

Mr. Speaker, H.R. 1693 seeks to clarify the definition of a fire protection employee. The bill reflects the range of lifesaving activities engaged in by today's fire service, built upon its long tradition of responding to all in need of help. Specifically, today's firefighter, in addition to fire suppression, may also be expected to respond to medical emergencies, hazardous materials events, or even to possible incidents created by weapons of mass destruction.

The issue addressed by H.R. 1693, Mr. Speaker, concerns fire department paramedics trained to fight fires who have prevailed in several civil suits for overtime compensation under the FLSA. The paramedics successfully argued they were not fire protection employees covered by the FLSA exemption since more than 20 percent of their normal shift time was spent engaged in emergency responses rather than firefighting, such as emergency medical calls.

The U.S. Supreme Court has declined to consider these cases, thus exposing city and county governments to compensation liability for unpaid overtime into the millions of dollars. For example, one subdivision I am privileged to represent, Anne Arundel, Maryland, taxpayers are liable for \$3.5 million under a recent FLSA case.

The potential consequences of these cases are serious and far-reaching and could ultimately result in a dramatic increase in the local costs of fire protection to taxpayers nationwide.

This bipartisan bill is supported by the International Association of Firefighters, the International Association of Fire Chiefs, the National Association of Counties, Labor and Management support this bill as a remedy, as the remedy, for an increasingly serious situation.

Keep in mind, Mr. Speaker, H.R. 1693 only affects those who are trained, prepared and have the legal authority to engage in fire suppression, but also work to save lives in so many other ways. This bill clarifies the law by more precisely defining those duties that should qualify for the firefighter exemption, thereby preserving the intended flexibility afforded to cities and fire departments under the original Fair Labor Standards Act.

On a point of personal privilege, Mr. Speaker, I would like to thank the gentleman from Ohio (Mr. BOEHNER) for managing the bill on the floor, the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the full committee, the gentleman from Pennsylvania (Mr. WELDON), the gentleman from New Jersey (Mr. ANDREWS), the cochairs of the Congressional Fire Caucus.

Mr. CLAY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BOEHNER. Mr. Speaker, I have no requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. BOEHNER) that the House suspend the rules and pass the bill, H.R. 1693.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1693.

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

There was no objection.

SENSE OF CONGRESS THAT SCHOOLS SHOULD USE PHONICS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 214, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. MCINTOSH) that the House suspend the rules and agree to concurrent resolution, H. Con. Res. 214, as amended, on which the yeas and the nays are ordered.

The vote was taken by electronic device, and there were—yeas 224, nays 193, answered "present" 2, not voting 14, as follows:

[Roll No. 564]

YEAS—224

Aderholt	Campbell	Emerson
Archer	Canady	English
Armey	Cannon	Everett
Baker	Castle	Ewing
Ballenger	Chabot	Fletcher
Barr	Chambliss	Foley
Barrett (NE)	Chenoweth-Hage	Forbes
Bartlett	Coble	Fossella
Barton	Coburn	Fowler
Bass	Collins	Gallegly
Bateman	Combest	Ganske
Biggert	Cook	Gekas
Bilbray	Cooksey	Gibbons
Bilirakis	Costello	Gilchrest
Billey	Cox	Gillmor
Blunt	Crane	Goode
Boehner	Cubin	Goodlatte
Bonilla	Cunningham	Goodling
Bono	Davis (VA)	Goss
Borski	Deal	Graham
Boswell	DeLay	Granger
Brady (TX)	DeMint	Green (TX)
Bryant	Diaz-Balart	Green (WI)
Burr	Dickey	Greenwood
Burton	Doolittle	Hansen
Buyer	Dreier	Hastings (WA)
Callahan	Duncan	Hayes
Calvert	Dunn	Hayworth
Camp	Ehrlich	Hefley

Herger	Mica	Sherwood
Hill (MT)	Miller (FL)	Shimkus
Hilleary	Miller, Gary	Shows
Hinchee	Mollohan	Shuster
Hobson	Moran (KS)	Simpson
Holden	Morella	Skeen
Horn	Myrick	Smith (MI)
Hostettler	Nethercutt	Smith (NJ)
Hulshof	Ney	Smith (TX)
Hunter	Northup	Souder
Hutchinson	Norwood	Spence
Hyde	Nussle	Stearns
Isakson	Ose	Stenholm
Istook	Packard	Stump
Jenkins	Pease	Sununu
John	Peterson (MN)	Sweeney
Johnson (CT)	Peterson (PA)	Talent
Johnson, Sam	Petri	Tancredo
Jones (NC)	Phelps	Tauzin
Kaptur	Pickering	Taylor (MS)
Kasich	Pitts	Taylor (NC)
Kelly	Pombo	Terry
King (NY)	Porter	Thomas
Kingston	Portman	Thornberry
Knollenberg	Pryce (OH)	Thune
Kolbe	Quinn	Tiahrt
Kuykendall	Radanovich	Traficant
LaHood	Rahall	Upton
Largent	Regula	Vitter
Latham	Riley	Walden
LaTourette	Rogan	Walsh
Lazio	Rogers	Wamp
Lewis (CA)	Rohrabacher	Watkins
Lewis (KY)	Ros-Lehtinen	Watts (OK)
Lipinski	Roukema	Waxman
Lucas (OK)	Royce	Weldon (FL)
Maloney (CT)	Ryan (WI)	Weldon (PA)
Manzullo	Ryun (KS)	Weller
McCollum	Salmon	Whitfield
McCrery	Sanford	Wicker
McHugh	Saxton	Wilson
McInnis	Schaffer	Wise
McIntosh	Sensenbrenner	Wolf
McIntyre	Shadegg	Young (AK)
McKeon	Shaw	Young (FL)
Metcalf	Shays	

NAYS—193

Ackerman	Doggett	Kucinich
Allen	Dooley	LaFalce
Andrews	Doyle	Lampson
Baird	Edwards	Lantos
Baldacci	Engel	Lee
Baldwin	Eshoo	Levin
Barcia	Etheridge	Lewis (GA)
Barrett (WI)	Evans	LoBiondo
Becerra	Farr	Lofgren
Bentsen	Fattah	Lowey
Berkley	Filner	Lucas (KY)
Berman	Ford	Luther
Berry	Frank (MA)	Maloney (NY)
Blagojevich	Franks (NJ)	Markey
Blumenauer	Frelinghuysen	Martinez
Boehlert	Frost	Mascara
Bonior	Gejdenson	Matsui
Boucher	Gephardt	McCarthy (MO)
Boyd	Gilman	McCarthy (NY)
Brady (PA)	Gonzalez	McDermott
Brown (FL)	Gordon	McGovern
Brown (OH)	Gutierrez	McKinney
Capps	Gutknecht	McNulty
Capuano	Hall (OH)	Meehan
Cardin	Hall (TX)	Meeks (NY)
Carson	Hastings (FL)	Menendez
Clay	Hill (IN)	Millender-
Clayton	Hilliard	McDonald
Clement	Hinojosa	Miller, George
Clyburn	Hoefl	Minge
Condit	Hoekstra	Mink
Conyers	Holt	Moakley
Coyne	Hooley	Moore
Cramer	Hoyer	Moran (VA)
Crowley	Inslee	Murtha
Cummings	Jackson (IL)	Nadler
Danner	Jackson-Lee	Napolitano
Davis (FL)	(TX)	Neal
Davis (IL)	Jefferson	Oberstar
DeFazio	Johnson, E. B.	Olver
DeGette	Jones (OH)	Ortiz
Delahunt	Kennedy	Owens
DeLauro	Kildee	Pallone
Deutsch	Kilpatrick	Pascarell
Dicks	Kind (WI)	Pastor
Dingell	Kleczka	Paul
Dixon	Klink	Pelosi