

Lewis (GA)	Oliver	Serrano
Loeb sack	Ortiz	Sestak
Lofgren, Zoe	Pallone	Shea-Porter
Lowey	Pascarell	Sherman
Lujan	Pastor (AZ)	Sires
Lynch	Payne	Skelton
Maffei	Pelosi	Slaughter
Maloney	Perlmutt	Smith (WA)
Markey (CO)	Perrillo	Snyder
Markey (MA)	Peters	Speier
Matsui	Pingree (ME)	Spratt
McCarthy (NY)	Polis (CO)	Stark
McCollum	Pomeroy	Sutton
McDermott	Price (NC)	Tanner
McGovern	Quigley	Teague
McMahon	Rangel	Thompson (CA)
McNerney	Reyes	Thompson (MS)
Meek (FL)	Richardson	Tierney
Meeks (NY)	Rodriguez	Titus
Melancon	Ros-Lehtinen	Tonko
Michaud	Rothman (NJ)	Towns
Miller (NC)	Roybal-Allard	Tsongas
Miller, George	Ruppersberger	Van Hollen
Minnick	Rush	Velázquez
Mitchell	Ryan (OH)	Walz
Moore (KS)	Salazar	Wasserman
Moore (WI)	Sánchez, Linda	Schultz
Moran (VA)	T.	Waters
Murphy (CT)	Sanchez, Loretta	Watson
Murphy (NY)	Sarbanes	Watt
Nadler (NY)	Schakowsky	Waxman
Napolitano	Schauer	Weiner
Neal (MA)	Schwartz	Welch
Oberstar	Scott (GA)	Woolsey
Obey	Scott (VA)	Yarmuth

NAYS—198

Aderholt	Fleming	McKeon
Akin	Forbes	Mica
Alexander	Fortenberry	Miller (FL)
Altmire	Fox	Miller (MI)
Arcuri	Franks (AZ)	Miller, Gary
Austria	Frelinghuysen	Moran (KS)
Bachmann	Gallely	Murphy, Patrick
Bachus	Garrett (NJ)	Murphy, Tim
Baird	Gerlach	Myrick
Barrett (SC)	Gohmert	Neugebauer
Barrow	Goodlatte	Nunes
Bartlett	Graves (GA)	Nye
Barton (TX)	Graves (MO)	Olson
Biggart	Guthrie	Owens
Billirakis	Hall (TX)	Paul
Bishop (UT)	Harper	Paulsen
Blackburn	Hastings (WA)	Pence
Bocieri	Heller	Peterson
Boehner	Hensarling	Petri
Bonner	Herger	Pitts
Bono Mack	Higgins	Platts
Boozman	Hoekstra	Poe (TX)
Boren	Holden	Posey
Boucher	Hunter	Price (GA)
Boustany	Issa	Putnam
Brady (TX)	Jenkins	Rahall
Bright	Johnson (IL)	Reed
Brown (GA)	Johnson, Sam	Rehberg
Brown (SC)	Jones	Reichert
Brown-Waite,	Jordan (OH)	Roe (TN)
Ginny	Kanjorski	Rogers (AL)
Buchanan	Kaptur	Rogers (KY)
Burgess	King (IA)	Rogers (MI)
Burton (IN)	King (NY)	Rohrabacher
Calvert	Kingston	Rooney
Camp	Kissel	Roskam
Campbell	Kline (MN)	Ross
Cantor	Kratovil	Royce
Capito	Lamborn	Ryan (WI)
Carney	Lance	Scalise
Carter	Latham	Schmidt
Cassidy	LaTourette	Schock
Chaffetz	Latta	Schrader
Chandler	Lee (NY)	Sensenbrenner
Childers	Lewis (CA)	Sessions
Coble	Linder	Shadegg
Coffman (CO)	Lipinski	Shimkus
Cole	LoBiondo	Shuler
Conaway	Lucas	Shuster
Costello	Luetkemeyer	Simpson
Crenshaw	Lummis	Smith (NE)
Critz	Lungren, Daniel	Smith (NJ)
Culberson	E.	Smith (TX)
Dahlkemper	Mack	Space
Davis (KY)	Manzullo	Stearns
Dent	Matheson	Stupak
Donnelly (IN)	McCarthy (CA)	Sullivan
Dreier	McCaul	Taylor
Duncan	McClintock	Terry
Ellsworth	McCotter	Thompson (PA)
Emerson	McHenry	Thornberry
Flake	McIntyre	Tiahrt

Tiberi	Wamp	Wittman
Turner	Westmoreland	Wolf
Upton	Whitfield	Young (AK)
Visclosky	Wilson (OH)	Young (FL)
Walden	Wilson (SC)	

NOT VOTING—20

Berry	Gingrey (GA)	McMorris
Blibray	Granger	Rodgers
Blunt	Griffith	Mollohan
Buyer	Kilpatrick (MI)	Radanovich
Cohen	Kirkpatrick (AZ)	Schiff
Delahunt	Marchant	Stutzman
Fallin	Marshall	Wu

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining on this vote.

□ 2101

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.

Stated against:

Madam Speaker, on rollcall No. 625, I am not recorded because I was unavoidably detained. Had I been present, I would have voted "nay."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House, and that any manifestation of approval or disapproval of the proceedings is in violation of the rules of the House.

FURTHER MESSAGE FROM THE SENATE

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

H.R. 4994. An act to amend the Internal Revenue Code of 1986 to reduce taxpayer burdens and enhance taxpayer protections, and for other purposes.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 3036. An act to establish the National Alzheimer's Project.

A message from the Senate also announced that the Secretary be directed to communicate to the Secretary of State, as provided by Rule XXIII of the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials, and also to the House of Representatives, the judgment of the Senate in the case of G. Thomas Porteous, Jr., and transmit a certified copy of the judgment to each.

JUDGMENT

The Senate having tried G. Thomas Porteous, Jr., U.S. District Judge for the Eastern District of Louisiana, upon four Articles of Impeachment exhibited against him by the House of Representatives, and two-thirds of the Senators present having found him guilty of the

charges contained in (Article I/Article II/Article III/and Article IV) of the Articles of Impeachment: It is, therefore,

Ordered and adjudged, That the said G. Thomas Porteous, Jr., be and he is hereby, removed from office; and that he be, and he is hereby, forever disqualified to hold and enjoy any office or honor, trust, or profit under the United States.

TREATING AMERICAN SAMOA AND NORTHERN MARIANA ISLANDS AS SEPARATE STATES FOR CERTAIN CRIMINAL JUSTICE PROGRAMS

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 3353) to provide for American Samoa and the Commonwealth of the Northern Marianas to be treated as States for certain criminal justice programs.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 2110

AG JOBS

(Ms. CHU asked and was given permission to address the House for 1 minute.)

Ms. CHU. Mr. Speaker, toiling on America's farms is no easy job. Few people are willing to endure the heat, cold and misery of stooping in the fields—or the low wages. Today, an estimated 75 percent of the farming workforce is undocumented. This is bad for everybody.

Undocumented workers are easy prey for exploitation and are unable to assert their rights. Farm workers talk of unbearable heat, poor living conditions, even abuse; and they have no one to turn to for help. Growers complain about the labor shortages that can spoil their crops. I have heard how farms struggle to maintain reliable, legal workforces to prune, pick and pack food for America's tables.

Farm workers and growers need immediate relief to ensure that agriculture, especially in California, continues to thrive. That solution is ag jobs. Now that the House has passed the DREAM Act, I urge the Senate to pass both bills soon so farms can continue to operate, and students can achieve their dreams as we work on a permanent fix for this broken system.

PROHIBITING OFFSHORE ENERGY DEVELOPMENT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, in 2008, the President and the House of Representatives lifted the 24-year-old moratorium on offshore oil and gas production on most of our Atlantic and Pacific coasts. Back in March, President Obama pushed for offshore oil drilling in the eastern Gulf of Mexico and the Atlantic coast through 2017. Then in April, the BP oil spill happened. That disaster is certainly a cautionary tale.

Yet, in the first week in December, Secretary of the Interior Ken Salazar, without an act of Congress or a Presidential executive order, single-handedly prohibited offshore energy development from 2012 to 2017—a 5-year plan for offshore leasing. In reality, this change means no new production can even begin until 2022, if then.

That is not the way to reduce our rising dependence on foreign oil or to solve our unemployment problem or our lack of economic growth. We must learn our lessons from the Gulf of Mexico oil spill and proceed with care—but we must proceed.

President Obama, through Secretary Salazar and strangulation by regulation, has set back our country's path to energy security by at least 12 years, which is certain to produce higher energy prices and to increase our dependence on foreign imports—hardly sound energy policy.

WE MUST PASS THE SENIORS PROTECTION ACT OF 2010

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, it is great news that we gave an opportunity to young people today by passing the DREAM Act, but shame on us that we did not pass the Seniors Protection Act of 2010.

Democrats rallied to make a commitment to the Nation's seniors for a \$250 refund as they listened to the horrible pronouncement that they would not get a cost-of-living increase. We owe them. We owe them because of the hard work that they have contributed over the decades to build this Nation. They have provided us with years and years of work, of investment and production and of part of the manufacturing history of this country.

How can we leave this session and not provide our seniors with relief?

So I call upon my colleagues to rally together for what is right for those seniors, who have carried the flag, who have fought in our wars, who have nurtured the sick, who have raised our children, and who have invested in America. It is time to pass the Seniors Protection Act of 2010. We should not leave this Congress and not finish this year without passing this relief for the

seniors of America—patriots, deserving—all of them.

MEDICINAL MARIJUANA IS A MISNOMER

(Mr. KAGEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KAGEN. Mr. Speaker, I rise this morning, before everyone begins their conversations about tax cuts, about jobs, about immigration, to raise a serious health concern. You know, when I was brought up in northeast Wisconsin, my father taught me that if it's good for business, it's going to happen; I would just like it to be legal. And the subject I am going to mention here is the idea, the false idea of medicinal marijuana.

There is nothing safe about smoking. There is nothing safe about smoking an illicit product called marijuana. Marijuana is universally contaminated with a mold spore *Aspergillus*, *Mucor*, *Penicillium*, and other items that will harm human health.

This House, this body has do what's best for people. We need a healthy economy and we need healthy people at work. So don't make the mistake of thinking at any point in time that there is something safe about smoking medicinal marijuana, which is a misnomer.

So I look forward later today to passing House Resolution 1540 that addresses the illicit production of marijuana on Federal lands.

MARIJUANA SMOKING AND FUNGAL SENSITIZATION

(Steven L. Kagen, M.D., Viswanath P. Kurup, Ph.D., Peter G. Sohnle, M.D., and Jordan N. Fink, M.D. Milwaukee, Wis.)

The possible role of marijuana (MJ) in inducing sensitization to *Aspergillus* organisms was studied in 28 MJ smokers by evaluating their clinical status and immune responses to microorganisms isolated from MJ. The spectrum of illnesses included one patient with systemic aspergillosis and seven patients with a history of bronchospasm after the smoking of MJ. Twenty-one smokers were asymptomatic. Fungi were identified in 13 of 14 MJ samples and included *Aspergillus fumigatus*, *A. flavus*, *A. niger*, *Mucor*, *Penicillium*, and thermophilic actinomycetes. Precipitins to *Aspergillus* antigens were found in 13 of 23 smokers and in one of 10 controls, while significant blastogenesis to *Aspergillus* was demonstrated in only three of 23 MJ smokers. When samples were smoked into an Andersen air sampler, *A. fumigatus* passed easily through contaminated MJ cigarettes. Thus the use of MJ assumes the risks of both fungal exposure and infection, as well as the possible induction of a variety of immunologic lung disorders. (*J Allergy Clin Immunol* 71:389, 1983.)

The recreational and medicinal use of MJ has reached epidemic proportions. The National Institute on Drug Abuse has documented that nearly one in 10 American high school seniors use MJ on a daily basis.¹ Furthermore, a survey of adult and pediatric oncology centers reveals that a substantial population of patients receiving cancer chemotherapy are now encouraged to use MJ as an antiemetic.²

The medicinal use of MJ, however, is not without risks. MJ may contain toxic sub-

stances such as Agent Orange, phencyclidine, or paraquat, and outbreaks of salmonellosis and hepatitis B have been traced to MJ.³⁻⁵ Similarly, *Aspergillus* has been cultured from MJ and has been considered the likely source of infection in patients who have developed invasive pulmonary and allergic bronchopulmonary aspergillosis.⁶⁻⁸ Due to the widespread use of MJ by normal and immunodeficient individuals, we thought it important to evaluate its possible role as a source of exposure and sensitization to *Aspergillus* organisms. Preliminary results of our investigations revealed that MJ contains pathogenic, inhalable *Aspergillus* organisms that may sensitize the user.^{9,10} This article presents additional *in vitro* studies and further documents the spectrum of fungal organisms present in MJ.

MATERIALS AND METHODS

SUBJECTS

A total of 28 subjects were randomly selected to be evaluated for immunologic reactivity toward *A. fumigatus*, to which they may have been exposed while smoking MJ. Medical histories, physical examinations, cultures of their MJ, and serologic studies were performed. Ten age-matched individuals who denied ever having smoked MJ served as controls.

CULTURES

Samples of MJ were plated directly onto SGA, SGA with antibiotics, TSA, and TSA with novobiocin. SGA plates were incubated at room temperature and at 37° C, while TSA plates were incubated at 55° C. Plates were observed daily for growth of organisms. Any growth appearing was subcultured, purified, and identified according to standard methods.^{11,12}

IMMUNOLOGIC STUDIES

Precipitins. Serum precipitins against *A. fumigatus*, *A. flavus*, and *A. niger*, the predominant cultured organisms, were evaluated by agar gel diffusion as previously described.^{13,14} Serum precipitin assays were also performed with routine culture filtrate antigens from *Thermoactinomyces candidus* and *T. vulgaris*, *Mucor*, and *Penicillium* species to better assess the significance of circulating precipitins to *Aspergillus* antigens in MJ smokers.

Abbreviations used

MJ: Marijuana

SGA: Sabouraud's glucose agar

TSA: Trypticase soy agar

CPM: Counts per minute

Con-A: Concanavalin A

PMN: Polymorphonuclear

THC: Delta-9-tetrahydrocannabinol

Lymphocyte transformation. Lymphocytes were obtained from peripheral blood by Hypaque-Ficoll centrifugation and suspended at 0.25 x 10⁶ cells/ml in 0.4 ml of RPMI tissue culture medium (Gibco, Inc., Grand Island, N.Y.), using 15% pooled human plasma, with penicillin, streptomycin, and glutamine added. The cells were cultured with or without stimulants in a humidified atmosphere containing 5% CO₂, for 5 days, at which time 1 μ Ci of ³H-thymidine was added. Twenty-four hours later the cells were harvested onto glass fiber filters. The incorporation of ³H-thymidine was counted by scintillation counting and data were expressed as either total CPM or stimulation ratios (CPM experimental/CPM control). A positive result is defined as CPM >3000 and stimulation ratios >4.0, as previously described.¹⁵ Antigens and mitogens employed included Con-A (Miles Laboratories, Inc., Elkhart, Indiana), *A. fumigatus*, *A. niger*, and *A. flavus*. The optimal final concentrations of mitogens were determined in preliminary experiments with either human or guinea pig lymphocytes (*A.*