

Turner (NY) Wasserman Wilson (SC)
Turner (OH) Schultz Wittman
Upton Waters Wolf
Van Hollen Watt Womack
Velázquez Waxman Woodall
Visclosky Webster Woolsey
Walberg Welch Yarmuth
Walden West Yoder
Walsh (IL) Westmoreland Young (AK)
Whitfield Young (FL)
Walz (MN) Wilson (FL) Young (IN)

NAYS—2

Amash Dingell

NOT VOTING—11

Bachmann Carson (IN) Murphy (CT)
Barletta Gerlach Ruppertsberger
Capps Giffords Rush
Cardoza Gingrey (GA)

□ 1428

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.

Stated for:

Mr. BARLETTA. Madam Speaker, on rollcall No. 819 I was inadvertently detained. Had I been present, I would have voted "yea."

Mrs. CAPPS. Madam Speaker, on rollcall No. 819, had I been present, I would have voted "yea."

Mr. GERLACH. Madam Speaker, unfortunately, I missed one recorded vote on the House floor today. Had I been present, I would have voted "yea" on rollcall 819.

SMALL COMPANY CAPITAL FORMATION ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1070) to amend the Securities Act of 1933 to authorize the Securities and Exchange Commission to exempt a certain class of securities from such Act, 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 Alabama (Mr. BACHUS) 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 421, nays 1, not voting 11, as follows:

[Roll No. 820]

YEAS—421

Ackerman Berg Brooks
Adams Berkley Broun (GA)
Aderholt Berman Brown (FL)
Akin Biggert Buchanan
Alexander Bilbray Buehler
Altmire Bilirakis Buerkle
Amash Bishop (GA) Burgess
Amodei Bishop (NY) Burton (IN)
Andrews Bishop (UT) Butterfield
Austria Black Calvert
Baca Blackburn Camp
Bachus Blumenauer Campbell
Baldwin Bonner Canseco
Barletta Bono Mack Cantor
Barrow Boren Capito
Bartlett Boswell Capps
Barton (TX) Boustany Capuano
Bass (CA) Brady (PA) Carnahan
Becerra Brady (TX) Carney
Benishkek Braley (IA) Carter

Cassidy Hanabusa McKeon
Castor (FL) Hanna McKinley
Chabot Harper McMorris
Chaffetz Harris Rodgers
Chandler Hartzler McNeerney
Chu Hastings (FL) Meehan
Ciocline Hastings (WA) Meeks
Clarke (MI) Hayworth Mica
Clarke (NY) Heck Michaud
Clay Heinrich Miller (FL)
Clyburn Hensarling Miller (MI)
Coble Herger Miller (NC)
Coffman (CO) Herrera Beutler Miller, Gary
Cohen Higgins Miller, George
Cole Himes Moore
Conaway Hinchey Moran
Connolly (VA) Hinojosa Mulvaney
Conyers Hochul Murphy (PA)
Cooper Holden Myrick
Costa Holt Nadler
Costello Honda Napolitano
Courtney Hoyer Neal
Cravaack Huelskamp Neugebauer
Crawford Huizenga (MI) Noem
Crenshaw Hultgren Nugent
Critz Hunter Nunes
Crowley Hurt Nunnelee
Cuellar Inslee Olson
Culberson Israel Olver
Cummings Issa Owens
Davis (CA) Jackson (IL) Palazzio
Davis (IL) Jackson Lee Pallone
Davis (KY) (TX) Pascarell
DeFazio Jenkins Pastor (AZ)
DeGette Johnson (GA) Paul
DeLauro Johnson (IL) Paulsen
Denham Johnson (OH) Payne
Dent Johnson, E. B. Pearce
DesJarlais Johnson, Sam Pelosi
Deutch Jones Pence
Diaz-Balart Jordan Perlmutter
Dicks Kaptur Peters
Doggett Keating Peterson
Dold Kelly Petri
Donnelly (IN) Kildee Pingree (ME)
Doyle Kind Pitts
Dreier King (IA) Platts
Duffy King (NY) Poe (TX)
Duncan (SC) Kingston Polis
Duncan (TN) Kinzinger (IL) Pompeo
Edwards Kissell Posey
Ellison Kline Price (GA)
Ellmers Kucinich Price (NC)
Emerson Labrador Quayle
Engel Lamborn Quigley
Eshoo Lance Rahall
Farenthold Landry Rangel
Farr Langevin Reed
Fattah Lankford Rehberg
Filner Larsen (WA) Reichert
Fincher Larson (CT) Renacci
Fitzpatrick Latham Reyes
Flake LaTourette Ribble
Fleischmann Latta Richardson
Fleming Lee (CA) Richmond
Flores Levin Rigell
Forbes Lewis (CA) Rivera
Fortenberry Lewis (GA) Roby
Foxy Lipinski Roe (TN)
Frank (MA) LoBiondo Rogers (AL)
Franks (AZ) Loeb sack Rogers (KY)
Frelinghuysen Lofgren, Zoe Rogers (MI)
Fudge Long Rohrabacher
Gallegly Lowey Rokita
Garamendi Lucas Rooney
Gardner Luetkemeyer Ros-Lehtinen
Garrett Luján Roskam
Gerlach Lummis Ross (AR)
Gibbs Lungren, Daniel Ross (FL)
Gibson E. Rothman (NJ)
Gingrey (GA) Lynch Roybal-Allard
Gonzalez Mack Royce
Goodlatte Maloney Runyan
Gosar Manzullo Rush
Gowdy Marchant Ryan (OH)
Granger Marino Ryan (WI)
Graves (GA) Markey Sánchez, Linda
Graves (MO) Matheson T.
Green, Al Matsui Sarbanes
Green, Gene McCarthy (CA) Scalise
Griffin (AR) McCarthy (NY) Schakowsky
Griffith (VA) McCaul Schiff
Grijalva McClintock Schilling
Grimm McCollum Schmidt
Guinta McCotter Schock
Guthrie McDermott Schrader
Gutierrez McGovern Schwartz
Hahn McHenry Schweikert
Hall McIntyre Scott (SC)

Scott (VA) Stutzman Walz (MN)
Scott, Austin Sullivan Wasserman
Scott, David Sutton Schultz
Sensenbrenner Terry Waters
Serrano Thompson (CA) Watt
Sessions Thompson (MS) Waxman
Sewell Thompson (PA) Webster
Sherman Thornberry Welch
Shimkus Tiberi West
Shuler Tierney Westmoreland
Shuster Tipton Whitfield
Simpson Tonko Wilson (FL)
Sires Towns Wilson (SC)
Slaughter Tsongas Wittman
Smith (NE) Turner (NY) Wolf
Smith (NJ) Turner (OH) Womack
Smith (TX) Upton Woodall
Smith (WA) Van Hollen Woolsey
Southerland Velázquez Yarmuth
Speier Visclosky Yoder
Stark Walberg Young (AK)
Stearns Walden Young (FL)
Stivers Walsh (IL) Young (IN)

NAYS—1

Dingell

NOT VOTING—11

Bachmann Cleaver Murphy (CT)
Bass (NH) Giffords Ruppertsberger
Cardoza Gohmert Sanchez, Loretta
Carson (IN) Hirono

□ 1435

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.

The title was amended so as to read: "A bill to amend the Securities Act of 1933 to require the Securities and Exchange Commission to exempt a certain class of securities from such Act."

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CARSON of Indiana. Madam Speaker, I missed rollcall votes 818–820 because of a death in the family. Had I been present, I would have voted "yes" on rollcall 818, "yes" on rollcall 819 and "yes" on rollcall 820.

APPOINTMENT OF MEMBERS TO THE CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 6913 and the order of the House of January 5, 2011, of the following Members of the House to the Congressional-Executive Commission on the People's Republic of China:

Mr. WOLF, Virginia
Mr. MANZULLO, Illinois
Mr. ROYCE, California

LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION AP- PROPRIATIONS

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. A recent graph in CQ Weekly dated October 28 depicts the progress made so far on this year's appropriations bills. Only one box—that's

for the Labor, Health and Human Services, and Education Subcommittee—is blank.

With 9.1 percent unemployment, we need a vigorous debate over this bill. Its jurisdiction includes job training, K-12 and higher education funding, and health care services. And yet unlike the other 11 appropriations bills, Labor-H is the only appropriation bill that has seen no action. Instead, the chairman has posted a draft bill on the Internet representing his own preferences for the people's budget. But the chairman, by himself, is not the subcommittee; and simply posting a wish list without ever bringing it to the subcommittee or the full committee for a markup is not an acceptable substitute for public debate and amendment.

This kind of action represents a clear violation of the majority's pledge to follow the regular order or the regular process. If no House markup is held, this would be the first time in nearly a decade that the subcommittee has failed to report a bill. It is time for the chairman and the majority to keep their promises and hold a markup for the Labor-H bill. The issues that face that subcommittee are far too important to be left to the chairman's personal wish list.

OPERATION FAST AND FURIOUS, WHO'S TO BLAME?

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

Mr. POE of Texas. Mr. Speaker, when the coach messes up, blame the team. This policy occurred yesterday.

Yesterday, in an attempt to divert attention from the Attorney General, Assistant Attorney General Lanny Breuer took one for the head coach and testified about Project Gunrunner. He claimed that he knew about the practice of "gun walking" but still tried to punt the ball by placing blame on Team ATF for not stopping Fast and Furious. But the Department of Justice oversees the ATF, and apparently the Justice Department knew about Fast and Furious. So why didn't they stop it? Mr. Breuer said that he had talked to the ATF about it, and so he thought he didn't need to tell the Attorney General. So now it appears the dysfunctional Justice Department is responsible for this disaster.

Bottom line: Nearly 2,000 semiautomatic weapons were blindly sent into the hands of criminal narcoterrorists in Mexico, and people died because of this operation, at least two Americans and who knows how many Mexican nationals. Thousands of guns are still unaccounted for in Mexico.

Clearly, the Department of Justice needs a new head coach, and a special counsel should be appointed to investigate Fast and Furious.

And that's just the way it is.

□ 1440

TRIBUTE TO LUKE WEATHERS

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

Mr. COHEN. Mr. Speaker, this weekend I had the privilege, unfortunately, to attend a funeral of a great American, a constituent of mine living in Tucson, Arizona, when he passed at age 91, Colonel Luke Weathers.

Colonel Weathers was a Tuskeegan Airman. Born in Mississippi, he came to Memphis at I think it was age 5, and went to the famous Booker T. Washington High School. At age 23, he went to Tuskeegan. He was one of the first Tuskeegan Airmen and was decorated with more honors and awards than you can imagine, every flying award you can possibly get.

He later went on to work with the air traffic controllers and was the first African American air traffic controller in Memphis, Tennessee, at our air traffic control station. He served 25 years with the FAA as an air traffic controller, serving duties in Anchorage, Alaska, where he started; also in Atlanta, Georgia; and in Washington.

Luke Weathers was a great man who didn't let race stop him, even though sometimes his country's policies made it difficult to both integrate the Air Force and the squadron and the FAA. And even his church where the funeral was, Little Flower, he was the first African American member of that church in 1963. I was pleased to be with the family, honor this man's memory, and appreciate what he did for our country.

Mr. Speaker, Luke Weathers was a great man.

HOUSE REPUBLICAN JOBS PLAN

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

Ms. FOXX. Mr. Speaker, the Republicans have passed over 15 bills that would help create jobs and, in addition, ease the energy needs of this country. But where are those bills, and why is the President asking us to pass his jobs bill which almost no Democrats have signed on to? We've passed over 15 bills. They're stuck in the Senate. One Senator has described the Senate as moribund.

Mr. Speaker, we can help create jobs in this country by empowering small businesses and reducing government barriers to job creation, fixing the Tax Code to help job creators, boost competitiveness for American manufacturers, encourage entrepreneurship and growth, maximize American energy production, and pay down America's unsustainable debt burden and start living within our means. People can find out more about our jobs program by going to jobs.gop.gov. I invite the American people to see what Republicans have presented to the Senate. Those 15 bills should be passed.

OPPOSE CONFEDERATE FLAG ON TEXAS LICENSE PLATES

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

Ms. JACKSON LEE of Texas. Mr. Speaker, one day before the Nation gathers to commemorate Veterans Day, a day that brings all of us together, it saddens me to come to the floor of the House and announce under the leadership of Governor Perry, on November 10 in Texas, the Department of Motor Vehicles board will be voting to authorize a State-issued Confederate license plate.

Now, I realize that our work here in the Congress is about passing the jobs bill, which we are advocating to do. But I think it is a disgrace on the history of this Nation that a State-elected agriculture commissioner by the name of Patterson continues to push forward this untimely and ill-fated action.

The Confederate flag does not protect or honor Confederate soldiers. You can do that in museums. The symbol of a Confederate flag is that of a Klansman of the late 1880s and early 1900s; the brutality of slavery; the oppression of slavery; the Jim Crowism of the 1940s and 1950s. It's an ugly reminder of the past of our history. It is time to take America forward and Texas forward.

I will be in Austin on November 10 opposing that action. I ask all good-faith, well-intended Texans that want to take Texas forward to come and oppose any vote that would issue a Confederate flag. And I make a clarion call to all Americans who would like to drive to Texas, come to Austin and stand up against this dastardly deed. Stand up against promoting slavery and oppression. Come to Texas and tell Governor Perry and Commissioner Patterson enough is enough. Take the Nation forward. Don't take it backwards.

SALUTING MARK ANDOL'S COMMITMENT TO AMERICAN WORKERS

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

Mr. HIGGINS. Mr. Speaker, I rise to share the story of Mark Andol, a member of my western New York community. Mark owns a welding and fabricating company in my district. Like many American manufacturers, it lost sales to China in recent years and was forced to cut its 70-person workforce in half.

Mark was frustrated and decided to do something about it. He opened a general store that sells only products manufactured entirely in America. When it opened last year, the store offered 50 products. Since then sales have doubled, and it now sells over 3,500 products that are 100 percent American-made, right down to the packaging.

I visited Mark's store earlier this week and was highly impressed. I was