

Cramer	Kind	Rahall
Crowley	Kucinich	Rangel
Cuellar	Langevin	Reyes
Cummings	Lantos	Ross
Davis (AL)	Larsen (WA)	Rothman
Davis (CA)	Larson (CT)	Roybal-Allard
Davis (FL)	Lee	Ruppersberger
Davis (IL)	Levin	Rush
Davis (TN)	Lewis (GA)	Ryan (OH)
DeFazio	Lipinski	Sabo
DeGette	Lofgren, Zoe	Salazar
Delahunt	Lowey	Sánchez, Linda
DeLauro	Lynch	T.
Dicks	Maloney	Sanchez, Loretta
Dingell	Markey	Sanders
Doggett	Marshall	Schakowsky
Doyle	Matheson	Schiff
Edwards	McCarthy	Schwartz (PA)
Emanuel	McCollum (MN)	Scott (GA)
Engel	McDermott	Scott (VA)
Etheridge	McGovern	Serrano
Evans	McIntyre	Sherman
Farr	McKinney	Skelton
Fattah	McNulty	Slaughter
Filner	Meehan	Smith (WA)
Ford	Meek (FL)	Snyder
Frank (MA)	Meeks (NY)	Solis
Gonzalez	Melancon	Spratt
Gordon	Menendez	Stark
Green, Al	Michaud	Strickland
Green, Gene	Millender-	Tanner
Grijalva	McDonald	Tauscher
Gutierrez	Miller (NC)	Taylor (MS)
Harman	Miller, George	Thompson (CA)
Hastings (FL)	Mollohan	Thompson (MS)
Hereth	Moore (KS)	Tierney
Higgins	Moore (WI)	Towns
Holden	Moran (VA)	Udall (CO)
Holt	Murtha	Udall (NM)
Honda	Nadler	Van Hollen
Hooley	Napolitano	Velázquez
Hoyer	Neal (MA)	Visclosky
Inlee	Oberstar	Wasserman
Israel	Obey	Schultz
Jackson (IL)	Olver	Waters
Jackson-Lee	Ortiz	Watson
(TX)	Owens	Watt
Jefferson	Pallone	Waxman
Johnson, E. B.	Pascrell	Weiner
Jones (OH)	Pastor	Wexler
Kanjorski	Payne	Woolsey
Kaptur	Pelosi	Wu
Kennedy (RI)	Peterson (MN)	Wynn
Kildee	Pomeroy	
Kilpatrick (MI)	Price (NC)	

NOT VOTING—7

Carter	Hinchey	Stupak
Eshoo	Hinojosa	
Feeney	Radanovich	

□ 1146

Messrs. BLUMENAUER, KANJORSKI, OBEY, RANGEL, and TIERNEY changed their vote from “yea” to “nay.”

Mr. TANCREDO changed his vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NOTICE OF INTENTION TO OFFER MODIFICATION TO NADLER AMENDMENT TO REAL ID ACT OF 2005

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

Mr. NADLER. Mr. Speaker, I would like to take this time to explain a unanimous consent request I am about to make.

Mr. Speaker, I regret I must request unanimous consent to amend my

amendment, which I am going to offer later, but the process the majority has chosen to use is, to say the least, unfair. The rule makes in order virtually a new bill, which we did not get to see until after the deadline for submitting amendments to the Committee on Rules.

There was no opportunity to draft our amendments to reflect the bill that we are now considering. My amendment would strike section 101 from the bill as amended by the manager’s amendment. But the manager’s amendment adds a provision to which we do not object, namely, raising the cap on asylum adjustments. This unanimous consent request would change my amendment so as not to change this good provision added at the last minute by the chairman. If we had seen the manager’s amendment before the Committee on Rules deadline, this request would not be necessary.

□ 1145

If the majority is sincere in wanting a fair process, there should be no reason to object to this unanimous consent request. This unanimous consent request would not have been necessary if we had seen the manager’s amendment before the rules deadline.

REQUEST FOR MODIFICATION TO AMENDMENT NO. 4 TO REAL ID ACT OF 2005

Mr. NADLER. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 418 pursuant to House Resolution 75, it may be in order to consider amendment No. 4 in House Report 109-4 in the modified form I have placed at the desk.

The SPEAKER pro tempore (Mr. FOSSELLA). The Clerk will report the amendment.

The Clerk read as follows:

AMENDMENT TO H.R. 418 OFFERED BY MR. NADLER OF NEW YORK

Strike section 101 of the bill (and redesignate the succeeding sections of title I accordingly).

Insert, Section 101:

(a) REMOVAL OF CAPS.—Section 209 of the Immigration and Nationality Act (8 U.S.C. 1159) is amended—

(1) in subsection (a)(1)—

(A) by striking “Service” and inserting “Department of Homeland Security”; and

(B) by striking “Attorney General” each place such term appears and inserting “Secretary of Homeland Security or the Attorney General”;

(2) in subsection (b)—

(A) by striking “Not more” and all that follows through “asylum who—” inserting “The Secretary of Homeland Security or the Attorney general, in the Secretary’s or the Attorney General’s discretion and under such regulations as the Secretary or the Attorney General may prescribe, may adjust to the status of an alien lawfully admitted for permanent residence the status of any alien granted asylum who—”; and

(B) in the matter following paragraph (5), by striking “Attorney General” and insert-

ing “Secretary of Homeland Security or the Attorney General”; and

(3) in subsection (c), by striking “Attorney General” and inserting “Secretary of Homeland Security or the Attorney General.”

Mr. NADLER (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from New York?

Mr. SENSENBRENNER. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

REAL ID ACT OF 2005

The SPEAKER pro tempore. Pursuant to House Resolution 75 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 418.

□ 1146

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 418) to establish and rapidly implement regulations for State driver’s license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence, with Mr. UPTON (the Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose on Wednesday, February 9, 2005, all time for general debate pursuant to House Resolution 71 had expired. Pursuant to House Resolution 75, no further general debate shall be in order.

Pursuant to House Resolution 75, the amendment printed in part A of House Report 109-4 is adopted and the bill, as amended, shall be considered as the original bill for the purpose of further amendment and shall be considered read.

The text of H.R. 418, as amended, is as follows:

H.R. 418

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “REAL ID Act of 2005”.