

women are now the majority. In 1970, only one out of 27 high school girls played varsity sports. Today that figure is two in five, and these girls are reaping the benefits that come from sports: lower rates of substance abuse, unintended pregnancies, breast cancer, and osteoporosis.

Title IX has made it possible for women to pursue any career they want. I am excited to see what today's girls and young women will do with the opportunities title IX will provide for their futures.

#### CONGRESS NEEDS TO STOP LIMITING OPTIONS

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

Mr. SHUSTER. Mr. Speaker, today the average price of gas in the Ninth Congressional District of Pennsylvania is over \$4 a gallon. It has had a dramatic impact on families and small businesses across my district and across Pennsylvania.

The American people know that drilling isn't the only answer, which my colleagues on the other side of the aisle continue to say, but they do know it is a huge part of the solution. They also know that it will have the greatest impact in the shortest period of time. It is a real solution.

The American people also know that we can explore and drill in places like ANWR and off the coast of the United States. We can do it in environmentally safe ways and extract tremendous amounts of energy in those parts of the world.

The American people also know that this Congress has done nothing, has done nothing to solve the problem at the pump, has done nothing to help this economy with solving our oil and energy crisis that we face today. This Congress needs to act. We need to stop talking and limiting our options available to us. The American people are crying out for us to solve their problem and help them and help this economy grow.

#### BIG OIL: USE IT OR LOSE IT

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

Mr. PALLONE. Mr. Speaker, the American people are looking for real energy solutions that will bring down prices at the pump. Unfortunately, all they are getting from Washington Republicans are more of the same old policies that are actually responsible for the high gas prices in the first time.

The Republican solution is to open up more of our pristine land and our ocean to oil drilling. They neglect to say that Big Oil already has leases for 68 million acres that, for whatever reason, Big Oil refuses to explore. Experts estimate that these 68 million acres of leased land could produce about 4.8 million barrels of oil which would near-

ly double our Nation's total production.

Why should we give Big Oil access to more of our land and water when they refuse to drill on 68 million acres they already have? And if drilling is indeed the answer to high gas prices, as my Republican friends always claim, why aren't they demanding that Big Oil start drilling on these lands?

Mr. Speaker, this week House Republicans will have an opportunity to act on their rhetoric by supporting Democratic legislation that tells Big Oil to either use it or lose it.

#### PROPERTY OWNERS AT RISK

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

Mr. SULLIVAN. Mr. Speaker, yesterday was the third anniversary of the Supreme Court's 2005 decision in the *Kelo v. City of New London* case.

In that decision, a divided Supreme Court ruled that the government may take people's homes and bulldoze them to make way for strip malls or other private development in order to increase tax revenue.

The negative effects of this far-reaching decision places all private property owners at risk. No property owner is safe if the government decides that their land would serve a better purpose and be an economic gain if something bigger and more taxable were in its place.

To combat these unjust property takings, I introduced H.R. 6219 to protect the rights of the private property owners. With this bill, all Americans now have the tools they need to fight unjust property takings and defend their homes and small businesses.

The government has overstepped its bounds in taking private property from people. It has also done the wrong thing in not allowing us to drill for oil and gas in America. It is very important that we get it in our own backyard. A lot of people on the Democratic side talk about alternative energy sources, and that is good. And we as Republicans believe in that. But also, we believe we need to get energy right here in our own backyard as well as we need to develop these technologies.

□ 1030

#### HONORING THE LAKE HIGHLANDS EXCHANGE CLUB AND LAKE HIGHLANDS MILITARY MOMS

(Mr. HENSARLING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HENSARLING. Mr. Speaker, today I recognize the Lake Highlands Exchange Club and Rhonda Russell, founder of the Lake Highlands Military Moms. Rhonda formed Military Moms so that mothers could meet once a month to exchange stories, updates, and photographs of their children serving our Nation in uniform overseas.

Recently, these two groups joined together to ensure that our servicemen and women received the local recognition they deserved for their heroic efforts. For example, they created posters for display throughout the Lake Highlands Community featuring photographs of 54 men and women serving our Nation in uniform. Additionally, they ensure that every returning servicemember is publicly honored at the Exchange Club meetings.

Mr. Speaker, on behalf of the Fifth District of Texas, I'm honored to be able to recognize the Lake Highlands Exchange Club and Lake Highlands Military Moms for their continued efforts in honoring our heroes in uniform.

#### WHAT IS CONGRESS DOING TO LOWER GAS PRICES?

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

Ms. FOXX. Mr. Speaker, my constituents, almost every single one, want to know what Congress is doing to lower the gas prices. Here is part of a letter from Matthew, a Boy Scout, from Winston-Salem, North Carolina: The problem I'm talking about how the gas prices are so high. If gas prices keep going up, we won't be able to go on vacation, we won't be able to go to the grocery store, we won't be able to go to church.

This is completely unacceptable for my constituents and also unacceptable for the constituents represented by my friends on the other side of the aisle. Unfortunately, it's because of the out-of-touch Democrat leadership that Congress has done nothing to combat record gas prices. Democrats pledged to deliver low gas prices well before they even took control of Congress promising a "commonsense" plan to lower gas prices. And here we are with national gas prices at \$4 a gallon.

While Democrats only offer more of the same—broken promises in tax increases—House Republicans are committed to pursuing solutions that will help alleviate the pain at the pump and grow the American economy.

#### MOTION TO ADJOURN

Mr. SULLIVAN. Mr. Speaker, I move that the House do now adjourn.

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

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

Mr. SULLIVAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 87, nays 299, not voting 48, as follows:

[Roll No. 441]

YEAS—87

Akin	Bachus	Bartlett (MD)
Alexander	Barrett (SC)	Biggart

Bilbray  
Bilirakis  
Bishop (UT)  
Blackburn  
Blunt  
Boehner  
Bonner  
Brady (PA)  
Braley (IA)  
Broun (GA)  
Camp (MI)  
Campbell (CA)  
Cantor  
Carter  
Coble  
Conyers  
Crenshaw  
Cubin  
Davis, Tom  
Doolittle  
Duncan  
Emerson  
English (PA)  
Everett  
Fallin  
Feeney  
Flake  
Foxx

Franks (AZ)  
Gallegly  
Garrett (NJ)  
Gordon  
Granger  
Hastings (WA)  
Hensarling  
Herger  
Hobson  
Hoekstra  
Hunter  
Ingليس (SC)  
Issa  
Keller  
King (IA)  
LaHood  
Lamborn  
LaTourette  
Lewis (KY)  
Lucas  
Lungren, Daniel  
E.  
Manzullo  
McCauley (TX)  
McHenry  
McHugh  
McKeon

McMorris  
Rodgers  
Miller (MI)  
Miller, Gary  
Miller, George  
Musgrave  
Myrick  
Neugebauer  
Petri  
Pickering  
Pitts  
Rehberg  
Reichert  
Renzi  
Rogers (AL)  
Roskam  
Ryan (WI)  
Sensenbrenner  
Sessions  
Shadegg  
Shimkus  
Shuster  
Sullivan  
Upton  
Walden (OR)  
Westmoreland  
Whitfield (KY)  
Wilson (SC)

Pallone  
Pastor  
Paul  
Pearce  
Perlmutter  
Peterson (MN)  
Platts  
Poe  
Pomeroy  
Porter  
Price (GA)  
Price (NC)  
Putnam  
Rahall  
Ramstad  
Rangel  
Regula  
Richardson  
Rodriguez  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Ryan (OH)  
Salazar  
Sali  
Sánchez, Linda  
T.

Sanchez, Loretta  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schmidt  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Sestak  
Shays  
Sherman  
Shuler  
Simpson  
Sires  
Skelton  
Smith (NJ)  
Smith (NE)  
Smith (TX)  
Smith (WA)  
Solis  
Space  
Speier  
Spratt  
Stark  
Stearns  
Stupak  
Tanner  
Tauscher  
Taylor

Terry  
Thompson (CA)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Towns  
Tsongas  
Udall (NM)  
Van Hollen  
Velázquez  
Visclosky  
Walberg  
Walsh (NY)  
Walz (MN)  
Wamp  
Wasserman  
Schultz  
Watson  
Watt  
Weldon (FL)  
Weller  
Wexler  
Wilson (NM)  
Wilson (OH)  
Wittman (VA)  
Wolf  
Woolsey  
Wu  
Yarmuth  
Young (FL)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

## MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT OF 2008

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6331) to amend titles XVIII and XIX of the Social Security Act to extend expiring provisions under the Medicare Program, to improve beneficiary access to preventive and mental health services, to enhance low-income benefit programs, and to maintain access to care in rural areas, including pharmacy access, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6331

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Medicare Improvements for Patients and Providers Act of 2008”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—MEDICARE

##### Subtitle A—Beneficiary Improvements PART I—PREVENTION, MENTAL HEALTH, AND MARKETING

Sec. 101. Improvements to coverage of preventive services.

Sec. 102. Elimination of discriminatory copayment rates for Medicare outpatient psychiatric services.

Sec. 103. Prohibitions and limitations on certain sales and marketing activities under Medicare Advantage plans and prescription drug plans.

Sec. 104. Improvements to the Medigap program.

##### PART II—LOW-INCOME PROGRAMS

Sec. 111. Extension of qualifying individual (QI) program.

Sec. 112. Application of full LIS subsidy assets test under Medicare Savings Program.

Sec. 113. Eliminating barriers to enrollment.

Sec. 114. Elimination of Medicare part D late enrollment penalties paid by subsidy eligible individuals.

Sec. 115. Eliminating application of estate recovery.

Sec. 116. Exemptions from income and resources for determination of eligibility for low-income subsidy.

Sec. 117. Judicial review of decisions of the Commissioner of Social Security under the Medicare part D low-income subsidy program.

Sec. 118. Translation of model form.

Sec. 119. Medicare enrollment assistance.

##### Subtitle B—Provisions Relating to Part A

Sec. 121. Expansion and extension of the Medicare Rural Hospital Flexibility Program.

### NAYS—299

Ackerman  
Aderholt  
Allen  
Altmire  
Andrews  
Arcuri  
Baca  
Bachmann  
Baird  
Baldwin  
Barrow  
Barton (TX)  
Bean  
Becerra  
Berkley  
Berman  
Berry  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bono Mack  
Boozman  
Boren  
Boucher  
Boustany  
Boyd (FL)  
Boyd (KS)  
Brady (TX)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Buchanan  
Butterfield  
Buyer  
Calvert  
Capito  
Capps  
Capuano  
Carnahan  
Carney  
Carson  
Castle  
Castor  
Cazayoux  
Chabot  
Chandler  
Childers  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen  
Cole (OK)  
Conaway  
Cooper  
Costello  
Courtney  
Cramer  
Crowley  
Cuellar  
Culberson  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (KY)  
Davis, David  
Davis, Lincoln  
Deal (GA)

DeFazio  
DeGette  
DeLauro  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Donnelly  
Doyle  
Drake  
Dreier  
Edwards (MD)  
Edwards (TX)  
Ehlers  
Ellison  
Ellsworth  
Emanuel  
Etheridge  
Farr  
Fattah  
Ferguson  
Filner  
Forbes  
Fortenberry  
Fossella  
Foster  
Frank (MA)  
Frelinghuysen  
Gerlach  
Giffords  
Gilchrest  
Gingrey  
Gonzalez  
Goode  
Goodlatte  
Graves  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hall (NY)  
Hall (TX)  
Hare  
Harman  
Hayes  
Heller  
Higgins  
Hill  
Hinchey  
Hinojosa  
Hirono  
Hodes  
Holden  
Holt  
Honda  
Hooley  
Hoyer  
Hulshof  
Inslee  
Israel  
Jackson (IL)  
Jackson-Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Jones (NC)  
Jones (OH)

Jordan  
Kagen  
Kanjorski  
Kaptur  
Kennedy  
Kildee  
Kilpatrick  
Kind  
King (NY)  
Kingston  
Kirk  
Klein (FL)  
Kline (MN)  
Knollenberg  
Kucinich  
Kuhl (NY)  
Lampson  
Langevin  
Larson (CT)  
Latham  
Latta  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Linder  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren, Zoe  
Lowe  
Lynch  
Mack  
Maloney (NY)  
Marchant  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCollum (MN)  
McCotter  
McDermott  
McGovern  
McIntyre  
McNerney  
Meek (FL)  
Meeks (NY)  
Mica  
Michaud  
Miller (FL)  
Miller (NC)  
Mitchell  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Nadler  
Napolitano  
Neal (MA)  
Oberstar  
Obey  
Olver  
Ortiz

Abercrombie  
Boswell  
Burgess  
Burton (IN)  
Cannon  
Cardoza  
Costa  
Davis (IL)  
Delahunt  
Engel  
Eshoo  
Gillibrand  
Gohmert  
Hastings (FL)  
Herseth Sandlin  
Jefferson

### NOT VOTING—48

Johnson (IL)  
Johnson, Sam  
Larsen (WA)  
Mahoney (FL)  
McCrery  
McNulty  
Melancon  
Mollohan  
Nunes  
Pascrell  
Payne  
Pence  
Peterson (PA)  
Pryce (OH)  
Radanovich  
Reyes

Reynolds  
Ross  
Rush  
Saxton  
Shea-Porter  
Slaughter  
Souder  
Sutton  
Tancredo  
Thompson (MS)  
Turner  
Udall (CO)  
Waxman  
Weiner  
Welch (VT)  
Young (AK)

□ 1058

Messrs. WITTMAN of Virginia, RAMSTAD, DAVID DAVIS of Tennessee, SESTAK, MICA, PERLMUTTER, SCOTT of Georgia, AL GREEN of Texas, HINOJOSA, ELLISON, GRIJALVA, CLAY, SHERMAN, MCNERNEY, HOLT, COHEN, ISRAEL, OBEY, Ms. JACKSON-LEE of Texas, Ms. SPEIER, Ms. SCHAKOWSKY and Mrs. CAPPS changed their vote from “yea” to “nay.”

Messrs. UPTON, PICKERING and WESTMORELAND and Mrs. McMORRIS RODGERS changed their vote from “nay” to “yea.”  
So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

### PERSONAL EXPLANATION

Mr. BURTON of Indiana. Madam Speaker, due to inclement weather and aviation delays some 86 Members, including myself, were unable to be on the House Floor for rollcall votes.

Had I been present I would have voted “yea” on rollcall vote 438—Honoring the life, musical accomplishments, and contributions of Louis Jordan on the 100th anniversary of his birth; “yea” on rollcall vote 439—Supporting the goals and ideals of Black Music Month; “yea” on rollcall vote 440—Congratulating James Madison University in Harrisonburg, Virginia, for 100 years of service and leadership to the United States; and “nay” on rollcall vote 441—a Motion to Adjourn.