by whatever means necessary. Sometimes they go under, but in the case of the ultralights, they are going over the border.

□ 1200

In the Tucson sector, there are more drugs and illegal immigrants apprehended than in all other parts of the United States. Last fiscal year, the Border Patrol in the Tucson sector seized over 1.2 million pounds of marijuana. Other drugs were seized as well, like cocaine, like methamphetamine that Mr. HELLER was talking about.

In fiscal year 2009, there were over 240,000 apprehensions of illegal immigrants—those that we just apprehended in the Tucson sector of the Border Patrol.

So we know that thousands and hundreds of thousands of people are crossing illegally.

And now we have this latest weapon, the ultralight, that they are using to produce an ever-expanding arsenal from the narco-terrorists, capable of not just transporting illegal drugs, but any number of dangerous payloads. These planes have now been reported flying up to 200 miles north of the border.

I first learned about the illicit use of ultralights in a briefing from the United States Border Patrol. Their message was unambiguous. We need to crack down on ultralight aircraft now. The National Drug Intelligence Center, in their 2010 National Drug Threat Assessment, also identified ultralights as a growing threat.

According to the CBP Air and Marine Operation Center based in Riverside, California, there were 193 suspected incursions into the United States and 135 confirmed incursions into the United States by ultralights from October 1 of last year through April.

Some examples: In October of 2008, we detected an unidentified northbound low-flying aircraft 12 miles north of Nogales, Arizona. A CBP surveillance helicopter launched from Tucson identified the low-flying aircraft as an ultralight. The pilot was forced down in Marana, Arizona. He was carrying a cargo of over 225 pounds of marijuana.

In November 2008, near San Luis, field workers arrived for work and discovered a crashed ultralight, the pilot was dead, 141 pounds of marijuana.

December of 2008, the pilot of an ultralight collided with power lines and crashed southwest of Tucson, Arizona. He was carrying 250 pounds of marijuana.

And just this past May, at 6:20 early on a Sunday morning, the North American Aerospace Defense Command detected a small, low-flying aircraft in southern Arizona near the border with Mexico. NORAD quickly scrambled two F–16s to intercept the ultralight, shadowing it for 30 minutes before it was forced back into Mexico.

The threat is real.

It is time for the Federal Government to get ahead of these drug smugglers. There is no excuse for the Federal Government to not act sooner on this known threat. So today we're doing something about it.

The problem has been that lightweight ultralights are not officially categorized as aircraft by the Federal Aviation Administration so our law enforcement has not had the tools they need to address the rising threat, and that is why I introduced H.R. 5307, the Ultralight Smuggling Prevention Act, along with my Republican colleague from Nevada, Congressman DEAN HELLER.

This is a bipartisan, commonsense bill that will finally close the loophole that's been exploited by drug cartel kingpins and give our law enforcement the actual tools they need to fight this escalating crisis.

H.R. 5307 will amend the Tariff Act of 1930 to include ultralight vehicles under the aviation smuggling provisions, finally giving law enforcement the tools they need to prosecute these crimes to the fullest extent. Our bill will establish the same penalties for smuggling drugs on ultralights as for smuggling on airplanes or in cars or in trucks.

Millions of pounds of marijuana are coming into the United States every single year. They're coming through on vehicles or they're coming through with people. And sometimes, more often it's a combination of both. With our bill, individuals caught smuggling on ultralights will be prosecuted for using the ultralight in addition to being prosecuted for the drugs they have in their possession. This will carry a maximum sentence of up to 20 years in prison and a $250,000 fine.

The Ultralight Smuggling Prevention Act is a long overdue solution, which is why it's been received well in our community, and we have had several endorsements. For example the Arizona Farm Bureau, the Arizona Cattle Growers' Association, and the Pima County Sheriff's Office.

In closing, Mr. Speaker, while the men and the women of the Border Patrol and of ICE have made great progress in stemming the flow of drugs and illegal immigrants, our southern border is not yet secure, and many of the people I represent live in constant fear. The murder of my constituent, Rob Krentz, in March has heightened those fears and, quite frankly, has given rise to the anger and frustration that southern Arizonans and all Americans feel toward our government's inability to live up to its first responsibility—ensuring the safety and security of all American citizens.

Mr. Speaker, improving border security has been my top priority since I first came here in January of 2007. I have been steadfast in my support of increased funding to bring more agents and more assets to southern Arizona, redeploying the National Guard and passing a $600 million emergency border security funding bill.

What so many Members of Congress do not understand is that the Border Patrol is outmanned, outgunned, and they're out-resourced. So we must remain constantly vigilant and one step ahead of the enemy.

The violent cartels of Mexico are exploiting a new weakness in our defense, and the bill we are considering today will strengthen our national security. The bill will render useless the newest tool of the drug traffickers, making our communities safer.

Again, I want to thank Mr. HELLER for joining me on this very important piece of legislation. I'd also like to express my appreciation to Chairman TANNER, and to the staff, especially Jennifer McCadney, for moving this important legislation forward.

Mr. HELLER. Madam Speaker, I yield myself 1 minute to reiterate my support for this bipartisan legislation.

The Ultralight Smuggling Prevention Act will serve as an important deterrent to the use of ultralights for drug smuggling along our borders and help curb the supply of illegal narcotics in our Nation. I urge my colleagues to support and vote for the Ultralight Smuggling Prevention Act.

I yield back the balance of my time.

Mr. TANNER. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Ms. RICHARDSON). The question is on the motion offered by the gentleman from Tennessee (Mr. TANNER) that the House suspend the rules and pass the bill, H.R. 5307, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. PRICE of Georgia. Madam Speaker, I rise to a question of the privileges of the House and offer the resolution previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Whereas a reconvening of Congress between the regularly scheduled Federal election in November and the start of the next session of Congress is known as a lame-duck session of Congress;

Whereas Democrats have recently insinuated that significant legislative matters would deliberately not be addressed during the 111th Congress until after the midterm 2010 elections;

Whereas this Congress began its mortgage of the Nation's future with a ''stimulus'' package costing $1.1 trillion that failed to lower unemployment, spur economic growth, or actually address the needs of struggling American businesses and families;

Whereas this Congress continued its free-wheeling spending with an increase of $72.4

billion in nonemergency discretionary spending in fiscal year 2009 to reach a total spending level of $1.01 trillion for the first time in United States history;

Whereas this Congress approved a budget resolution in 2009 that proposed the 6 largest nominal deficits in American history and included tax increases of $423 billion during a period of sustained high unemployment;

Whereas the House of Representatives disregarded the interests and opinions of everyday Americans by passing a national energy tax bill that would increase costs on nearly every aspect of American lives by up to $3,000 per person per year, eliminate millions of jobs, reduce workers' income, and devastate economic growth;

Whereas this Congress disregarded the interests and opinions of everyday Americans by passing a massive government takeover of health care that will force millions of Americans from their health insurance plans, increase premiums and costs for individuals and employers, raise taxes by $569.2 billion, and fund abortions—all at a cost of $2.64 trillion over the first 10 years of full implementation;

Whereas this Congress nationalized the student loan industry with a potential cost of 30,000 private sector jobs and $50.1 billion over 10 years;

Whereas the House of Representatives passed the DISCLOSE Act, which would violate the First Amendment and hinder the free speech of citizens associations and corporations while leaving all unions exempt from many of the new requirements, in order to try to influence the outcome of the midterm 2010 elections;

Whereas in spite of the House Budget Committee Chairman's 2006 statement that ''if you can't budget, you can't govern'', the Democrat leadership has failed to introduce a budget resolution in 2010 as mandated by law, but instead self-executed a ''deeming resolution'' that increases nonemergency discretionary spending in fiscal year 2011 by $30 billion to $1.121 trillion, setting another new record for the highest level in United States history;

Whereas this Congress has failed Main Street through passage of a financial system takeover that fails to end the moral hazard of too-big-to-fail, does not address Fannie Mae and Freddie Mac, and creates numerous new boards, councils, and positions with unconstitutionally broad authorities that will interfere with the creation of wealth and jobs;

Whereas this Congress has wasted taxpayer funds on an unnecessary and unconstitutional auto industry bailout, a ''cash for clunkers'' program, a home remodification program (''cash for caulkers''), and countless other special interest projects while allowing the public debt to reach its highest level in United States history;

Whereas the New York Times reported on June 19, 2010, that ''[f]or all the focus on the historic federal rescue of the banking industry, it is the government's decision to seize Fannie Mae and Freddie Mac in September 2008 that is likely to cost taxpayers the most money. . . . Republicans want to sever ties with Fannie and Freddie once the crisis abates. The Obama administration and Congressional Democrats have insisted on postponing the argument until after the midterm elections'';

Whereas the Washington Times reported on June 22, 2010, that House Majority Leader Steny Hoyer stated, ''a budget, which sets out binding one-year targets and a multiyear plan, is useless this year because Congress has shunted key questions about deficits to the independent debt commission created by President Obama, which is due to report back at the end of this year'';

Whereas the Hill reported on June 24, 2010, that Senator Tom Harkin, a Democrat from Iowa, suggested that ''Democrats might attempt to move 'card-check' legislation this year, perhaps during a lame-duck session. . . . 'A lot of things can happen in a lame-duck session, too,' he said'';

Whereas the New York Times published an article on June 28, 2010, titled ''Lame-Duck Session Emerges as Possibility for Climate Bill Conference'' that declares, ''many expect the final energy or climate bill to be worked out during the lame-duck session between the November election and the start of the new Congress in January'';

Whereas the Hill reported on July 1, 2010, that ''Democratic leaders are likely to punt the task of renewing Bush-era tax cuts until after the election. Voters in November's midterms will thus be left without a clear idea of their future tax rates when they go to the polls'';

Whereas the Wall Street Journal reported on July 13, 2010, that ''there have been signs in recent weeks that party leaders are planning an ambitious, lame-duck session to muscle through bills in December they don't want to defend before November. Retiring or defeated members of Congress would then be able to vote for sweeping legislation without any fear of voter retaliation'';

Whereas the Hill reported on July 27, 2010, that Senate Majority Leader Harry Reid said, at the recent Netroots Nation conference of liberal bloggers, in reference to Democrats' unfinished priorities, ''We're going to have to have a lame duck session, so we're not giving up'';

Whereas the Hill reported in the same piece on July 27, 2010, that the lame-duck session will include priorities such as ''comprehensive immigration reform, climate change legislation and a whole host of other issues'';

Whereas during NBC's Meet the Press on August 8, 2010, White House advisor Carol Browner stated that Congress would ''potentially'' deal with a national energy tax bill in a lame-duck session;

Whereas the Hill reported on August 20, 2010, that Rep. Mike Quigley (D–IL) said, ''I'm more hopeful about the lame duck session. I have faith that we're going to repeal Don't Ask Don't Tell'';

Whereas the members of the House Republican Conference, as an alternative to passing a massive omnibus spending bill for next year during a lame-duck session, have called on members of both parties, as a starting point, to work together this month to enact legislation that cuts nonsecurity discretionary spending to 2008 levels (the last year before the wave of bailouts, stimulus spending sprees, and takeovers that have dismayed the American people) for the next year and provides much-needed certainty to American small businesses by freezing tax rates at their current levels for the next 2 years;

Whereas recent public polling shows that the American people clearly oppose the idea of dealing with major new legislation in a lame-duck session;

Whereas the Declaration of Independence notes that governments ''[derive] their just powers from the consent of the governed'';

Whereas the American people have expressed their loss of confidence through self-organized and self-funded taxpayer marches on Washington, at countless ''tea party'' events, at townhalls and speeches, and with numerous letters, emails, and phone calls to their elected representatives;

Whereas the Democrat majority has all but announced plans to use any lame-duck Congress to advance currently unattainable, partisan policies that are widely unpopular with the American people or that further increase the national debt against the will of most Americans;

Whereas reconvening the House of Representatives in a lame-duck session to address major new legislation subverts the will of the American people, lessens accountability, and does lasting damage to the dignity and integrity of this body's proceedings; and

Whereas under the leadership of Speaker Pelosi and the Democrat majority, and largely due to the current trends of expanding governmental power and limiting individual liberty, the American people have lost confidence in their elected officials, and that faith must be restored: Now, therefore, be it—

Resolved, That the House of Representatives pledges not to assemble on or between November 2, 2010, and January 3, 2011, except in the case of an unforeseen, sudden emergency requiring immediate action from Congress, and that the consideration of any of the following matters does not constitute an unforeseen, sudden emergency:

(1) Card check, including H.R. 1409 (111th).

(2) A national energy tax, including H.R. 2454 (111th).

(3) Any legislation that would provide more authority to Fannie Mae or Freddie Mac.

(4) Any legislation pertaining to the Immigration and Nationality Act.

(5) Any legislation making regular appropriations for fiscal year 2011 that would be an increase over previous funding levels.

(6) Any legislation increasing any tax on any American.

The SPEAKER pro tempore (Ms. RICHARDSON). Does the gentleman from Georgia wish to present his argument on why the resolution is privileged under rule IX to take precedence over other questions?

Mr. PRICE of Georgia. I do, Madam Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. PRICE of Georgia. Madam Speaker, the rules of the House are important. Following these rules increases the trust of the American people in our institution, in our actions, a trust that is pivotal to the survival of our Republic.

The questions of privilege of the House in this resolution come to the floor by virtue of rule IX, which states in part: ''Questions of privilege shall be first those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings.'' Integrity of its proceedings, Madam Speaker.

Further: ''Those questions of privilege shall be those affecting the rights, reputation, and conduct of its Members.''

□ 1220

Madam Speaker, the reputation and the conduct of Members and the integrity of our proceedings is in question and is highlighted in this resolution. What could be more questionable than having this House adopt further affronts to this great country in a lame duck session.

As the resolution states in just one ''whereas,'' ''Whereas reconvening the House of Representatives in a lame

duck session to address major new legislation subverts the will of the American people, lessens accountability, and does lasting damage to the dignity and integrity of this body's proceedings.''

Madam Speaker, the intent of the majority is very clear. They want to spend more, they want to tax more, they want to borrow more, and they wish to harm more job creation in this lame duck session. And the American people don't want this.

To positively represent our constituents, I urge the Speaker to allow this resolution to be considered.

The SPEAKER pro tempore. The Chair is prepared to rule.

The resolution offered by the gentleman from Georgia declares a variety of facts and circumstances and expresses sundry opinions. On those premises the resolution proposes to prescribe principles by which to schedule or conduct the constitutional session of the House. It ultimately proposes a special rule to govern the final months of the constitutional session of the House.

In evaluating the resolution under the standards of rule IX, the Chair must be mindful of a fundamental principle illuminated by annotations of precedent in section 706 of the House Rules and Manual, to wit: that a question of the privileges of the House may not be invoked to effect a change in the rules or standing orders of the House or their interpretation, nor to prescribe a special rule or order of business.

The averment that this resolution presents a question of the privileges of the House under rule IX embodies a precisely contrary principle. It augurs that the mere articulation of some prudential motive makes it privileged to regulate the proceedings of the House on instant bases. Under such an approach, each individual Member of the House could constitute himself or herself as a virtual Rules Committee. Any Member would be able to place before the House at any time whatever proposed order of business he or she might deem advisable, simply by alleging an insult to dignity or integrity secondary to some action or inaction. In such an environment, anything could be privileged, so nothing would enjoy true privilege. With every question having precedence over every other question, the legislative attention of the House would be managed ad hoc by the presiding officer's discretionary power of recognition.

Under the long and well-settled line of precedent presently culminating in the ruling of August 10, 2010, the Chair finds that such a resolution does not affect ''the rights of the House collectively, its safety, dignity, or the integrity of its proceedings'' within the meaning of clause 1 of rule IX and, therefore, does not qualify as a question of the privileges of the House. The Chair therefore holds that the resolution is not privileged for consideration ahead of other business. Instead, the resolution may be submitted through the hopper for possible consideration in the regular course.

Mr. PRICE of Georgia. Madam Speaker, 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

Mr. HASTINGS of Florida. Madam Speaker, I move to table the appeal of the ruling of the Chair.

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.

Mr. PRICE of Georgia. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to table will be followed by 5-minute votes on ordering the previous question on House Resolution 1640; adoption of House Resolution 1640, if ordered; motion to suspend the rules on H.R. 5110; and motion to suspend the rules on H.R. 4823.

The vote was taken by electronic device, and there were—yeas 236, nays 172, not voting 24, as follows:

[Roll No. 534]

YEAS—236

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boucher
Boyd
Brady (PA)
Brown, Corrine
Butterfield
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu

NAYS—172

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bishop (UT)
Blackburn
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Crenshaw
Culberson
Davis (KY)
Dent
Diaz-Balart, M.
Djou
Dreier
Duncan
Ehlers
Emerson
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves (GA)
Graves (MO)
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)

NOT VOTING—24

Becerra
Bilirakis
Blunt
Boren
Braley (IA)
Bright
Capuano
Conaway
Costa
Davis (IL)
Diaz-Balart, L.
Ellison
Fallin
Hall (NY)
Heller
Honda
McCarthy (CA)
Meek (FL)
Pence
Roskam
Sullivan
Teague
Yarmuth
Young (FL)

□ 1251

Messrs. KINGSTON, SHUSTER, MACK, BOOZMAN, and Mrs. CAPITO changed their vote from ''yea'' to ''nay.''

Mr. NEAL changed his vote from ''nay'' to ''yea.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ELLISON. Madam Speaker, on September 23, 2010, I inadvertently missed rollcall No. 534, but had I been present I would have voted "yea."

Stated against:

Mr. BILIRAKIS. Madam Speaker, on rollcall No. 534, had I been present, I would have voted "nay."

Mr. CONAWAY. Madam Speaker, on rollcall No. 534, to Table the Appeal of the Ruling of the Chair, had I been present, I would have voted "nay."

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 5297, SMALL BUSINESS JOBS ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1640, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 230, nays 181, not voting 21, as follows:

[Roll No. 535]

YEAS—230

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boucher
Boyd
Brady (PA)
Brown, Corrine
Butterfield
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McMahon
McNerney
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—181

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Crenshaw
Culberson
Davis (KY)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Djou
Dreier
Duncan
Ehlers
Emerson
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves (GA)
Graves (MO)
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)

NOT VOTING—21

Becerra
Bilbray
Blunt
Boren
Braley (IA)
Bright
Buyer
Capuano
Cohen
Conaway
Fallin
Hall (NY)
Honda
McMorris Rodgers
Meek (FL)
Moore (KS)
Stark
Thornberry
Towns
Velázquez
Young (FL)

□ 1259

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. BILBRAY. Madam Speaker, on rollcall No. 535, had I been present, I would have voted "nay."

Mr. CONAWAY. Madam Speaker, on rollcall No. 535—H. Res. 1640—on ordering the previous question, had I been present, I would have voted "nay."

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

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

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 186, not voting 20, as follows:

[Roll No. 536]

YEAS—226

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boucher
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Chandler
Chu
Clarke
Clay
Clyburn
Cohen
Connolly (VA)
Conyers
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meeks (NY)
Melancon