

Stutzman	Tiahrt	Walden
Sullivan	Tiberi	Westmoreland
Taylor	Turner	Wilson (SC)
Thornberry	Upton	

## NOT VOTING—90

Ackerman	Delahunt	Murphy (NY)
Andrews	Diaz-Balart, L.	Murphy, Patrick
Arcuri	Djou	Murphy, Tim
Baca	Fallin	Napolitano
Baird	Galleghy	Ortiz
Barrett (SC)	Granger	Pastor (AZ)
Barrow	Green, Al	Paul
Barton (TX)	Griffith	Peters
Bean	Gutierrez	Pingree (ME)
Becerra	Harman	Quigley
Berkley	Himes	Radanovich
Berry	Hinojosa	Reyes
Bishop (GA)	Hodes	Rodriguez
Boustany	Johnson (GA)	Ros-Lehtinen
Boyd	Johnson, E. B.	Ross
Brady (PA)	Johnson, Sam	Rothman (NJ)
Brown (SC)	Jones	Rush
Brown-Waite,	Kilpatrick (MI)	Salazar
Ginny	Kind	Schwartz
Calvert	Latham	Speier
Camp	Lipinski	Stark
Cardoza	Marchant	Stupak
Carson (IN)	McCarthy (NY)	Towns
Clay	McCollum	Velázquez
Conyers	McIntyre	Wamp
Culberson	McMorris	Wasserman
Davis (AL)	Rodgers	Schultz
Davis (CA)	Meeks (NY)	Waters
Davis (IL)	Miller, Gary	Whitfield
Davis (TN)	Mitchell	Wittman
DeGette	Moran (KS)	Young (FL)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1620

Mr. ROGERS of Alabama changed his vote from “nay” to “yea.”

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. DAVIS of California. Mr. Speaker, on Friday, December 17, 2010, I missed the following votes.

Had I been present, I would have voted: “yea” on rollcall No. 652; “yea” on rollcall No. 653; and “yea” on rollcall No. 654.

## PERSONAL EXPLANATION

Mr. AL GREEN of Texas. Mr. Speaker, today I was unavoidably detained and missed the votes on:

Adjournment Resolution (H. Con. Res. 336—Sine Die Adjournment) Although H. Con. Res. 336 passed by a vote of 196–153, I respectfully request the opportunity to record my position. Had I been present I would have voted “yea” on rollcall 652.

H. Res. 1776—Rule providing for consideration of H.J. Res. 105—Making further continuing appropriations for fiscal year 2011. Although H. Res. 1776 passed by a vote of 184–159, I respectfully request the opportunity to record my position. Had I been present I would have voted “yea” on rollcall 653.

H.R. 2142—Government Efficiency, Effectiveness, and Performance Improvement Act of 2009 to require the review of Government programs at least once every 5 years for purposes of assessing their performance and improv-

ing their operations, and to establish the Performance Improvement Council. Although H.R. 2142 failed under a suspension vote by a vote of 212–131, I respectfully request the opportunity to record my position. Had I been present I would have voted “yea” on rollcall 654.

## LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Ladies and gentlemen of the House, the situation we find ourselves in at this point in time is as follows: I have talked to the leader. He has talked to Senator MCCONNELL. They cannot assure us that they will be able to either pass anything tonight or send us anything tomorrow. They don't have an agreement.

In light of that, it is my judgment that the only alternative available to us is to pass, obviously, this short-term CR, which will keep the government open through Wednesday. We will leave after the last vote in this series, returning Tuesday at 10, with the first votes expected at 11.

Senator REID believes that by Monday they will be able to pass some continuing resolution or some appropriation process for some period of time. We don't know what that is. I just talked to Senator REID 10 minutes ago. There is not an agreement on that.

I know that this is not a happy circumstance during the holiday period, to have to return here; but it would be less happy if we waited here this evening, tomorrow, Sunday and Monday with the Senate not sending us anything. I don't think that is fair to you.

As a result, it is my intent that we will leave here after the last votes on this CR and send it to the Senate. The Senate will take it and will pass it. Senator MCCONNELL and Senator REID have agreed that they will pass this.

It is a simple CR, as Chairman OBEY and Mr. LEWIS will explain, and I think that will accommodate us, to the extent it is possible to accommodate us at this time.

I know everybody would like to finish today and go home for the holidays until we return January 5. I am in that rank myself. But we are where we are. That seems to me the best way to accommodate all of you, while at the same time accommodating our responsibility to take the action that is necessary to keep the government operating.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, December 17, 2010.

Hon. NANCY PELOSI,  
Speaker, House of Representatives, U.S. Capitol,  
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 17, 2010 at 3:15 p.m.:

That the Senate passed S. 1481.

That the Senate passed with amendments H.R. 5901.

That the Senate passed without amendment H.R. 4973.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER.

## PARLIAMENTARY INQUIRY

Mr. MCDERMOTT. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. DRIEHAUS). The gentleman will state his inquiry.

Mr. MCDERMOTT. Mr. Speaker, my question is, if we take one of these green cards and sign it and have it sent back by certified mail, would that be acceptable as a vote in the House, if you are more than 1,000 miles from the Capitol?

The SPEAKER pro tempore. The gentleman has not stated a parliamentary inquiry.

## FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2011

Mr. OBEY. Mr. Speaker, pursuant to the rule, I call up the joint resolution (H.J. Res. 105) making further continuing appropriations for fiscal year 2011, and for other purposes, and ask for its immediate consideration.

The SPEAKER pro tempore. Pursuant to House Resolution 1776, the joint resolution is considered read.

The text of the joint resolution is as follows:

H.J. RES. 105

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Continuing Appropriations Act, 2011 (Public Law 111–242) is further amended by striking the date specified in section 106(3) and inserting “December 21, 2010”.*

The SPEAKER pro tempore. 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.

Mr. OBEY. Mr. Speaker, this resolution is very simple. The continuing resolution under which we are now operating expires at midnight on Saturday. This simply extends that underlying resolution to midnight Tuesday.

I urge support.

I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I do not intend to use any of my time to speak, except to express my appreciation for the sentiments of the gentleman from Washington about our mailing our votes across the country.

In the meantime, I do not intend to call for a vote on the CR. We are going to have to vote on a couple of suspensions, I gather.

I yield back the balance of my time.

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

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

□ 1630

#### PARLIAMENTARY INQUIRY

Mr. JACKSON of Illinois. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. JACKSON of Illinois. Mr. Speaker, are there two more votes before Members dash out of here tonight? There are two more votes.

The SPEAKER pro tempore. That is correct.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 5510, by the yeas;

S. 3874, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### AIDING THOSE FACING FORECLOSURE 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. 5510) to amend the Emergency Economic Stabilization Act of 2008 to allow amounts under the Troubled Assets Relief Program to be used to provide legal assistance to homeowners to avoid foreclosure, 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 gentleman from Massachusetts (Mr. CAPUANO) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 210, nays 145, not voting 78, as follows:

[Roll No. 655]

YEAS—210

Altmire	Gordon (TN)	Obey
Andrews	Grayson	Oliver
Austria	Green, Al	Pallone
Baca	Green, Gene	Pascrell
Baldwin	Grijalva	Payne
Barrow	Hall (NY)	Perlmutter
Bean	Halvorson	Perriello
Becerra	Hare	Peters
Berkley	Harman	Peterson
Berman	Hastings (FL)	Polis (CO)
Bishop (GA)	Heinrich	Pomeroy
Bishop (NY)	Higgins	Price (NC)
Boccheri	Hill	Rahall
Boswell	Himes	Rangel
Boucher	Hinchey	Richardson
Braley (IA)	Hirono	Ross
Bright	Holden	Rothman (NJ)
Brown, Corrine	Holt	Roybal-Allard
Butterfield	Honda	Ruppersberger
Capps	Hoyer	Rush
Capuano	Inlee	Ryan (OH)
Carnahan	Israel	Sanchez, Linda
Carney	Jackson (IL)	T.
Carson (IN)	Jackson Lee	Sanchez, Loretta
Castor (FL)	(TX)	Sarbanes
Chandler	Johnson (GA)	Schakowsky
Childers	Kagen	Schauer
Chu	Kanjorski	Schiff
Clarke	Kaptur	Schrader
Clay	Kennedy	Schwartz
Cleaver	Kildee	Scott (GA)
Clyburn	Kilroy	Scott (VA)
Cohen	Kirkpatrick (AZ)	Serrano
Connolly (VA)	Kissell	Sestak
Cooper	Klein (FL)	Shea-Porter
Costa	Kosmas	Sherman
Costello	Kratovil	Shuler
Courtney	Kucinich	Sires
Critz	Langevin	Skelton
Crowley	Larsen (WA)	Slaughter
Cuellar	Larson (CT)	Smith (WA)
Cummings	LaTourette	Snyder
Dahlkemper	Lee (CA)	Spratt
Davis (CA)	Levin	Sutton
Davis (IL)	Lewis (GA)	Tanner
DeFazio	Loeb sack	Taylor
DeLauro	Lofgren, Zoe	Teague
Deutch	Lowe y	Thompson (CA)
Diaz-Balart, M.	Luján	Thompson (MS)
Dicks	Lynch	Tiberi
Dingell	Maloney	Tierney
Doggett	Markey (CO)	Titus
Donnelly (IN)	Matsui	Tonko
Doyle	McCollum	Towns
Driehaus	McDermott	Tsongas
Edwards (MD)	McGovern	Turner
Edwards (TX)	McNerney	Van Hollen
Ellison	Meek (FL)	Visclosky
Ellsworth	Melancon	Walz
Engel	Michaud	Wasserman
Eshoo	Miller (NC)	Schultz
Etheridge	Miller, George	Watson
Farr	Minnick	Watt
Fattah	Mollohan	Waxman
Filner	Moore (WI)	Weiner
Foster	Moran (VA)	Welch
Frank (MA)	Murphy (CT)	Wilson (OH)
Fudge	Nadler (NY)	Woolsey
Garamendi	Neal (MA)	Wu
Giffords	Nye	Yarmuth
Gonzalez	Oberstar	Young (AK)

NAYS—145

Aderholt	Camp	Frelinghuysen
Adler (NJ)	Campbell	Garrett (NJ)
Akin	Cantor	Gerlach
Alexander	Cao	Gingrey (GA)
Bachmann	Capito	Gohmert
Bachus	Cassidy	Goodlatte
Bartlett	Castle	Graves (GA)
Biggett	Coble	Graves (MO)
Bilbray	Coffman (CO)	Guthrie
Bilirakis	Cole	Hall (TX)
Bishop (UT)	Conaway	Harper
Blackburn	Crenshaw	Hastings (WA)
Blunt	Davis (KY)	Heller
Bonner	Dent	Hensarling
Bono Mack	Dreier	Herger
Boozman	Duncan	Hoekstra
Boren	Emerson	Hunter
Boustany	Flake	Inglis
Brady (TX)	Fleming	Issa
Broun (GA)	Forbes	Jenkins
Buchanan	Fortenberry	Johnson (IL)
Burgess	Fox	Jordan (OH)
Burton (IN)	Franks (AZ)	King (IA)

Kingston	Miller (MI)	Royce
Kline (MN)	Murphy, Tim	Ryan (WI)
Lamborn	Myrick	Scalise
Lance	Neugebauer	Schmidt
Latham	Nunes	Schock
Latta	Olson	Sensenbrenner
Lee (NY)	Owens	Sessions
Lewis (CA)	Paulsen	Shimkus
LoBiondo	Pence	Shuster
Lucas	Petri	Simpson
Luetkemeyer	Pitts	Smith (NE)
Lummis	Platts	Smith (NJ)
Lungren, Daniel	Poe (TX)	Smith (TX)
E.	Posey	Stearns
Mack	Price (GA)	Stutzman
Manzullo	Putnam	Sullivan
Marshall	Reed	Terry
McCarthy (CA)	Rehberg	Thompson (PA)
McCaul	Reichert	Thornberry
McClintock	Roe (TN)	Tiahrt
McCotter	Rogers (AL)	Upton
McHenry	Rogers (KY)	Walden
McKeon	Rogers (MI)	Westmoreland
McMahon	Rohrabacher	Wilson (SC)
Mica	Rooney	Wolf
Miller (FL)	Roskam	

NOT VOTING—78

Ackerman	Fallin	Moore (KS)
Arcuri	Galleghy	Moran (KS)
Baird	Granger	Murphy (NY)
Barrett (SC)	Griffith	Murphy, Patrick
Barton (TX)	Gutierrez	Napolitano
Berry	Herse th Sandlin	Ortiz
Blumenauer	Hinojosa	Pastor (AZ)
Boehner	Hodes	Paul
Boyd	Johnson, E. B.	Pingree (ME)
Brady (PA)	Johnson, Sam	Quigley
Brown (SC)	Jones	Radanovich
Brown-Waite,	Kilpatrick (MI)	Reyes
Ginny	Kind	Rodriguez
Buyer	King (NY)	Ros-Lehtinen
Calvert	Linder	Salazar
Cardoza	Lipinski	Shadegg
Carter	Maffei	Space
Chaffetz	Marchant	Speier
Conyers	Markey (MA)	Stark
Culberson	Matheson	Stupak
Davis (AL)	McCarthy (NY)	Velazquez
Davis (TN)	McIntyre	Wamp
DeGette	McMorris	Waters
Delahunt	Rodgers	Whitfield
Diaz-Balart, L.	Meeks (NY)	Wittman
Djou	Miller, Gary	Young (FL)
Ehlers	Mitchell	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1653

Messrs. PUTNAM, BLUNT, Mrs. MILLER of Michigan, Mr. LANCE, and Mrs. MYRICK changed their vote from "yea" to "nay."

Mr. TIBERI changed his vote from "nay" to "yea."

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. MARKEY of Massachusetts. Mr. Speaker, on rollcall No. 655, I was unavoidably detained, but had I voted I would have voted "yes".

Ms. HERSETH SANDLIN. Mr. Speaker, I regret that I was unable to participate in one vote on the floor of the House of Representatives today.

The vote was H.R. 5510—Aiding Those Facing Foreclosure Act of 2010. Had I been present, I would have voted "yea" on that question.

#### REDUCTION OF LEAD IN DRINKING WATER ACT

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