

Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
Latta
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)

NOT VOTING—48

Aderholt
Allen
Bachus
Bishop (GA)
Capuano
Carnahan
Doolittle
Edwards
Ellison
Ferguson
Forbes
Gallegly
Gerlach
Gilchrest
Graves
Grijalva
Gutierrez

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1906

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to. The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.

HONORING LIEUTENANT GENERAL
RUSSEL L. HONORE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 944, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the resolution, H. Res. 944, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 380, nays 0, not voting 48, as follows:

[Roll No. 71]

YEAS—380

Abercrombie
Ackerman
Akin
Alexander
Altmire
Andrews
Arcuri
Baca
Bachmann
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Beerrera
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyd (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito

Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
Latta
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
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Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
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NOT VOTING—48

Aderholt
Allen
Bachus
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Grijalva
Gutierrez

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1919

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ELLISON. Madam Speaker, on February 25, 2008, if I were present, I would have voted "yea" on rollcall Nos. 69, 70, and 71.

DISMISSING THE ELECTION CONTEST RELATING TO THE OFFICE OF REPRESENTATIVE FROM THE 13TH CONGRESSIONAL DISTRICT OF FLORIDA

Mr. GONZALEZ. Madam Speaker, I ask unanimous consent that it shall be in order at any time to consider in the House, House Resolution 989; that the resolution shall be considered as read; and that the previous question shall be considered as ordered on the resolution to its adoption without intervening motion except 10 minutes of debate equally divided and controlled by the chairman and the ranking minority member of the Committee on House Administration, or their designees.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Madam Speaker, pursuant to the previous order, I call up House Resolution 989 and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 989

Resolved, That the election contest relating to the office of Representative from the Thirteenth Congressional District of Florida is dismissed.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the gentleman from Texas (Mr. GONZALEZ) and the gentleman from California (Mr. MCCARTHY) each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. GONZALEZ. Madam Speaker, I would ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks in the RECORD on this resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Madam Speaker, I yield myself as much time as I may consume.

On February 12, the Committee on House Administration unanimously recommended dismissal of the election contest relating to the 13th Congressional District of Florida.

The late chairwoman, Juanita Millender-McDonald, established a task force to investigate this contested election in which over 18,000 ballots did not show a vote cast in the United States congressional race in Sarasota County, Florida. The task force consisted of Representative ZOE LOFGREN and Representative KEVIN MCCARTHY of California, and I had the honor of serving as the Chair of the task force.

After the task force established the need to conduct an investigation, every vote by the task force to determine the scope and direction in the investigation was, in fact, unanimous.

I want to thank the members of the task force for their dedication to the investigation and the Government Accountability Office for a systematic investigation of the voting equipment. I would also like to thank both the majority and the minority staffs, along with the House recording studio.

The task force authorized the GAO to investigate whether the voting machines used in Sarasota County contributed to the unusually high number of undervotes. The task force also directed the GAO to evaluate whether additional testing was needed. After the GAO recommended further testing in October, the task force directed the GAO to design and execute testing to determine the reliability of the Sarasota voting equipment.

The GAO presented its final findings to the task force on February 8, 2008, when the GAO reported the Sarasota County voting machines did not contribute to the large undervote in the congressional race for the 13th District of Florida.

The GAO acknowledged that the undervote could have been caused by other elements, such as voters who intentionally did not vote in the race or voters who unintentionally did not cast their ballots because of poor ballot design.

However, because the contestant's central argument claimed voting machine malfunction caused the abnormal undervote, the GAO's analysis was limited to the voting machine malfunction issue. Due to the GAO's determination with a high degree of certainty that the voting machines did not cause the undervote, the task force unanimously recommended to the full committee, and the full committee has unanimously recommended to the House, that the contest be dismissed.

I urge Members to vote in favor of this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. MCCARTHY of California. Madam Speaker, I yield 3 minutes to the ranking Republican on the full committee, the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. I thank the gentleman for yielding.

Madam Speaker, this is the third time I have served or been involved with a task force dealing with contested elections, and I believe this is by

far the best procedure that has been developed and can help serve as a model for future decisions of this sort.

I congratulate the two gentlemen before you, who, representing the majority and the minority, did the yeoman's work on investigating the issue, deciding to pull in the Government Accountability Office, which I think was a good addition to the entire process. A careful examination has made it very clear that there was nothing wrong with the voting machines in this particular election; and, therefore, the contestant's claims that the undervote was caused by faulty machines is just not valid.

What the real reasons were, we will never know. It could have been ballot design. It could be several other factors that we have considered.

But the simple fact is that Mr. BUCHANAN did win the election, and the results of our vote tonight will demonstrate that. He did, in fact, win the election and will remain as a Member of the Congress.

I want to once again compliment the individuals here. Chairman GONZALEZ of the task force was eminently fair, thorough, and complete in all his evaluations and discussions. Mr. MCCARTHY, in his first time on an assignment of this sort, has carried it out very carefully, very thoroughly and contributed a great deal to the discussions and the decisions.

I am just very proud that the House Administration Committee has completed this task which can be, I can assure you, a very onerous and difficult task; but the committee has completed it very competently, thoroughly and fairly; and the result, I believe, is beyond question.

This will serve as a model for future situations of this sort.

Mr. GONZALEZ. Madam Speaker, I reserve the balance of my time.

Mr. MCCARTHY of California. Madam Speaker, I rise today in support of this resolution to dismiss the election contest related to the results of the 13th Congressional District of Florida race in 2006.

Madam Speaker, I want to congratulate the chairman of this task force, Mr. GONZALEZ. It was a three-member task force with Congresswoman ZOE LOFGREN and myself. Every bit of this contest, as we went through studying it and spent the hours on it, was a unanimous decision. This was a bipartisan movement, a bipartisan investigation; and I just want to thank the chairman for his professionalism, his respect and the ethics in which he carried this out.

In my former life, I was actually a staff member to a former chairman of House Administration, and I was an individual that investigated some contestant elections. I will tell you this is probably the most thorough investigation we have seen.

We knew after the last election that there were races in this body that were even closer, within 100 votes; and we