

Lewis (CA) Miller, George Smith (NJ)  
Mack Rangel Speier  
Meeks Sánchez, Linda Sullivan  
Miller (FL) T. Velázquez  
Miller, Gary Sewell

□ 1305

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SULLIVAN. Mr. Speaker, I rise to state for the RECORD that I missed rollcall vote 410 to H.R. 4480 taken on June 21, 2012, and I would have voted "aye" on the measure. This critical legislation promotes an American energy plan that will not only reduce our dependence on foreign oil, but also spur economic growth and job creation. Additionally, the legislation will protect American refineries by reducing unnecessary red tape and burdensome Obama Administration regulations.

Stated against:

Ms. SEWELL. Mr. Speaker, on rollcall No. 410, had I been present, I would have voted "no."

Mr. FILNER. Mr. Speaker, on rollcall 410, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

#### MOTION TO INSTRUCT CONFEREES ON H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 4348 offered by the gentleman from West Virginia (Mr. MCKINLEY) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 260, nays 138, not voting 34, as follows:

[Roll No. 411]

YEAS—260

Adams	Boren	Crawford
Aderholt	Boswell	Crenshaw
Akin	Boustany	Critz
Alexander	Brady (TX)	Cuellar
Altmire	Brooks	Culberson
Amash	Broun (GA)	Davis (KY)
Amodei	Brown (FL)	DeFazio
Austria	Buchanan	Dent
Baca	Bucshon	Diaz-Balart
Bachmann	Buerkle	Dold
Bachus	Burgess	Donnelly (IN)
Baldwin	Burton (IN)	Doyle
Barber	Calvert	Dreier
Barletta	Campbell	Duffy
Barrow	Canseco	Duncan (SC)
Bartlett	Cantor	Ellmers
Barton (TX)	Capito	Emerson
Bass (NH)	Carter	Farenthold
Benishkek	Cassidy	Fincher
Berg	Chabot	Fitzpatrick
Biggert	Chaffetz	Flake
Bilbray	Chandler	Fleischmann
Bilirakis	Clyburn	Fleming
Bishop (GA)	Coble	Flores
Bishop (UT)	Coffman (CO)	Forbes
Black	Cole	Fortenberry
Blackburn	Conaway	Fox
Bonner	Costello	Franks (AZ)
Bono Mack	Cravack	Frelinghuysen

Fudge	Luetkemeyer	Rogers (MI)
Gardner	Lummis	Rohrabacher
Garrett	Lungren, Daniel	Rokita
Gerlach	E.	Rooney
Gibbs	Manzullo	Ros-Lehtinen
Gingrey (GA)	Marchant	Roskam
Gohmert	Marino	Ross (AR)
Gonzalez	Matheson	Ross (FL)
Goodlatte	McCarthy (CA)	Royce
Gosar	McCaul	Runyan
Gowdy	McClintock	Ryan (OH)
Granger	McHenry	Ryan (WI)
Graves (GA)	McIntyre	Scalise
Graves (MO)	McKeon	Schilling
Griffin (AR)	McKinley	Schmidt
Griffith (VA)	McMorris	Schock
Grimm	Rodgers	Schweikert
Guinta	Meehan	Scott (SC)
Guthrie	Mica	Scott, Austin
Hall	Miller (MI)	Sensenbrenner
Hanna	Mulvaney	Serrano
Harper	Murphy (PA)	Sessions
Harris	Myrick	Shimkus
Hartzler	Neugebauer	Shuler
Hastings (WA)	Noem	Shuster
Heck	Nugent	Simpson
Hensarling	Nunes	Smith (NE)
Herger	Nunnelee	Smith (TX)
Herrera Beutler	Olson	Southerland
Holden	Owens	Stearns
Huelskamp	Palazzo	Stivers
Huizenga (MI)	Pastor (AZ)	Stutzman
Hultgren	Paul	Sullivan
Hunter	Paulsen	Sutton
Hurt	Pearce	Terry
Issa	Pence	Thompson (MS)
Jenkins	Perlmutter	Thompson (PA)
Johnson (OH)	Peterson	Thornberry
Johnson, Sam	Petri	Tiberi
Jones	Pitts	Tipton
Jordan	Platts	Turner (OH)
Kelly	Poe (TX)	Upton
Kind	Pompeo	Visclosky
King (IA)	Posey	Walberg
King (NY)	Price (GA)	Walden
Kingston	Quayle	Walsh (IL)
Kinzinger (IL)	Rahall	Walz (MN)
Kissell	Reed	West
Kline	Rehberg	Westmoreland
Labrador	Reichert	Whitfield
Lamborn	Renacci	Wilson (SC)
Lance	Ribble	Wittman
Landry	Richmond	Womack
Lankford	Rigell	Woodall
LaTourette	Rivera	Yoder
Latta	Roby	Young (FL)
Loeb sack	Roe (TN)	Young (IN)
Long	Rogers (AL)	
Lucas	Rogers (KY)	

NAYS—138

Andrews	Edwards	Lowey
Bass (CA)	Ellison	Luján
Becerra	Engel	Lynch
Berkley	Farr	Maloney
Berman	Fattah	Markey
Blumenauer	Frank (MA)	Matsui
Bonamici	Garamendi	McCarthy (NY)
Brady (PA)	Gibson	McCollum
Braley (IA)	Green, Al	McDermott
Butterfield	Grijalva	McGovern
Camp	Hahn	McNerney
Capps	Hanabusa	Michaud
Capuano	Hastings (FL)	Miller (NC)
Carahan	Hayworth	Moran
Carney	Heinrich	Murphy (CT)
Carson (IN)	Himes	Nadler
Castor (FL)	Hinchev	Napolitano
Chu	Hirono	Neal
Cicilline	Hochul	Olver
Clarke (MI)	Holt	Pallone
Clay	Honda	Pascarell
Cleaver	Hoyer	Pelosi
Cohen	Israel	Peters
Connolly (VA)	Johnson (GA)	Pingree (ME)
Conyers	Johnson (IL)	Polis
Cooper	Johnson, E. B.	Price (NC)
Costa	Kaptur	Quigley
Courtney	Keating	Reyes
Crowley	Kildee	Richardson
Cummings	Kucinich	Rothman (NJ)
Davis (CA)	Langevin	Roybal-Allard
Davis (IL)	Larsen (WA)	Ruppersberger
DeGette	Larson (CT)	Rush
DeLauro	Lee (CA)	Sanchez, Loretta
Denham	Levin	Sarbanes
Deutch	Lewis (GA)	Schakowsky
Dingell	Lipinski	Schiff
Doggett	LoBiondo	Schrader

Schwartz	Thompson (CA)	Waxman
Scott (VA)	Tonko	Welch
Scott, David	Towns	Wilson (FL)
Sewell	Tsongas	Wolf
Sherman	Van Hollen	Woolsey
Slaughter	Wasserman	Yarmuth
Smith (NJ)	Schultz	Young (AK)
Smith (WA)	Waters	
Stark	Watt	

NOT VOTING—34

Ackerman	Higgins	Miller, Gary
Bishop (NY)	Hinojosa	Miller, George
Cardoza	Jackson (IL)	Moore
Clarke (NY)	Jackson Lee	Rangel
DesJarlais	(TX)	Sánchez, Linda
Dicks	Latham	T.
Duncan (TN)	Lewis (CA)	Sires
Eshoo	Lofgren, Zoe	Speier
Filner	Mack	Tierney
Gallegly	McCotter	Turner (NY)
Green, Gene	Meeks	Velázquez
Gutierrez	Miller (FL)	Webster

□ 1312

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall No. 411, Coal Ash Instruction, had I been present, I would have voted "yea."

Mr. DESJARLAIS. Mr. Speaker, I was unavoidably detained and was unable to cast a vote on rollcall vote No. 411, the McKinley Motion to Instruct on H.R. 4348. Had I been present, I would have voted "yea."

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 411, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

#### PERSONAL EXPLANATION

Ms. SPEIER. Mr. Speaker, I was unfortunately delayed by a meeting and was unable to cast a vote on rollcalls 410 and 411 on Thursday, June 21, 2012. I would have voted "no" on both Final Passage of H.R. 4480 and the Republican Motion to Instruct Conferees on H.R. 4348.

Mr. BISHOP of New York. Mr. Speaker, I was not present in the House Chamber on Thursday, June 21 to vote on rollcalls 392 through 411. Had I been present, I would have voted "yea" on rollcalls 393, 394, 395, 396, 397, 398, 400, 403, 405, 406, 407, 408 and 409. I would have voted "nay" on rollcalls 392, 399, 401, 402, 410 and 411.

Ms. CLARKE of New York. Mr. Speaker, on the Legislative Day of June 21, 2012, upon request of a leave of absence, a series of votes were held. Had I been present for these rollcall votes, I would have voted "no" on rollcall 392—the Hastings (WA) Manager's Amendment; "yes" on rollcall 393—the Waxman Amendment; "yes" on rollcall 394—the Connolly Amendment; "yes" on rollcall 395—the Gene Green Amendment; "yes" on rollcall 396—the Rush Amendment; "yes" on rollcall 397—the Holt Amendment; "yes" on rollcall 398—the Connolly/Lewis (GA) Amendment; "no" on rollcall 399—the Amodei Amendment; "yes" on rollcall 400—the Markey Amendment; "no" on rollcall 401—the Landry Amendment; "no" on rollcall 402—the Rigell Amendment; "yes" on rollcall 403—the Holt Amendment; "no" on rollcall 404—the Wittman/Rigell Amendment; "yes" on rollcall 405—the Bass (CA) Amendment; "yes" on rollcall 406—the Capps Amendment; "yes" on

rollcall 407—Speier Amendment; “yes” on rollcall 408—the DeLauro/Markey/Frank Amendment; “yes” on rollcall 409—the Motion to Recommit on H.R. 4480; “no” on rollcall 410—Final Passage of H.R. 4480; and “no” on rollcall 411—Motion to Instruct Conferees on H.R. 4348.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5973, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013; AND PROVIDING FOR CONSIDERATION OF H.R. 5972, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 112-545) on the resolution (H. Res. 697) providing for consideration of the bill (H.R. 5973) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2013, and for other purposes; and providing for consideration of the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I yield to my friend, the gentleman from Virginia (Mr. CANTOR), the majority leader, to inquire of the majority leader the schedule for the week to come.

Mr. CANTOR. I thank the gentleman from Maryland, the Democratic whip, for yielding.

Mr. Speaker, on Monday, the House will meet in pro forma session, but no votes are expected.

On Tuesday, the House will meet at noon for morning-hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m.

On Wednesday and Thursday, the House will meet at 10 a.m. for morning-hour and noon for legislative business.

On Friday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m.

Mr. Speaker, the House will consider a number of bills under suspension of the rules, a complete list of which will be announced by the close of business tomorrow.

In addition, the House may consider two appropriations bills next week, H.R. 5972, the Transportation, Housing and Urban Development Appropriations Act, and H.R. 5973, the Agriculture, Rural Development, and Food and Drug Administration Act.

Members are advised that the House will begin consideration of one of these two bills after the 6:30 p.m. vote series on Tuesday and should expect an additional late evening series of votes on amendments. Again, Mr. Speaker, that is on Tuesday.

The House is also scheduled to consider a privileged resolution finding Eric H. Holder, Jr., Attorney General of the U.S. Department of Justice, in contempt of Congress for refusal to comply with a subpoena issued by the Committee on Oversight and Government Reform.

Finally, I expect the House to consider legislation dealing with both the expiring authority of our Nation's highway programs, as well as the pending increase in the Federal subsidized student loan rate.

Before I yield back, Mr. Speaker, I want to assure Members that we will accommodate both the congressional White House picnic on Wednesday night, as well as the congressional baseball game on Thursday evening. Debate may continue on appropriations amendments after the picnic and during the baseball game, but during those events no votes will take place.

I thank the gentleman.

Mr. HOYER. Obviously, the gentleman has spoken to a number of very important pieces of legislation, and I want to talk about those. Then I want to talk about what I believe to be a diversion from the important business of this country. But I will get to, first, the highway conference.

On Friday, it will be 100 days since the Senate has passed a bipartisan bill, a bill which had 75 Members of the United States Senate for it. That conference has not yet reported out. I understand there is some activity on that.

The House overwhelmingly voted for the Walz MTI, and it said the conferees ought to report out a conference report by tomorrow. I don't know whether that's about to happen—today is tomorrow—but we will see whether or not it proceeds. Perhaps the gentleman can give us some information on that issue.

I've offered a motion, as the gentleman knows, to instruct to give the House an up-or-down vote on the Senate bill if we can't wait for a bill that comes out of conference. Clearly, if it doesn't come out of conference, it's going to cost us a lot of jobs. It will not protect the 1.9 million jobs the Senate bill protects, and it will not create approximately 1 million additional jobs.

As the gentleman knows, it is our view that we've been considering a lot of legislation which does not create jobs, does not impact positively the growth in our economy; but I think there is little dispute that the highway bill will in fact do that.

In addition, there has been a lot of talk about certainty. I agree with the premise that we ought to give certainty to the economy and to employ-

ers and employees, and to States and subdivisions and private sector contractors. Obviously, if we don't extend the highway bill, that will not be the case. In fact, it will be a very uncertain world in which they will be operating.

So can my friend tell me what the status of the conference is, if he knows? I will tell you, very frankly, that the Democratic conferees do not know the status of the conference.

And I will yield to my friend.

Mr. CANTOR. I thank the gentleman.

I would say to the gentleman the conferees continue to work in a bicameral nature. The discussions are proceeding between Chairman MICA and Chairman BOXER. And as the gentleman knows, I have said before, we are desirous of seeing a bill done, as the gentleman said, to afford more certainty to the folks who are relying on the funding of our Nation's transportation program. We certainly think it would be a huge benefit to producing a bill prior to the expiration of the program next week, but knowing full well most of us do not want to see any kind of shutdown in the funding, that we would be prepared in any way to make sure that does not happen.

□ 1320

But the intention is to allow these conferees to continue to do their work and, hopefully, we'll have a bill to vote on next week.

Mr. HOYER. I thank the gentleman for that information. I hope the gentleman's correct.

My concern, and the concern on this side, continues to be the position—as Mr. SHUSTER, who is the one of the ranking members and whose dad, of course, chaired the Transportation Committee at one point in time. There was a story that SHUSTER acknowledged that the House GOP's leadership's inability to pass its 5-year, \$260 billion transportation bill “weakens our hand in conference.” And this is what concerned me, Mr. Leader.

But he added, “It's not an option to give away the House position.”

Now, he was referring to, of course, a bill which has not passed this House, has not even been brought to the floor of this House. And that article went on to say, House Republicans say they are willing to walk away from the highway bill talks if they cannot get what they want.

Now, this was an interview—I see Mr. SHUSTER on the floor, and Mr. SHUSTER's a friend of mine. I'll be glad to hear what he has to say on that matter, and I'll yield to him.

Mr. SHUSTER. I thank the gentleman for yielding. And what I was referring to is we did send over a position on our extension, and that was the streamlining that we wanted in our original bill but was in the extension. So that's what I was talking about. That's the House position. And as far as I can tell, things are moving in a positive direction. But I guess we'll be debating your motion to instruct a little later.