

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered. That the Clerk request the concurrence of the Senate in said bill.

¶47.21 ENERGY AND POLICY PROGRAMS EXTENSION

Mr. Dan SCHAEFER of Colorado moved to suspend the rules and concur in the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 2472) to extend certain programs under the Energy Policy and Conservation Act.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. Dan SCHAEFER of Colorado and Mr. HALL of Texas each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and concur in the Senate amendment to the House amendment to the Senate amendment?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and the Senate amendment to the House amendment to the Senate amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment to the Senate amendment to the House amendment to the Senate amendment was agreed to was, by unanimous consent, laid on the table.

Ordered. That the Clerk notify the Senate thereof.

¶47.22 PRIVATE SECTOR MANDATES

The SPEAKER pro tempore, Mr. KNOLLENBERG, pursuant to House Resolution 426 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3534) to improve congressional deliberation on proposed Federal private sector mandates, and for other purposes.

Mr. SHIMKUS, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶47.23 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. MOAKLEY:

On page 5, line 13, strike "(3)" and all that follows through line 5, page 6.

It was decided in the { Yeas 176
negative } Nays 233

¶47.24 [Roll No. 156] AYES—176

Abercrombie	Baldacci	Bentsen
Ackerman	Barcia	Berman
Allen	Barrett (WI)	Berry
Andrews	Becerra	Bishop

Blagojevich	Hooley
Blumenauer	Hoyer
Bonior	Jackson (IL)
Borski	Jackson-Lee (TX)
Boucher	Jefferson
Boyd	Johnson, E. B.
Brown (CA)	Kanjorski
Brown (FL)	Kaptur
Brown (OH)	Kennedy (MA)
Capps	Kennedy (RI)
Cardin	Kennelly
Carson	Kildee
Clayton	Kilpatrick
Clement	Kind (WI)
Clyburn	Klecza
Condit	Klink
Conyers	Kucinich
Costello	LaFalce
Coyne	Lampson
Cummings	Lantros
Davis (FL)	Lee
Davis (IL)	Levin
DeFazio	Lewis (GA)
DeGette	Lipinski
DeLauro	Lofgren
Deutsch	Lowe
Dicks	Luther
Dingell	Maloney (NY)
Dixon	Manton
Doggett	Markey
Doyle	Martinez
Engel	Mascara
Eshoo	Matsui
Etheridge	McCarthy (MO)
Evans	McDermott
Farr	McGovern
Fazio	McHale
Filner	McKinney
Ford	Meehan
Frank (MA)	Meeke (FL)
Frost	Menendez
Furse	Millender-McDonald
Gejdenson	Miller (CA)
Gephardt	Minge
Gordon	Mink
Green	Moakley
Gutierrez	Mollohan
Hall (OH)	Moran (VA)
Hall (TX)	Morella
Hastings (FL)	Murtha
Hefner	Nadler
Hilliard	Neal
Hinchee	Oberstar
Hinojosa	Obey
Holden	

NOES—233

Aderholt	Cook
Archer	Cooksey
Arney	Cox
Bachus	Cramer
Baker	Crapo
Ballenger	Cubin
Barr	Cunningham
Barrett (NE)	Danner
Bartlett	Davis (VA)
Barton	Deal
Bass	DeLay
Bereuter	Diaz-Balart
Bilbray	Dickey
Bilirakis	Dooley
Bliley	Doolittle
Blunt	Dreier
Boehler	Duncan
Boehner	Dunn
Bonilla	Edwards
Bono	Ehlers
Boswell	Ehrlich
Brady	Emerson
Bryant	English
Bunning	Ensign
Burr	Everett
Burton	Fawell
Buyer	Foley
Callahan	Forbes
Calvert	Fossella
Camp	Fowler
Campbell	Fox
Canady	Franks (NJ)
Cannon	Frelinghuysen
Castle	Gallely
Chabot	Gekas
Chambliss	Gilchrist
Chenoweth	Gillmor
Christensen	Gilman
Coble	Goode
Coburn	Goodlatte
Collins	Goss
Combest	Graham

Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Scott
Serrano
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Traficant
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

Linder	Pitts	Smith (NJ)
LoBiondo	Pombo	Smith (OR)
Lucas	Porter	Smith (TX)
Maloney (CT)	Portman	Smith, Linda
Manzullo	Pryce (OH)	Snowbarger
McCarthy (NY)	Quinn	Solomon
McCollum	Radanovich	Souder
McCreary	Ramstad	Spence
McDade	Redmond	Stearns
McHugh	Regula	Stenholm
McInnis	Riggs	Stump
McIntosh	Riley	Sununu
McIntyre	Roemer	Talent
McKeon	Rogers	Tanner
Metcalf	Rohrabacher	Tauzin
Mica	Ros-Lehtinen	Taylor (NC)
Miller (FL)	Rothman	Thomas
Moran (KS)	Roukema	Thornberry
Myrick	Royce	Thune
Nethercutt	Salmon	Tiahrt
Neumann	Sandlin	Turner
Ney	Sanford	Upton
Northup	Saxton	Walsh
Norwood	Scarborough	Wamp
Nussle	Schaefer, Dan	Watkins
Oxley	Schaffer, Bob	Watts (OK)
Packard	Sensenbrenner	Weldon (FL)
Pappas	Sessions	Weldon (PA)
Parker	Shadegg	Weller
Paul	Shaw	White
Pease	Shays	Whitfield
Peterson (MN)	Sherman	Wicker
Peterson (PA)	Shimkus	Wolf
Petri	Sisisky	Young (AK)
Pickering	Skeen	Young (FL)
Pickett	Smith (MI)	

NOT VOTING—23

Baesler	Gonzalez	Meeks (NY)
Bateman	Goodling	Paxon
Clay	Greenwood	Rogan
Crane	Harman	Ryun
Ewing	Inglis	Schumer
Fattah	Johnson (WI)	Shuster
Ganske	Livingston	Skaggs
Gibbons	McNulty	

So the amendment was not agreed to.

¶47.25 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. WAXMAN:

Page 6, line 5, after "exceeded" insert "or that would remove, prevent the imposition of, prohibit the use of appropriated funds to implement, or make less stringent any such mandate established to protect human health, safety, or the environment".

Page 6, after line 5, insert the following new paragraph and renumber the succeeding paragraphs accordingly:

(4) MODIFICATION OR REMOVAL OF CERTAIN MANDATES.—(A) Section 424(b)(1) of such Act is amended by inserting "or if the Director finds the bill or joint resolution removes, prevents the imposition of, prohibits the use of appropriated funds to implement, or makes less stringent any Federal private sector mandate established to protect human health, safety, or the environment" after "such fiscal year" and by inserting "or identify any provision which removes, prevents the imposition of, prohibits the use of appropriated funds to implement, or makes less stringent any Federal private sector mandate established to protect human health, safety, or the environment" after "the estimate".

Page 6, lines 14, 16, 18, and 20, after "inter-governmental" insert "mandate" and after the closing quotation marks insert "and by inserting 'mandate or removing, preventing the imposition of, prohibiting the use of appropriated funds to implement, or making less stringent any such mandate established to protect human health, safety, or the environment'".

Page 6, line 18, strike "and".

Page 6, line 20, strike the period and insert "and".

Page 6, after line 20, insert the following: