dean of the Indiana delegation on our side, it is my honor and privilege to introduce our newest Member, MARLIN STUTZMAN. MARLIN is a fourth-generation farmer who grew up on a farm in Howe, Indiana. He is the oldest of four children, all of whom worked on the family farm from a very young age. MARLIN and his father operate Stutzman Farms, and he's also owner of Stutzman Farms Trucking. MARLIN and his wife, Christy, who my wife tells me has a beautiful voice—she said you sang the “Star-Spangled Banner” today and it was fantastic, so we're going to have to use her talents down the road.

MARLIN and his wife, Christy, have two children, sons Payton—named after Walter Payton, the great football player—and Preston.

They're very active in the Community Baptist Church and in foreign mission work. MARLIN is a member of the NFIB, the NRA, and the Northeast Indiana Right to Life as well. MARLIN was first elected to the Indiana State House of Representatives in 2002, at the age of 26—I didn't know there was anybody that young—becoming the youngest member of the Indiana legislature. While serving in the Indiana House, MARLIN fought for lower taxes, less regulation, and balanced budgets. He consistently received 90 percent ratings or above from the Chamber of Commerce and other small business associations.

In 2008, he won the Small Business Champion Award from the Indiana Chamber of Commerce. In 2008, MARLIN won a seat in the Indiana State Senate.

As dean of the Indiana delegation on the Republican side, it is my distinct honor and privilege to introduce to the House of Representatives Mr. STUTZMAN, but first I would like to yield to the senior Member from Indiana on the Democrat side, Mr. VISCLOSKEY.

Mr. VISCLOSKEY. I appreciate the gentleman for yielding and would suggest that Mr. BURTON is the dean of the Indiana delegation, and I would want to show him that respect.

But, MARLIN, I would simply want to add my voice to Mr. BURTON's on behalf of all of the members of the delegation and all of the Members of the House and certainly wish you every success in your endeavor of public service and in serving the people we all try to serve to the best of our ability. Welcome very strongly to the House of Representatives.

Mr. BURTON of Indiana. It is now my distinct honor to introduce the newest Member of the U.S. House of Representatives, Representative MARLIN STUTZMAN.

Mr. STUTZMAN. Thank you.

Madam Speaker, it is just a tremendous honor to stand here before you today. It has been very, very humbling. I can say that, your kindness to us, the Members that we have met so far. I want to introduce my wife, Christy, who's up in the gallery. She has been my most supportive person. We have done this together as a team, and I can't say enough about her and am so proud of her. My father, Albert, and my mom, Sarah, are both along. My brothers, my sisters, and a lot of other friends and family.

But I just want to say thank you. It is such a humbling experience so far. I am excited and privileged to serve the people in northeast Indiana. We have a wonderful community, and to know that I get to serve with the Indiana delegation is such a high honor. Thank you very much. I am looking forward to serving you in this upcoming Congress.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from Indiana, the whole number of the House is 434.

RECOGNIZING BROOKLYN BOTANIC GARDEN ON ITS 100TH ANNIVERSARY

The SPEAKER pro tempore (Mr. BLUMENAUER). Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to

the resolution (H. Res. 1428) recognizing Brooklyn Botanic Garden on its 100th anniversary as the preeminent horticultural attraction in the borough of Brooklyn and its longstanding commitment to environmental stewardship and education for the City of New York, 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 gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and agree to the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 401, nays 0, answered “present” 1, not voting 31, as follows:

[Roll No. 571]

YEAS—401

Ackerman	Chandler	Garrett (NJ)
Aderholt	Childers	Gerlach
Adler (NJ)	Chu	Giffords
Akin	Clarke	Gingrey (GA)
Alexander	Clay	Gohmert
Altmire	Cleaver	Gonzalez
Andrews	Clyburn	Goodlatte
Arcuri	Coble	Gordon (TN)
Austria	Coffman (CO)	Granger
Baca	Cohen	Graves (GA)
Bachmann	Cole	Graves (MO)
Bachus	Conaway	Grayson
Baird	Connolly (VA)	Green, Al
Baldwin	Conyers	Green, Gene
Barrett (SC)	Cooper	Griffith
Barrow	Costa	Grijalva
Bartlett	Costello	Guthrie
Barton (TX)	Courtney	Gutierrez
Becerra	Crenshaw	Hall (NY)
Berkley	Critz	Hall (TX)
Berman	Crowley	Halvorson
Berry	Cuellar	Harman
Biggert	Culberson	Harper
Bilbray	Cummings	Hastings (FL)
Bilirakis	Dahlkemper	Hastings (WA)
Bishop (GA)	Davis (CA)	Heinrich
Bishop (NY)	Davis (IL)	Heller
Bishop (UT)	Davis (KY)	Hensarling
Blackburn	Davis (TN)	Herger
Blumenauer	DeFazio	Herseth Sandlin
Bocciari	DeGette	Higgins
Boehner	Delahunt	Hill
Bonner	DeLauro	Himes
Bono Mack	Dent	Hinchee
Boren	Deutch	Hinojosa
Boswell	Diaz-Balart, L.	Hirono
Boucher	Diaz-Balart, M.	Hodes
Boustany	Dicks	Hoekstra
Boyd	Dingell	Holden
Brady (PA)	Djou	Holt
Brady (TX)	Doggett	Honda
Braley (IA)	Donnelly (IN)	Hoyer
Bright	Doyle	Hunter
Brown (GA)	Dreier	Inglis
Brown (SC)	Drieaus	Inslee
Brown, Corrine	Duncan	Israel
Brown-Waite,	Edwards (MD)	Issa
Ginny	Ehlers	Jackson (IL)
Buchanan	Ellison	Jackson Lee
Burgess	Ellsworth	(TX)
Burton (IN)	Emerson	Jenkins
Butterfield	Engel	Johnson (GA)
Buyer	Etheridge	Johnson (IL)
Calvert	Farr	Johnson, E. B.
Camp	Fattah	Johnson, Sam
Campbell	Filner	Jones
Cantor	Flake	Jordan (OH)
Cao	Fleming	Kagen
Capito	Forbes	Kanjorski
Capps	Fortenberry	Kaptur
Capuano	Foster	Kildee
Carnahan	Fox	Kilpatrick (MI)
Carney	Frank (MA)	Kilroy
Carson (IN)	Franks (AZ)	Kind
Carter	Frelinghuysen	King (IA)
Cassidy	Fudge	King (NY)
Castle	Gallegly	Kingston
Castor (FL)	Garamendi	Kirkpatrick (AZ)