

Wamp Westmoreland
Weldon (FL) Whitfield
Weldon (PA) Wicker
Weller Wilson (NM)

Wilson (SC)
Wolf
Young (AK)
Young (FL)

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

NOES—195

Abercrombie	Grijalva	Oberstar
Ackerman	Gutierrez	Obey
Allen	Harman	Oiver
Andrews	Hastings (FL)	Ortiz
Baca	Herse	Owens
Baird	Higgins	Pallone
Baldwin	Hinche	Pascrell
Barrow	Hinojosa	Pastor
Bean	Holden	Payne
Becerra	Holt	Pelosi
Berkley	Honda	Peterson (MN)
Berman	Hooley	Pomeroy
Berry	Hoyer	Price (NC)
Bishop (GA)	Inslee	Rahall
Bishop (NY)	Israel	Rangel
Blumenauer	Jackson (IL)	Reyes
Boren	Jackson-Lee	Ross
Boswell	(TX)	Rothman
Boucher	Jefferson	Roybal-Allard
Boyd	Johnson, E. B.	Ruppersberger
Brady (PA)	Jones (OH)	Rush
Brown, Corrine	Kanjorski	Sabo
Butterfield	Kind	Salazar
Capps	Kolbe	Sánchez, Linda
Cardin	Kucinich	T.
Cardoza	Langevin	Sanchez, Loretta
Carnahan	Lantos	Sanders
Carson	Larsen (WA)	Schakowsky
Chandler	Larson (CT)	Schiff
Clay	Lee	Schwartz (PA)
Cleaver	Levin	Scott (GA)
Clyburn	Lewis (GA)	Scott (VA)
Cramer	Lipinski	Serrano
Crowley	Lofgren, Zoe	Skelton
Cuellar	Lowey	Slaughter
Cummings	Lynch	Smith (WA)
Davis (AL)	Maloney	Snyder
Davis (CA)	Markey	Solis
Davis (FL)	Marshall	Spratt
Davis (IL)	Matheson	Stark
Davis (TN)	Matsui	Stupak
DeFazio	McCarthy	Tanner
DeGette	McCollum (MN)	Tauscher
Delahunt	McDermott	Taylor (MS)
DeLauro	McGovern	Thompson (CA)
Dicks	McIntyre	Thompson (MS)
Dingell	McKinney	Tierney
Doggett	McNulty	Towns
Doyle	Meek (FL)	Udall (CO)
Edwards	Meeks (NY)	Udall (NM)
Emanuel	Melancon	Van Hollen
Engel	Michaud	Velázquez
Eshoo	Millender-Schultz	Visclosky
Etheridge	McDonald	Wasserman
Evans	Miller (NC)	Schultz
Farr	Miller, George	Waters
Fattah	Mollohan	Watson
Filner	Moore (WI)	Watt
Ford	Moran (VA)	Waxman
Frank (MA)	Murtha	Weiner
Gonzalez	Nadler	Wexler
Gordon	Napolitano	Woolsey
Green, Al	Neal (MA)	Wu
		Wynn

NAYS—195

Abercrombie	Green, Gene	Oberstar
Ackerman	Grijalva	Obey
Allen	Gutierrez	Oiver
Andrews	Harman	Ortiz
Baca	Hastings (FL)	Owens
Baird	Herse	Pallone
Baldwin	Higgins	Pascrell
Barrow	Hinche	Pastor
Bean	Hinojosa	Payne
Becerra	Holden	Pelosi
Berkley	Holt	Peterson (MN)
Berman	Honda	Pomeroy
Berry	Hooley	Price (NC)
Bishop (GA)	Hoyer	Rahall
Bishop (NY)	Inslee	Rangel
Blumenauer	Israel	Reyes
Boren	Jackson (IL)	Ross
Boswell	Jackson-Lee	Rothman
Boucher	(TX)	Roybal-Allard
Boyd	Jefferson	Ruppersberger
Brady (PA)	Johnson, E. B.	Rush
Brown, Corrine	Jones (OH)	Sabo
Butterfield	Kanjorski	Salazar
Capps	Kind	Sánchez, Linda
Cardin	Kolbe	T.
Cardoza	Kucinich	Sanchez, Loretta
Carnahan	Langevin	Sanders
Carson	Lantos	Schakowsky
Chandler	Larsen (WA)	Schiff
Clay	Larson (CT)	Schwartz (PA)
Cleaver	Lee	Scott (GA)
Clyburn	Levin	Scott (VA)
Cramer	Lewis (GA)	Serrano
Crowley	Lipinski	Skelton
Cuellar	Lofgren, Zoe	Slaughter
Cummings	Lowey	Smith (WA)
Davis (AL)	Lynch	Snyder
Davis (CA)	Maloney	Solis
Davis (FL)	Markey	Spratt
Davis (IL)	Marshall	Stark
Davis (TN)	Matheson	Stupak
DeFazio	Matsui	Tanner
DeGette	McCarthy	Tauscher
Delahunt	McCcollum (MN)	Taylor (MS)
DeLauro	McDermott	Thompson (CA)
Dicks	McGovern	Thompson (MS)
Dingell	McIntyre	Tierney
Doggett	McKinney	Towns
Doyle	McNulty	Udall (CO)
Edwards	Meek (FL)	Udall (NM)
Emanuel	Meeks (NY)	Van Hollen
Engel	Melancon	Velázquez
Eshoo	Michaud	Visclosky
Etheridge	Millender-Schultz	Wasserman
Evans	McDonald	Schultz
Farr	Miller (NC)	Waters
Fattah	Miller, George	Watson
Filner	Mollohan	Watt
Ford	Moore (WI)	Waxman
Frank (MA)	Moran (VA)	Weiner
Gonzalez	Murtha	Wexler
Gordon	Nadler	Woolsey
Green, Al	Napolitano	Wu
	Neal (MA)	Wynn

NOT VOTING—12

Brown (OH)	Gohmert	Moore (KS)
Capuano	Harris	Ney
Case	Kirk	Ryan (OH)
Cubin	Meehan	Strickland

□ 1145

Messrs. OBEY, HOLDEN, GEORGE MILLER of California, DICKS and HOLT changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. KIRK. Mr. Speaker, on rollcall No. 461 I was unavoidably detained. Had I been present, I would have voted “yea.”

The SPEAKER pro tempore. The question is on the resolution.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 195, not voting 10, as follows:

[Roll No. 462]

AYES—227

Aderholt	Gilchrest	Nussle
Akin	Gillmor	Osborne
Alexander	Gingrey	Otter
Bachus	Gohmert	Oxley
Baker	Goode	Paul
Barrett (SC)	Goodlatte	Pearce
Barrow	Granger	Pence
Bartlett (MD)	Graves	Peterson (PA)
Barton (TX)	Green (WI)	Petri
Bass	Gutknecht	Pickering
Beauprez	Hall	Pitts
Biggart	Hart	Platts
Bilbray	Hastings (WA)	Poe
Bilirakis	Hayes	Pombo
Bishop (UT)	Hayworth	Porter
Blackburn	Hefley	Price (GA)
Blunt	Hensarling	Pryce (OH)
Boehlert	Herger	Putnam
Boehner	Hobson	Radanovich
Bonilla	Hoekstra	Ramstad
Bonner	Hosettler	Regula
Bono	Hulshof	Rehberg
Boozman	Hunter	Reichert
Boustany	Hyde	Renzi
Bradley (NH)	Inglis (SC)	Reynolds
Brady (TX)	Issa	Rogers (AL)
Brown (SC)	Istook	Rogers (KY)
Brown-Waite,	Jenkins	Rogers (MI)
Ginny	Jindal	Rohrabacher
Burgess	Johnson (CT)	Ros-Lehtinen
Burton (IN)	Johnson (IL)	Royce
Buyer	Johnson, Sam	Ryan (WI)
Calvert	Jones (NC)	Ryun (KS)
Camp (MI)	Keller	Saxton
Campbell (CA)	Kelly	Schmidt
Cannon	Kennedy (MN)	Schwarz (MI)
Cantor	King (IA)	Sensenbrenner
Capito	King (NY)	Sessions
Carter	Kingston	Shadegg
Castle	Kirk	Shaw
Chabot	Kline	Shays
Chocoma	Knollenberg	Sherwood
Coble	Kuhl (NY)	Shimkus
Cole (OK)	LaHood	Shuster
Conaway	Latham	Simmons
Crenshaw	LaTourrette	Simpson
Culberson	Leach	Smith (NJ)
Davis (KY)	Lewis (CA)	Smith (TX)
Davis, Jo Ann	Lewis (KY)	Sodrel
Davis, Tom	Linder	Souder
Deal (GA)	LoBiondo	Stearns
Dent	Lucas	Sullivan
Diaz-Balart, L.	Lungren, Daniel	Sweeney
Diaz-Balart, M.	E.	Tancredo
Doolittle	Mack	Taylor (NC)
Drake	Manzullo	Terry
Dreier	Marchant	Thomas
Duncan	McCauley (TX)	Thornberry
Ehlers	McCotter	Tiahrt
Emerson	McCrery	Tiberi
English (PA)	McHenry	Turner
Everett	McHugh	Upton
Feeney	McKeon	Walden (OR)
Ferguson	McMorris	Walsh
Fitzpatrick (PA)	Rodgers	Wamp
Flake	Mica	Weldon (FL)
Foley	Miller (FL)	Weldon (PA)
Forbes	Miller (MI)	Weller
Fortenberry	Miller, Gary	Westmoreland
Fossella	Moran (KS)	Whitfield
Fox	Murphy	Wicker
Franks (AZ)	Musgrave	Wilson (NM)
Frelinghuysen	Myrick	Wilson (SC)
Galleghy	Neugebauer	Wolf
Garrett (NJ)	Northup	Young (AK)
Gerlach	Norwood	Young (FL)
Gibbons	Nunes	

NOT VOTING—10

Brown (OH)	Harris	Ryan (OH)
Capuano	Meehan	Strickland
Case	Moore (KS)	
Cubin	Ney	

□ 1154

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MILITARY PERSONNEL FINANCIAL SERVICES PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the Senate bill, S. 418.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr.

DAVIS) that the House suspend the rules and pass the Senate bill, S. 418, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 3, not voting 11, as follows:

[Roll No. 463]

YEAS—418

Abercrombie	Davis (CA)	Honda
Ackerman	Davis (FL)	Hooley
Aderholt	Davis (IL)	Hoestettler
Akin	Davis (KY)	Hoyer
Alexander	Davis (TN)	Hulshof
Allen	Davis, Jo Ann	Hunter
Andrews	Davis, Tom	Hyde
Baca	Deal (GA)	Inglis (SC)
Bachus	DeFazio	Inslee
Baird	DeGette	Israel
Baker	Delahunt	Issa
Baldwin	DeLauro	Istook
Barrett (SC)	Dent	Jackson (IL)
Barrow	Diaz-Balart, L.	Jackson-Lee
Bartlett (MD)	Diaz-Balart, M.	(TX)
Barton (TX)	Dicks	Jefferson
Bass	Dingell	Jenkins
Bean	Doggett	Jindal
Beauprez	Doolittle	Johnson (CT)
Becerra	Doyle	Johnson (IL)
Berkley	Drake	Johnson, E. B.
Berman	Dreier	Johnson, Sam
Berry	Duncan	Jones (NC)
Biggert	Edwards	Jones (OH)
Bilbray	Ehlers	Kanjorski
Bishop (GA)	Emanuel	Kaptur
Bishop (NY)	Emerson	Keller
Bishop (UT)	Engel	Kelly
Blackburn	English (PA)	Kennedy (MN)
Blumenauer	Eshoo	Kennedy (RI)
Blunt	Etheridge	Kildee
Boehlert	Evans	Kilpatrick (MI)
Boehner	Everett	Kind
Bonilla	Farr	King (IA)
Bonner	Fattah	King (NY)
Bono	Feeney	Kingston
Boozman	Ferguson	Kirk
Boren	Filner	Kline
Boswell	Fitzpatrick (PA)	Knollenberg
Boucher	Foley	Kucinich
Boustany	Forbes	Kuhl (NY)
Boyd	Ford	LaHood
Bradley (NH)	Fortenberry	Langevin
Brady (PA)	Fossella	Lantos
Brady (TX)	Fox	Larsen (WA)
Brown (SC)	Frank (MA)	Larsen (CT)
Brown, Corrine	Franks (AZ)	Latham
Brown-Waite,	Frelinghuysen	LaTourette
Ginny	Gallegly	Leach
Burgess	Garrett (NJ)	Lee
Burton (IN)	Gerlach	Levin
Butterfield	Gibbons	Lewis (CA)
Buyer	Gilchrest	Lewis (GA)
Calvert	Gillmor	Lewis (KY)
Camp (MI)	Gingrey	Linder
Campbell (CA)	Gohmert	Lipinski
Cannon	Gonzalez	LoBiondo
Cantor	Goode	Lofgren, Zoe
Capito	Goodlatte	Lowey
Capps	Gordon	Lucas
Cardin	Granger	Lungren, Daniel E.
Cardoza	Graves	Lynch
Carnahan	Green (WI)	Mack
Carson	Green, Al	Maloney
Carter	Green, Gene	Manzullo
Castle	Grijalva	Marchant
Chabot	Gutierrez	Markey
Chandler	Gutknecht	Marshall
Chocola	Hall	Matheson
Clay	Harman	Matsui
Cleaver	Hart	McCarthy
Clyburn	Hastings (FL)	McCaul (TX)
Coble	Hastings (WA)	McCollum (MN)
Cole (OK)	Hayes	McCotter
Conaway	Hayworth	McCreery
Conyers	Hefley	McDermott
Cooper	Hensarling	McGovern
Costa	Hergert	McHenry
Costello	Herseth	McHugh
Cramer	Higgins	McIntyre
Crenshaw	Hinchee	McKeon
Crowley	Hinojosa	McKinney
Cuellar	Hobson	McMorris
Culberson	Hoekstra	Rodgers
Cummings	Holden	Holt
Davis (AL)	Holt	McNulty

Meek (FL)	Putnam	Sodrel
Meeks (NY)	Radanovich	Solis
Melancon	Rahall	Souder
Mica	Ramstad	Spratt
Michaud	Rangel	Stark
Millender-	Regula	Stearns
McDonald	Rehberg	Stupak
Miller (FL)	Reichert	Sullivan
Miller (MI)	Renzi	Sweeney
Miller (NC)	Reyes	Tancredo
Miller, Gary	Reynolds	Tanner
Miller, George	Rogers (AL)	Tauscher
Mollohan	Rogers (KY)	Taylor (MS)
Moore (WI)	Rogers (MI)	Taylor (NC)
Moran (KS)	Rohrabacher	Terry
Moran (VA)	Ros-Lehtinen	Thomas
Murphy	Ross	Thompson (CA)
Murtha	Rothman	Thompson (MS)
Hulshof	Royal-Allard	Thornberry
Hunter	Royce	Tiahrt
Hyde	Ruppersberger	Tiberi
Inglis (SC)	Rush	Tierney
Inslee	Napolitano	Towns
Israel	Neal (MA)	Turner
Issa	Ryan (WI)	Udall (CO)
Istook	Ryun (KS)	Udall (NM)
Jackson (IL)	Sabo	Upton
Jackson-Lee	Salazar	Van Hollen
(TX)	Sánchez, Linda T.	Velázquez
Jefferson	Sanchez, Loretta	Visclosky
Jenkins	Sanders	Walden (OR)
Jindal	Saxton	Walsh
Johnson (CT)	Schakowsky	Wamp
Johnson (IL)	Schiff	Wasserman
Johnson, E. B.	Schmidt	Schultz
Johnson, Sam	Owens	Waters
Jones (NC)	Oxley	Watson
Jones (OH)	Schwartz (PA)	Watt
Kanjorski	Schwarz (MI)	Waxman
Kaptur	Scott (GA)	Weiner
Keller	Scott (VA)	Weldon (FL)
Kelly	Scott (WA)	Weldon (PA)
Kennedy (MN)	Sensenbrenner	Weller
Kennedy (RI)	Serrano	Westmoreland
Kildee	Sessions	Wexler
Kilpatrick (MI)	Shadegg	Whitfield
Kind	Shaw	Wicker
King (IA)	Shays	Wilson (NM)
King (NY)	Sherman	Wilson (SC)
Kingston	Sherwood	Wolf
Kirk	Petri	Woolsey
Kline	Pickering	Wu
Knollenberg	Pitts	Wynn
Knollenberg	Platts	Young (AK)
Kucinich	Poe	Young (FL)
Kuhl (NY)	Pombo	
LaHood	Pomeroy	
Langevin	Porter	
Lantos	Price (GA)	
Larsen (WA)	Pryce (NC)	
Larsen (CT)	Pryce (OH)	
Latham		
LaTourette		
Leach		
Lee		
Levin		
Lewis (CA)		
Lewis (GA)		
Lewis (KY)		
Linder		
Lipinski		
LoBiondo		
Lofgren, Zoe		
Lowey		
Lucas		
Lungren, Daniel E.		
Lynch		
Mack		
Maloney		
Manzullo		
Marchant		
Markey		
Marshall		
Matheson		
Matsui		
McCarthy		
McCaul (TX)		
McCollum (MN)		
McCotter		
McCreery		
McDermott		
McGovern		
McHenry		
McHugh		
McIntyre		
McKeon		
McKinney		
McMorris		
Rodgers		
Holt		
McNulty		

NAYS—3

Flake	Kolbe	Paul
Bilirakis	Cubin	Ney
Brown (OH)	Harris	Ryan (OH)
Capuano	Meehan	Strickland
Case	Moore (KS)	

□ 1208

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the Senate 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. BILIRAKIS. Mr. Speaker, I did not have the opportunity to cast a recorded vote on S. 418. Had I been present, I would have voted "yea."

BORDER TUNNEL PREVENTION ACT OF 2006

Mr. SENSENBRENNER. Madam Speaker, pursuant to House Resolution 1018, I call up the bill (H.R. 4830) to amend chapter 27 of title 18, United States Code, to prohibit the unauthorized construction, financing, or reckless permitting (on one's land) the construction or use of a tunnel or sub-

terranean passageway between the United States and another country, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4830

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Border Tunnel Prevention Act of 2006".

SEC. 2. CONSTRUCTION OF BORDER TUNNEL OR PASSAGE.

(a) IN GENERAL.—Chapter 27 of title 18, United States Code, is amended by adding at the end the following:

"§ 554. Border tunnels and passages

"(a) Any person who knowingly constructs or finances the construction of a tunnel or subterranean passage that crosses the international border between the United States and another country, other than a lawfully authorized tunnel or passage known to the Secretary of Homeland Security and subject to inspection by the Bureau of Immigration and Customs Enforcement, shall be imprisoned for not more than 20 years.

"(b) Any person who recklessly permits the construction or use of a tunnel or passage described in subsection (a) on land that the person owns or controls shall be imprisoned for not more than 10 years.

"(c) Any person who uses a tunnel or passage described in subsection (a) to unlawfully smuggle an alien, goods (in violation of section 545), controlled substances, weapons of mass destruction (including biological weapons), or a member of a terrorist organization (as defined in section 212(a)(3)(B)(vi) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(vi))) shall be subject to twice the penalty that would have otherwise been imposed had the unlawful activity not made use of such a tunnel or passage."

(b) CLERICAL AMENDMENT.—The table of sections for chapter 27 of title 18, United States Code, is amended by adding at the end the following:

"554. Border tunnels and passages."

(c) CRIMINAL FORFEITURE.—Section 982(a)(6) of title 18, United States Code, is amended by inserting "554," before "1425,".

SEC. 3. DIRECTIVE TO THE UNITED STATES SENTENCING COMMISSION.

(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall promulgate or amend sentencing guidelines to provide for increased penalties for persons convicted of offenses described in section 554 of title 18, United States Code, as added by section 1.

(b) REQUIREMENTS.—In carrying out this section, the United States Sentencing Commission shall—

(1) ensure that the sentencing guidelines, policy statements, and official commentary reflect the serious nature of the offenses described in section 554 of title 18, United States Code, and the need for aggressive and appropriate law enforcement action to prevent such offenses;

(2) provide adequate base offense levels for offenses under such section;

(3) account for any aggravating or mitigating circumstances that might justify exceptions, including—

(A) the use of a tunnel or passage described in subsection (a) of such section to facilitate other felonies; and

(B) the circumstances for which the sentencing guidelines currently provide applicable sentencing enhancements;