

HOUSE OF REPRESENTATIVES,  
Washington, DC, August 17, 2009.

Hon. NANCY PELOSI,  
Speaker, House of Representatives, Washington,  
DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued in the U.S. District Court for the Eastern District of California, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

DONNA J. DAMI,  
Special Projects.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 324, by the yeas and nays;

H.R. 310, by the yeas and nays;

H.R. 3123, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### SANTA CRUZ VALLEY NATIONAL HERITAGE AREA ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 324, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 324.

The vote was taken by electronic device, and there were—yeas 249, nays 145, not voting 39, as follows:

[Roll No. 687]

YEAS—249

Abercrombie	Carson (IN)	Doggett
Ackerman	Castor (FL)	Donnelly (IN)
Adler (NJ)	Chandler	Doyle
Altmire	Childers	Driehaus
Andrews	Chu	Edwards (MD)
Arcuri	Clay	Edwards (TX)
Baca	Cleaver	Ehlers
Baird	Clyburn	Ellison
Baldwin	Cohen	Ellsworth
Barrow	Connolly (VA)	Engel
Bean	Conyers	Eshoo
Becerra	Cooper	Etheridge
Berman	Costa	Farr
Berry	Costello	Fattah
Bishop (GA)	Courtney	Fortenberry
Bishop (NY)	Crowley	Foster
Blumenauer	Cuellar	Frank (MA)
Bocieri	Cummings	Frelinghuysen
Boren	Dahlkemper	Fudge
Boswell	Davis (CA)	Giffords
Boucher	Davis (IL)	Gonzalez
Brady (PA)	Davis (TN)	Gordon (TN)
Braley (IA)	DeFazio	Grayson
Bright	DeGette	Green, Al
Butterfield	DeLauro	Green, Gene
Cao	Diaz-Balart, L.	Griffith
Capps	Diaz-Balart, M.	Grijalva
Cardoza	Dicks	Hall (NY)
Carnahan	Dingell	Halvorson

Hare	Massa	Roybal-Allard	Sensenbrenner	Sullivan	Walden
Harman	Matheson	Ruppersberger	Sessions	Terry	Wamp
Hastings (FL)	Matsui	Salazar	Shadegg	Thompson (PA)	Westmoreland
Heinrich	McCollum	Sánchez, Linda	Shuster	Thornberry	Wilson (SC)
Herseht Sandlin	McDermott	T.	Smith (NE)	Tiahrt	Wittman
Higgins	McGovern	Sarbanes	Smith (TX)	Tiberi	Wolf
Hill	McHugh	Schakowsky	Souder	Turner	Young (FL)
Himes	McIntyre	Schauer	Stearns	Upton	
Hinchey	McMahon	Schiff			
Hinojosa	McNerney	Schrader			
Hirono	Meek (FL)	Schwartz			
Hodes	Meeks (NY)	Scott (GA)			
Holden	Melancon	Scott (VA)			
Holt	Michaud	Serrano			
Honda	Miller (NC)	Shea-Porter			
Hoyer	Miller, George	Sherman			
Insee	Minnick	Shuler			
Israel	Mitchell	Sires			
Jackson (IL)	Mollohan	Skelton			
Jackson-Lee	Moore (KS)	Slaughter			
(TX)	Moore (WI)	Smith (NJ)			
Johnson (GA)	Moran (VA)	Smith (WA)			
Johnson, E. B.	Murphy (CT)	Snyder			
Jones	Murphy (NY)	Space			
Kagen	Murphy, Patrick	Speier			
Kanjorski	Murphy, Tim	Spratt			
Kaptur	Nadler (NY)	Stark			
Kennedy	Napolitano	Stupak			
Kildee	Neal (MA)	Sutton			
Kilroy	Nye	Teague			
Kind	Oberstar	Thompson (CA)			
Kirkpatrick (AZ)	Obey	Thompson (MS)			
Kissell	Oliver	Tierney			
Klein (FL)	Ortiz	Titus			
Kosmas	Pallone	Tonko			
Kratovil	Pascrell	Towns			
Kucinich	Pastor (AZ)	Tsongas			
Lance	Payne	Van Hollen			
Langevin	Perlmutter	Velázquez			
Larsen (WA)	Perriello	Visclosky			
Larson (CT)	Peters	Walz			
Lee (CA)	Peterson	Wasserman			
Levin	Pingree (ME)	Schultz			
Lewis (GA)	Platts	Waters			
Lipinski	Pomeroy	Watson			
LoBiondo	Price (NC)	Watt			
Loebsack	Quigley	Waxman			
Lofgren, Zoe	Rahall	Weiner			
Lowe	Rangel	Welch			
Lujan	Reichert	Wexler			
Lynch	Reyes	Whitfield			
Maffei	Richardson	Wilson (OH)			
Maloney	Ros-Lehtinen	Woolsey			
Markey (CO)	Ross	Wu			
Marshall	Rothman (NJ)	Yarmuth			

NAYS—145

Aderholt	Duncan	Lungren, Daniel
Akin	Emerson	E.
Alexander	Fallin	Mack
Austria	Flake	Manzullo
Bachmann	Fleming	Marchant
Bachus	Forbes	McCarthy (CA)
Bartlett	Fox	McCauley
Barton (TX)	Franks (AZ)	McClintock
Biggart	Garrett (NJ)	McCotter
Bilbray	Gingrey (GA)	McHenry
Bilirakis	Gohmert	McKeon
Blackburn	Goodlatte	McMorris
Blunt	Granger	Rodgers
Boehner	Graves	Mica
Bonner	Guthrie	Miller (FL)
Bono Mack	Hall (TX)	Miller (MI)
Boozman	Harper	Miller, Gary
Boustany	Hastings (WA)	Moran (KS)
Broun (GA)	Heller	Myrick
Brown (SC)	Hensarling	Neugebauer
Brown-Waite,	Herger	Nunes
Ginny	Hoekstra	Olson
Buchanan	Hunter	Paul
Burgess	Inglis	Paulsen
Burton (IN)	Issa	Pence
Buyer	Jenkins	Petri
Calvert	Johnson (IL)	Pitts
Camp	Johnson, Sam	Poe (TX)
Cantor	Jordan (OH)	Posey
Capito	King (IA)	Price (GA)
Carter	King (NY)	Putnam
Cassidy	Kingston	Radanovich
Davile (CA)	Kline (MN)	Rehberg
Chaffetz	Lamborn	Roe (TN)
Coble	Latta	Rogers (AL)
Coffman (CO)	Lee (NY)	Rooney
Cole	Lewis (CA)	Roskam
Conaway	Linder	Royce
Crenshaw	Lucas	Ryan (WI)
Culberson	Luetkemeyer	Scalise
Davis (KY)	Lummis	Schmidt
Dent		Schock

NOT VOTING—39

Barrett (SC)	Dreier	Rodriguez
Berkley	Filmer	Rogers (KY)
Bishop (UT)	Gallegly	Rogers (MI)
Boyd	Gerlach	Rohrabacher
Brady (TX)	Gutierrez	Rush
Brown, Corrine	Kilpatrick (MI)	Ryan (OH)
Campbell	Kirk	Sanchez, Loretta
Capuano	Latham	Sestak
Carney	LaTourette	Shimkus
Clarke	Markey (MA)	Simpson
Davis (AL)	McCarthy (NY)	Tanner
Deal (GA)	Murtha	Taylor
Delahunt	Polis (CO)	Young (AK)

□ 1902

Mrs. CAPITO, Messrs. CRENSHAW, TERRY, SCHOCK and HALL of Texas changed their vote from “yea” to “nay.”

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Madam speaker, on rollcall 687, I was unable to vote, as I was away from the Capitol in my capacity as Chairman of the House Veterans Affairs Committee. Had I been present, I would have voted “yea.”

#### MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and in Afghanistan and their families, and all who serve in our Armed Forces and their families.

#### ANNOUNCEMENT BY THE SPEAKER

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

There was no objection.

#### HALE SCOUTS ACT

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 310, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mrs. DAHLKEMPER). The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 310.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 388, nays 0, answered “present” 7, not voting 38, as follows:

[Roll No. 688]

YEAS—388

Abercrombie	Diaz-Balart, L.	Kirkpatrick (AZ)
Ackerman	Diaz-Balart, M.	Kissell
Aderholt	Dicks	Klein (FL)
Adler (NJ)	Dingell	Kline (MN)
Akin	Doggett	Kosmas
Alexander	Donnelly (IN)	Kratovil
Altmire	Doyle	Lamborn
Andrews	Driehaus	Lance
Arcuri	Duncan	Langevin
Austria	Edwards (MD)	Larsen (WA)
Baca	Edwards (TX)	Larson (CT)
Bachmann	Ehlers	Latta
Bachus	Ellison	Lee (CA)
Baird	Ellsworth	Lee (NY)
Barrow	Emerson	Levin
Bartlett	Engel	Lewis (CA)
Barton (TX)	Eshoo	Lewis (GA)
Bean	Etheridge	Linder
Becerra	Fallin	Lipinski
Berman	Farr	LoBiondo
Berry	Fattah	Loebsack
Biggert	Flake	Lofgren, Zoe
Bilbray	Fleming	Lowe
Bilirakis	Forbes	Lucas
Bishop (GA)	Fortenberry	Luetkemeyer
Bishop (NY)	Foster	Luján
Bishop (UT)	Fox	Lummis
Blackburn	Franks (AZ)	Lungren, Daniel
Blumenauer	Frelinghuysen	E.
Blunt	Fudge	Lynch
Bocchieri	Garrett (NJ)	Mack
Boehner	Giffords	Maffei
Bonner	Gingrey (GA)	Maloney
Bono Mack	Gohmert	Manzullo
Boozman	Gonzalez	Marchant
Boren	Goodlatte	Markey (CO)
Boswell	Gordon (TN)	Marshall
Boucher	Granger	Massa
Boustany	Graves	Matheson
Brady (PA)	Grayson	Matsui
Braley (IA)	Green, Al	McCarthy (CA)
Bright	Green, Gene	McCaul
Broun (GA)	Griffith	McClintock
Brown (SC)	Grijalva	McCollum
Brown-Waite,	Guthrie	McCotter
Ginny	Hall (NY)	McDermott
Buchanan	Hall (TX)	McGovern
Burgess	Halvorson	McHenry
Burton (IN)	Hare	McHugh
Butterfield	Harman	McIntyre
Buyer	Harper	McKeon
Calvert	Hastings (FL)	McMahon
Camp	Hastings (WA)	McMorris
Cantor	Heinrich	Rodgers
Cao	Heller	McNerney
Capito	Hensarling	Meek (FL)
Capps	Herger	Meeks (NY)
Cardoza	Herseth Sandlin	Melancon
Carnahan	Higgins	Mica
Carson (IN)	Hill	Michaud
Carter	Himes	Miller (FL)
Cassidy	Hinchee	Miller (MI)
Castle	Hinojosa	Miller (NC)
Castor (FL)	Hirono	Miller, Gary
Chaffetz	Hodes	Mitchell
Chandler	Hoekstra	Mollohan
Childers	Holden	Moore (KS)
Chu	Holt	Moore (WI)
Clay	Honda	Moran (KS)
Cleaver	Hoyer	Moran (VA)
Clyburn	Hunter	Murphy (CT)
Coble	Inglis	Murphy (NY)
Coffman (CO)	Inslee	Murphy, Patrick
Cohen	Israel	Murphy, Tim
Cole	Issa	Myrick
Conaway	Jackson (IL)	Nadler (NY)
Cannolly (VA)	Jackson-Lee	Napolitano
Conyers	(TX)	Neal (MA)
Cooper	Jenkins	Neugebauer
Costa	Johnson (GA)	Nunes
Costello	Johnson (IL)	Nye
Courtney	Johnson, E. B.	Oberstar
Crenshaw	Johnson, Sam	Obey
Crowley	Jones	Olson
Cuellar	Jordan (OH)	Olver
Culberson	Kagen	Ortiz
Cummings	Kanjorski	Pallone
Dahlkemper	Kaptur	Pascarell
Davis (CA)	Kennedy	Pastor (AZ)
Davis (IL)	Kildee	Paul
Davis (KY)	Kilpatrick (MI)	Paulsen
Davis (TN)	Kilroy	Payne
DeFazio	Kind	Pence
DeGette	King (IA)	Perlmutter
DeLauro	King (NY)	Perriello
Dent	Kingston	Peters

Peterson	Schakowsky	Thompson (PA)
Petri	Schauer	Thornberry
Pingree (ME)	Schiff	Tiahrt
Pitts	Schmidt	Tiberi
Platts	Schock	Tierney
Pomeroy	Schrader	Titus
Posey	Schwartz	Tonko
Price (GA)	Scott (GA)	Towns
Price (NC)	Scott (VA)	Tsongas
Putnam	Sensenbrenner	Turner
Quigley	Serrano	Upton
Radanovich	Sessions	Van Hollen
Rahall	Shadegg	Velázquez
Rangel	Shea-Porter	Visclosky
Rehberg	Sherman	Walden
Reichert	Shuler	Walz
Reyes	Shuster	Wamp
Richardson	Sires	Wasserman
Roe (TN)	Skelton	Schultz
Rogers (AL)	Smith (NE)	Waters
Rooney	Smith (NJ)	Watson
Ros-Lehtinen	Smith (TX)	Watt
Roskam	Smith (WA)	Weiner
Ross	Snyder	Welch
Rothman (NJ)	Souder	Westmoreland
Roybal-Allard	Space	Wexler
Royce	Speier	Whitfield
Ruppersberger	Spratt	Wilson (OH)
Ryan (OH)	Stearns	Wilson (SC)
Ryan (WI)	Sullak	Wittman
Salazar	Sullivan	Wolf
Sanchez, Linda	Sutton	Wu
T.	Teague	Yarmuth
Sarbanes	Terry	Young (FL)
Scalise	Thompson (CA)	
	Thompson (MS)	

ANSWERED "PRESENT"—7

Baldwin	Miller, George	Woolsey
Frank (MA)	Stark	
Kucinich	Waxman	

NOT VOTING—38

Barrett (SC)	Filner	Rogers (KY)
Berkley	Galleghy	Rogers (MI)
Boyd	Gerlach	Rohrabacher
Brady (TX)	Gutierrez	Rush
Brown, Corrine	Kirk	Sanchez, Loretta
Campbell	Latham	Sestak
Capuano	LaTourette	Shimkus
Carney	Markey (MA)	Simpson
Clarke	McCarthy (NY)	Slaughter
Davis (AL)	Minnick	Tanner
Deal (GA)	Murtha	Taylor
Delahunt	Polis (CO)	Young (AK)
Dreier	Rodriguez	

□ 1914

Messrs. GEORGE MILLER of California and KUCINICH changed their vote from "yea" to "present."

So (two-thirds being in the affirmative) the rules were suspended and 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. FILNER. Madam Speaker, on rollcall 688, I was unable to vote, as I was away from the Capitol in my capacity as Chairman of the House Veterans' Affairs Committee. Had I been present, I would have voted "yea."

LEADVILLE MINE DRAINAGE TUNNEL REMEDIATION ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3123, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 3123, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 206, nays 191, not voting 36, as follows:

[Roll No. 689]

YEAS—206

Aderholt	Granger	Mitchell
Akin	Graves	Moran (KS)
Alexander	Griffith	Murphy (NY)
Altmire	Guthrie	Murphy, Tim
Arcuri	Hall (NY)	Myrick
Austria	Hall (TX)	Neugebauer
Bachmann	Harper	Nunes
Bachus	Hastings (WA)	Nye
Barton (TX)	Heinrich	Oberstar
Bean	Heller	Olson
Biggert	Hensarling	Paulsen
Bilbray	Herger	Pence
Bilirakis	Herseth Sandlin	Perlmutter
Bishop (UT)	Higgins	Perriello
Blackburn	Hill	Pitts
Blunt	Hoekstra	Platts
Bocchieri	Hunter	Poe (TX)
Boehner	Inglis	Posey
Bonner	Issa	Price (GA)
Bono Mack	Jenkins	Putnam
Boozman	Johnson (IL)	Radanovich
Boren	Johnson, Sam	Rehberg
Boucher	Jones	Reichert
Boustany	Jordan (OH)	Richardson
Bright	Kaptur	Roe (TN)
Brown (SC)	Kilroy	Rogers (AL)
Brown-Waite,	Kind	Rooney
Ginny	King (IA)	Ros-Lehtinen
Buchanan	King (NY)	Roskam
Burgess	Kingston	Ross
Burton (IN)	Kirkpatrick (AZ)	Royce
Buyer	Kline (MN)	Ruppersberger
Calvert	Kratovil	Ryan (WI)
Camp	Lamborn	Salazar
Cantor	Lance	Scalise
Cao	LaTourette	Schmidt
Capito	Latta	Schock
Carnahan	Lee (NY)	Sensenbrenner
Carter	Lewis (CA)	Sessions
Cassidy	Linder	Shadegg
Castle	Lipinski	Shuster
Chaffetz	LoBiondo	Smith (NE)
Childers	Lucas	Smith (NJ)
Cole	Luetkemeyer	Smith (TX)
Conaway	Lummis	Snyder
Crenshaw	Lungren, Daniel	Souder
Culberson	E.	Space
Dahlkemper	Mack	Spratt
Davis (KY)	Manzullo	Stearns
Dent	Marchant	Sullivan
Diaz-Balart, L.	Marshall	Teague
Diaz-Balart, M.	McCarthy (CA)	Terry
Dicks	McCaul	Thompson (PA)
Donnelly (IN)	McClintock	Thornberry
Ehlers	McCotter	Tiahrt
Emerson	McHenry	Tiberi
Fallin	McHugh	Titus
Fattah	McIntyre	Towns
Fleming	McKeon	Turner
Forbes	McMorris	Upton
Fortenberry	Rodgers	Visclosky
Foster	McNerney	Walden
Fox	Melancon	Wamp
Franks (AZ)	Mica	Westmoreland
Frelinghuysen	Michaud	Whitfield
Garrett (NJ)	Miller (FL)	Wilson (SC)
Gingrey (GA)	Miller (MI)	Wittman
Gohmert	Miller (NC)	Wolf
Goodlatte	Miller, Gary	Young (FL)
	Minnick	

NAYS—191

Abercrombie	Capps	Cummings
Ackerman	Cardoza	Davis (CA)
Adler (NJ)	Carson (IN)	Davis (IL)
Andrews	Castor (FL)	Davis (TN)
Baca	Chandler	DeFazio
Baird	Chu	DeGette
Baldwin	Clay	DeLauro
Barrow	Cleaver	Dingell
Bartlett	Clyburn	Doggett
Becerra	Coble	Doyle
Berry	Cohen	Driehaus
Bishop (GA)	Connolly (VA)	Duncan
Bishop (NY)	Conyers	Edwards (MD)
Blumenauer	Cooper	Edwards (TX)
Boswell	Costa	Ellison
Brady (PA)	Costello	Ellsworth
Braley (IA)	Courtney	Engel
Broun (GA)	Crowley	Eshoo
Butterfield	Cuellar	Etheridge