

good faith that we showed by entering into the unanimous consent. That is why the point of order should be withdrawn.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The motion to recommit proposes an amendment prescribing a new rule of law regarding the Federal income tax. As such, it constitutes legislation in violation of clause 2(c) of rule XXI.

The point of order is sustained. The motion to recommit is not in order.

Mrs. LOWEY. Madam Speaker, because this ruling defies the imagination of anybody living here in the United States of America, because of this ruling and the decision of this committee to cut back on homeland security funds and refuse to adjust them according to risk-threat vulnerability, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE OFFERED BY MR. ROGERS OF KENTUCKY

Mr. ROGERS of Kentucky. Madam Speaker, I move to lay the appeal on the table.

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

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mrs. LOWEY. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 207, noes 191, answered “present” 2, not voting 33, as follows:

[Roll No. 225]

AYES—207

Aderholt	Camp (MI)	Ferguson
Akin	Cannon	Pitzpatrick (PA)
Alexander	Cantor	Flake
Bachus	Capito	Foley
Baker	Carter	Forbes
Barrett (SC)	Castle	Fortenberry
Bartlett (MD)	Chabot	Fox
Barton (TX)	Chocola	Franks (AZ)
Bass	Coble	Frelinghuysen
Beauprez	Cole (OK)	Garrett (NJ)
Biggart	Conaway	Gilchrest
Bilirakis	Crenshaw	Gillmor
Bishop (UT)	Cubin	Gingrey
Blackburn	Culberson	Gohmert
Blunt	Davis (KY)	Goode
Boehrlert	Davis, Jo Ann	Goodlatte
Boehner	Deal (GA)	Granger
Bonilla	DeLay	Graves
Bonner	Dent	Green (WI)
Boozman	Diaz-Balart, L.	Gutknecht
Boustany	Diaz-Balart, M.	Hall
Bradley (NH)	Doolittle	Harris
Brady (TX)	Drake	Hart
Brown (SC)	Dreier	Hastert
Brown-Waite,	Duncan	Hastings (WA)
Ginny	Ehlers	Hayes
Burgess	Emerson	Hayworth
Burton (IN)	English (PA)	Hefley
Buyer	Everett	Hensarling
Calvert	Feeney	Herger

Hobson	Mica	Saxton
Hoekstra	Miller (FL)	Schmidt
Hostettler	Miller, Gary	Schwarz (MI)
Hulshof	Moran (KS)	Sensenbrenner
Hunter	Murphy	Sessions
Hyde	Musgrave	Shadegg
Inglis (SC)	Myrick	Shaw
Issa	Neugebauer	Sherwood
Jenkins	Ney	Shimkus
Jindal	Northup	Shuster
Johnson (IL)	Norwood	Simpson
Johnson, Sam	Nunes	Smith (NJ)
Keller	Otter	Smith (TX)
King (IA)	Oxley	Sodrel
Kingston	Paul	Souder
Kirk	Peterson (PA)	Stearns
Kline	Petri	Sullivan
Knollenberg	Pickering	Tancredo
Kolbe	Pitts	Taylor (NC)
Kuhl (NY)	Platts	Terry
LaHood	Poe	Thomas
Latham	Porter	Thornberry
LaTourette	Price (GA)	Tiahrt
Leach	Pryce (OH)	Tiberi
Lewis (CA)	Putnam	Turner
Lewis (KY)	Radanovich	Upton
Linder	Ramstad	Walden (OR)
LoBiondo	Regula	Walsh
Lucas	Rehberg	Wamp
Lungren, Daniel	Reichert	Weldon (FL)
E.	Renzi	Weldon (PA)
Mack	Reynolds	Weller
Marchant	Rogers (AL)	Westmoreland
McCaul (TX)	Rogers (KY)	Whitfield
McCotter	Rogers (MD)	Wicker
McCrery	Rohrabacher	Wilson (NM)
McHenry	Ros-Lehtinen	Wilson (SC)
McHugh	Royce	Young (AK)
McKeon	Ryan (WI)	Young (FL)
McMorris	Ryun (KS)	

NOES—191

Abercrombie	Eshoo	McDermott
Ackerman	Etheridge	McGovern
Allen	Farr	McIntyre
Andrews	Fattah	McKinney
Baird	Ford	McNulty
Baldwin	Fossella	Meehan
Barrow	Frank (MA)	Meek (FL)
Bean	Gerlach	Meeks (NY)
Becerra	Gonzalez	Melancon
Berkley	Gordon	Michaud
Berman	Green, Al	Millender-
Berry	Green, Gene	McDonald
Bishop (GA)	Grijalva	Miller (NC)
Bishop (NY)	Hastings (FL)	Miller, George
Blumenauer	Herseth	Mollohan
Boren	Higgins	Moore (KS)
Boswell	Hinche	Moore (WI)
Boucher	Hinojosa	Moran (VA)
Boyd	Holden	Murtha
Brady (PA)	Holt	Nadler
Brown (OH)	Honda	Napolitano
Brown, Corrine	Hooley	Neal (MA)
Butterfield	Hoyer	Obey
Capps	Inslee	Olver
Capuano	Israel	Ortiz
Cardin	Jackson (IL)	Owens
Cardoza	Jackson-Lee	Pallone
Carnahan	(TX)	Pascrell
Carson	Jefferson	Pastor
Case	Johnson (CT)	Pelosi
Chandler	Johnson, E. B.	Peterson (MN)
Clay	Jones (NC)	Pomeroy
Cleaver	Jones (OH)	Price (NC)
Clyburn	Kanjorski	Rahall
Conyers	Kaptur	Rangel
Cooper	Kelly	Ross
Costa	Kennedy (RI)	Rothman
Costello	Kildee	Roybal-Allard
Cramer	Kilpatrick (MI)	Ruppersberger
Crowley	Kind	Rush
Cuellar	King (NY)	Ryan (OH)
Cummings	Kucinich	Sabo
Davis (CA)	Langevin	Salazar
Davis (FL)	Larsen (WA)	Sánchez, Linda
Davis (IL)	Larson (CT)	T.
Davis (TN)	Levin	Sanchez, Loretta
DeFazio	Lewis (GA)	Sanders
DeGette	Lipinski	Schiff
Delahunt	Lofgren, Zoe	Schwartz (PA)
DeLauro	Lowe	Scott (GA)
Dicks	Lynch	Scott (VA)
Dingell	Maloney	Serrano
Doggett	Markey	Shays
Doyle	Matheson	Simmons
Edwards	Matsui	Skelton
Emanuel	McCarthy	Slaughter
Engel	McCollum (MN)	Smith (WA)

Snyder	Taylor (MS)	Watson
Solis	Thompson (CA)	Watt
Spratt	Tierney	Waxman
Stark	Towns	Weiner
Stupak	Udall (CO)	Wexler
Sweeney	Van Hollen	Wu
Tanner	Velázquez	Wynn
Tauscher	Visclosky	

ANSWERED “PRESENT”—2

Davis, Tom	Wolf
------------	------

NOT VOTING—33

Baca	Lantos	Reyes
Bono	Lee	Schakowsky
Campbell (CA)	Manzullo	Sherman
Davis (AL)	Marshall	Strickland
Evans	Miller (MI)	Thompson (MS)
Filner	Nussle	Udall (NM)
Gallely	Oberstar	Wasserman
Gibbons	Osborne	Schultz
Gutierrez	Payne	Waters
Harman	Pearce	Woolsey
Istook	Pence	
Kennedy (MN)	Pombo	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1942

Mr. SMITH of Washington changed his vote from “aye” to “no.”

Mr. ADERHOLT and Mr. FEENEY changed their vote from “no” to “aye.” So the motion to lay on the table the appeal of the ruling of the Chair was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall No. 225, table the Motion to Recommit H.R. 5441, I was in my Congressional District on official business. Had I been present, I would have voted “no.”

RECOGNIZING SPEAKER HASTERT

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

Ms. PELOSI. Madam Speaker, I rise this evening to salute Speaker HASTERT for becoming the longest serving Republican Speaker in history. Long may his record stand.

This milestone is a testament to his leadership within the Republican Conference and within the Halls of Congress. DENNIS HASTERT spent 16 years as a teacher and coach at Yorkville High School in Illinois. He has put the skills he learned there to good use in this body.

After 6 years in the Illinois State House, he came to the U.S. House of Representatives in 1986. In 1999, DENNY HASTERT’s colleagues elected him Speaker of the House, the third highest Government official in the United States.

While we often disagree on issues, we agree on the importance of public service. That kind of public service has been the hallmark of Speaker HASTERT’s career whether in the classroom or in the House of Representatives.

□ 1945

Today I also salute the Speaker's wife, Jean, and his two children, Ethan and Joshua, for this milestone.

Through the trying moments and the moments like this, one of great triumph, they have stood by his side. They are watching you on television now.

In Congress we all hold the title "honorable" by virtue of our office. Dennis Hastert holds it by virtue of his character. I salute him for his service to our Nation and look forward to many future opportunities to work together.

Congratulations, Mr. Speaker.

The SPEAKER. Thank you very much.

Madam Speaker, I want to first of all say, again, my appreciation to my family who have sacrificed over the years like all our families do when we come to this place. But I am very humbled that I was able to serve this body. I really am not one to keep records because records are made to be broken, but I just want to thank you as Members of the House for the times that we have been able to work together and the times when we have disagreed but we have disagreed in an honorable way.

I think the process that this place offers all of us is something that is unique in all the world. And I look around this room and chairmen that I have worked under who have taught me sometimes the hard way. I see people who have mentored, to try to bring Members along and bring them to places of leadership. I have to reflect and thank one person who I think has been very special in my life in this place, and that is Bob Michel, who served as Republican leader for years. The honor and civility that he brought to this place, I hope that I can pass on as well.

Again, I want to thank you for serving with me because this is a place where we work together and do things together. God bless you and God bless this Congress. Thank you very much.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 389, nays 9, not voting 34, as follows:

[Roll No. 226]

YEAS—389

Ackerman	DeLauro	Kelly
Aderholt	DeLay	Kennedy (RI)
Akin	Dent	Kildee
Alexander	Diaz-Balart, L.	Kilpatrick (MI)
Allen	Diaz-Balart, M.	Kind
Andrews	Dicks	King (IA)
Bachus	Dingell	King (NY)
Baird	Doggett	Kingston
Baker	Doolittle	Kirk
Baldwin	Doyle	Kline
Barrett (SC)	Drake	Knollenberg
Barrow	Dreier	Kolbe
Bartlett (MD)	Duncan	Kucinich
Barton (TX)	Edwards	Kuhl (NY)
Bass	Ehlers	LaHood
Bean	Emanuel	Langevin
Beauprez	Emerson	Larsen (WA)
Becerra	Engel	Latham
Berkley	English (PA)	LaTourette
Berman	Eshoo	Leach
Berry	Etheridge	Levin
Biggert	Everett	Lewis (CA)
Bilirakis	Farr	Lewis (KY)
Bishop (GA)	Fattah	Lewis (GA)
Bishop (NY)	Feeney	Lipinski
Bishop (UT)	Ferguson	LoBiondo
Blackburn	Fitzpatrick (PA)	Lofgren, Zoe
Blumenauer	Foley	Lowey
Blunt	Forbes	Lucas
Boehlert	Ford	Lungren, Daniel
Boehner	Fortenberry	E.
Bonilla	Fossella	Lynch
Bonner	Fox	Mack
Boozman	Frank (MA)	Maloney
Boren	Franks (AZ)	Marchant
Boswell	Frelinghuysen	Matheson
Boucher	Garrett (NJ)	Matsui
Boustany	Gerlach	McCarthy
Boyd	Gilchrest	McCaul (TX)
Bradley (NH)	Gillmor	McCollum (MN)
Brady (PA)	Gingrey	McCotter
Brady (TX)	Gohmert	McCrary
Brown (OH)	Gonzalez	McGovern
Brown (SC)	Goode	McHenry
Brown, Corrine	Goodlatte	McHugh
Brown-Waite,	Gordon	McIntyre
Ginny	Granger	McKeon
Burgess	Graves	McKinney
Burton (IN)	Green (WI)	McMorris
Butterfield	Green, Al	McNulty
Buyer	Green, Gene	Meenan
Calvert	Grijalva	Meek (FL)
Camp (MI)	Gutierrez	Meeks (NY)
Cannon	Gutknecht	Melancon
Cantor	Hall	Mica
Capito	Harris	Michaud
Capps	Hart	Millender-
Cardin	Hastings (FL)	McDonald
Cardoza	Hastings (WA)	Miller (FL)
Carnahan	Hayes	Miller (NC)
Carson	Hayworth	Miller, Gary
Carter	Hefley	Miller, George
Case	Hensarling	Mollohan
Castle	Herger	Moore (KS)
Chabot	Herseth	Moore (WI)
Chandler	Higgins	Moran (KS)
Chocoma	Hinojosa	Moran (VA)
Clay	Hobson	Murphy
Cleaver	Hoekstra	Murtha
Clyburn	Holden	Musgrave
Coble	Holt	Myrick
Cole (OK)	Honda	Nadler
Conaway	Hooley	Napolitano
Conyers	Hostettler	Neal (MA)
Cooper	Hoyer	Neugebauer
Costa	Hulshof	Ney
Costello	Hunter	Northup
Cramer	Hyde	Norwood
Crenshaw	Inslee	Nunes
Crowley	Israel	Obey
Cubin	Issa	Olver
Cuellar	Jackson (IL)	Ortiz
Culberson	Jackson-Lee	Otter
Cummings	(TX)	Owens
Davis (CA)	Jefferson	Oxley
Davis (FL)	Jenkins	Pallone
Davis (IL)	Jindal	Pascarell
Davis (KY)	Johnson (CT)	Pastor
Davis (TN)	Johnson (IL)	Pelosi
Davis, Jo Ann	Johnson, E. B.	Peterson (MN)
Davis, Tom	Johnson, Sam	Peterson (PA)
Deal (GA)	Jones (NC)	Petri
DeFazio	Jones (OH)	Pickering
DeGette	Kanjorski	Pitts
Delahunt	Kaptur	Platts
	Keller	Poe

Pomeroy	Schiff	Thomas
Porter	Schmidt	Thompson (CA)
Price (GA)	Schwartz (PA)	Thornberry
Price (NC)	Schwarz (MI)	Tiahrt
Pryce (OH)	Scott (GA)	Tiberi
Putnam	Scott (VA)	Tierney
Radanovich	Sensenbrenner	Towns
Rahall	Serrano	Turner
Ramstad	Sessions	Udall (CO)
Rangel	Shadegg	Upton
Regula	Shaw	Van Hollen
Rehberg	Shays	Velázquez
Reichert	Sherwood	Visclosky
Renzi	Shimkus	Walden (OR)
Reynolds	Shuster	Walsh
Rogers (AL)	Simmons	Wamp
Rogers (KY)	Simpson	Watson
Rogers (MI)	Skelton	Watt
Rohrabacher	Smith (NJ)	Waxman
Ros-Lehtinen	Smith (TX)	Weiner
Ross	Smith (WA)	Weldon (FL)
Rothman	Snyder	Weldon (PA)
Roybal-Allard	Sodrel	Weller
Leach	Solis	Westmoreland
Royce	Souder	Wexler
Ruppersberger	Spratt	Whitfield
Rush	Stearns	Wicker
Ryan (OH)	Stupak	Wilson (NM)
Ryan (WI)	Sullivan	Wilson (SC)
Ryun (KS)	Sullivan	Wilson (SC)
Sabo	Sweeney	Wolf
Salazar	Tancredo	Wu
Sánchez, Linda	Tanner	Wynn
T.	Tauscher	Young (AK)
Sanchez, Loretta	Taylor (MS)	Young (FL)
Sanders	Taylor (NC)	
Saxton	Terry	

NAYS—9

Abercrombie	Inglis (SC)	Paul
Flake	Markey	Slaughter
Hinchey	McDermott	Stark

NOT VOTING—34

Baca	Larson (CT)	Pombo
Bono	Lee	Reyes
Campbell (CA)	Linder	Schakowsky
Davis (AL)	Manzullo	Sherman
Evans	Marshall	Strickland
Filner	Miller (MI)	Thompson (MS)
Gallely	Nussle	Udall (NM)
Gibbons	Oberstar	Wasserman
Harman	Osborne	Schultz
Istook	Payne	Waters
Kennedy (MN)	Pearce	Woolsey
Lantos	Pence	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 2001

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. MARSHALL. Mr. Speaker, due to a D-Day ceremony, I was unfortunately unable to catch a train that would have gotten me to Washington in time for this evening's votes. I would have voted in favor of H.R. 5441, the Department of Homeland Security Appropriations Act, especially given the inclusion of the Marshall-Miller amendment which will fully fund the Employment Eligibility Verification Program.

Mr. FILNER. Mr. Speaker, on rollcall No. 226, final passage of H.R. 5441, I was in my Congressional District on official business. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. PENCE. Mr. Speaker, I was detained earlier this evening. Had I been present, I would have voted in the following manner: Rollcall 223 (Campbell Amendment to H.R. 5441)—"aye"; rollcall 224 (Kingston Amendment to H.R. 5441)—"aye"; rollcall 225 (Mo-