

minute vote on the motion to suspend the rules will be followed by a 5-minute vote on adoption of House Resolution 470.

The vote was taken by electronic device, and there were—yeas 261, nays 165, not voting 8, as follows:

[Roll No. 858]

YEAS—261

Adams	Gallegly	Mica
Aderholt	Gardner	Miller (FL)
Akin	Garrett	Miller (MI)
Alexander	Gerlach	Miller, Gary
Altmire	Gibbs	Mulvaney
Amodei	Gibson	Murphy (PA)
Austria	Gingrey (GA)	Myrick
Bachmann	Goodlatte	Neugebauer
Bachus	Gosar	Noem
Barletta	Gowdy	Nugent
Barrow	Granger	Nunnelee
Bartlett	Graves (GA)	Olson
Barton (TX)	Graves (MO)	Palazzo
Bass (NH)	Griffin (AR)	Paulsen
Benishkek	Griffith (VA)	Pearce
Berg	Grimm	Pence
Biggert	Guinta	Peterson
Billray	Guthrie	Petri
Bilirakis	Hall	Pitts
Bishop (GA)	Hanna	Platts
Bishop (UT)	Harper	Poe (TX)
Black	Harris	Pompeo
Blackburn	Hartzler	Posey
Boehner	Hastings (WA)	Price (GA)
Bonner	Hayworth	Quayle
Bono Mack	Heck	Reed
Boren	Hensarling	Rehberg
Boswell	Herger	Reichert
Boustany	Herrera Beutler	Renacci
Brady (TX)	Hochul	Ribble
Brooks	Holden	Rigell
Broun (GA)	Huelskamp	Rivera
Buchanan	Huizenga (MI)	Roby
Bucshon	Hultgren	Roe (TN)
Buerkle	Hunter	Rogers (AL)
Burgess	Hurt	Rogers (KY)
Burton (IN)	Inslee	Rogers (MI)
Calvert	Issa	Rohrabacher
Camp	Jenkins	Rokita
Campbell	Johnson (IL)	Rooney
Canseco	Johnson (OH)	Ros-Lehtinen
Cantor	Johnson, Sam	Roskam
Capito	Jones	Ross (AR)
Cardoza	Jordan	Ross (FL)
Carter	Kelly	Royce
Cassidy	Kind	Runyan
Chabot	King (IA)	Scalise
Chaffetz	King (NY)	Schilling
Chandler	Kingston	Schmidt
Coble	Kinzinger (IL)	Schock
Coffman (CO)	Kissell	Schweikert
Cole	Kline	Scott (SC)
Conaway	Labrador	Scott, Austin
Cooper	Lamborn	Sensenbrenner
Costa	Lance	Sessions
Costello	Landry	Shimkus
Cravaack	Lankford	Shuler
Crawford	Latham	Shuster
Crenshaw	LaTourette	Simpson
Cuellar	Latta	Smith (NE)
Culberson	Lewis (CA)	Smith (NJ)
Davis (KY)	Lipinski	Smith (TX)
DeFazio	LoBiondo	Southerland
Denham	Loeb sack	Stearns
Dent	Long	Stivers
DesJarlais	Lucas	Stutzman
Diaz-Balart	Luetkemeyer	Sullivan
Dold	Lummis	Terry
Donnelly (IN)	Lungren, Daniel	Thompson (PA)
Duffy	E.	Thornberry
Duncan (SC)	Mack	Tiberi
Duncan (TN)	Manzullo	Tipton
Ellmers	Marchant	Turner (NY)
Emerson	Marino	Turner (OH)
Farenthold	Matheson	Upton
Fincher	McCarthy (CA)	Walberg
Fitzpatrick	McCaul	Walden
Flake	McClintock	Walsh (IL)
Fleischmann	McCotter	Webster
Fleming	McHenry	West
Flores	McIntyre	Westmoreland
Forbes	McKeon	Whitfield
Fortenberry	McKinley	Wilson (SC)
Fox	McMorris	Wittman
Franks (AZ)	Rodgers	Wolf
Frelinghuysen	Meehan	

Womack
Woodall

Yoder
Young (AK)

NAYS—165

Ackerman	Grijalva
Amash	Gutierrez
Andrews	Hahn
Baca	Hanabusa
Baldwin	Hastings (FL)
Becerra	Heinrich
Berkley	Higgins
Berman	Himes
Bishop (NY)	Hinchev
Blumenauer	Hinojosa
Brady (PA)	Hirono
Braley (IA)	Holt
Brown (FL)	Honda
Butterfield	Hoyer
Capps	Israel
Capuano	Jackson (IL)
Carnahan	Jackson Lee
Carney	(TX)
Carson (IN)	Johnson (GA)
Castor (FL)	Johnson, E. B.
Chu	Kaptur
Ciilline	Keating
Clarke (MI)	Kildee
Clarke (NY)	Kucinich
Clay	Langevin
Cleaver	Larsen (WA)
Clyburn	Larson (CT)
Cohen	Lee (CA)
Connolly (VA)	Levin
Conyers	Lewis (GA)
Courtney	Loftgren, Zoe
Critz	Lowey
Crowley	Lujan
Cummings	Lynch
Davis (CA)	Maloney
Davis (IL)	Markey
DeGette	Matsui
DeLauro	McCarthy (NY)
Dicks	McCollum
Dingell	McDermott
Doggett	McGovern
Doyle	McNerney
Dreier	Meeks
Edwards	Michaud
Ellison	Miller (NC)
Engel	Miller, George
Eshoo	Moore
Farr	Moran
Fattah	Murphy (CT)
Frank (MA)	Nadler
Fudge	Neal
Garamendi	Owens
Gohmert	Pallone
Gonzalez	Pascrell
Green, Al	Pastor (AZ)
Green, Gene	Payne

Young (FL)	Young (IN)
Pelosi	
Perlmutter	
Peters	
Pingree (ME)	
Polis	
Price (NC)	
Quigley	
Rahall	
Rangel	
Reyes	
Richardson	
Richmond	
Rothman (NJ)	
Roybal-Allard	
Ruppersberger	
Rush	
Ryan (OH)	
Ryan (WI)	
Sanchez, Linda	
T.	
Sanchez, Loretta	
Sarbanes	
Schakowsky	
Schiff	
Schrader	
Schwartz	
Scott (VA)	
Scott, David	
Serrano	
Sewell	
Sherman	
Sires	
Slaughter	
Smith (WA)	
Speier	
Stark	
Sutton	
Thompson (CA)	
Thompson (MS)	
Tierney	
Tonko	
Towns	
Tsongas	
Van Hollen	
Velázquez	
Visclosky	
Walz (MN)	
Wasserman	
Schultz	
Waters	
Watt	
Waxman	
Welch	
Wilson (FL)	
Woolsey	
Yarmuth	

PROVIDING FOR CONSIDERATION OF H.R. 3094, WORKFORCE DEMOCRACY AND FAIRNESS ACT

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 470) providing for consideration of the bill (H.R. 3094) to amend the National Labor Relations Act with respect to representation hearings and the timing of elections of labor organizations under that Act, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 239, nays 167, not voting 27, as follows:

[Roll No. 859]

YEAS—239

Adams	Forbes	Manzullo
Aderholt	Fortenberry	Marino
Akin	Fox	Matheson
Alexander	Franks (AZ)	McCarthy (CA)
Amash	Frelinghuysen	McCaul
Amodei	Gardner	McClintock
Austria	Garrett	McCotter
Bachmann	Gerlach	McHenry
Bachus	Gibbs	McIntyre
Barletta	Gibson	McKeon
Bartlett	Gingrey (GA)	McKinley
Barton (TX)	Gohmert	McMorris
Bass (NH)	Goodlatte	Rodgers
Benishkek	Gosar	Meehan
Berg	Gowdy	Mica
Biggert	Granger	Miller (FL)
Billray	Graves (GA)	Miller (MI)
Bilirakis	Graves (MO)	Miller, Gary
Bishop (UT)	Griffin (AR)	Mulvaney
Black	Griffith (VA)	Murphy (PA)
Blackburn	Grimm	Myrick
Bonner	Guinta	Neugebauer
Bono Mack	Guthrie	Noem
Boren	Hall	Nugent
Boustany	Hanna	Nunnelee
Brooks	Harper	Olson
Broun (GA)	Harris	Palazzo
Buchanan	Hartzler	Paulsen
Bucshon	Hastings (WA)	Pearce
Buerkle	Hayworth	Pence
Burgess	Heck	Petri
Burton (IN)	Hensarling	Pitts
Calvert	Herger	Platts
Camp	Herrera Beutler	Poe (TX)
Campbell	Huelskamp	Pompeo
Canseco	Huizenga (MI)	Posey
Cantor	Hultgren	Price (GA)
Capito	Hunter	Quayle
Carter	Hurt	Reed
Cassidy	Issa	Rehberg
Chabot	Jenkins	Reichert
Chaffetz	Johnson (IL)	Renacci
Chandler	Johnson (OH)	Ribble
Coble	Johnson, Sam	Rigell
Coffman (CO)	Jones	Rivera
Cole	Jordan	Roby
Conaway	Kelly	Roe (TN)
Cravaack	King (IA)	Rogers (AL)
Crawford	King (NY)	Rogers (KY)
Culberson	Kingston	Rogers (MI)
Davis (KY)	Kinzinger (IL)	Rohrabacher
Denham	Klaine	Rokita
Dent	Labrador	Rooney
DesJarlais	Lamborn	Ros-Lehtinen
Diaz-Balart	Lance	Ross (AR)
Dold	Landry	Ross (FL)
Dreier	Lankford	Royce
Duffy	Latham	Runyan
Duncan (SC)	LaTourette	Scalise
Duncan (TN)	Latta	Schilling
Ellmers	Lewis (CA)	Schmidt
Emerson	LoBiondo	Schock
Farenthold	Long	Schweikert
Fincher	Lucas	Scott (SC)
Fitzpatrick	Luetkemeyer	Scott, Austin
Flake	Lummis	Sensenbrenner
Fleischmann	Lungren, Daniel	Sessions
Fleming	E.	Shimkus
Flores	Mack	Shuler

NOT VOTING—8

□ 1358

Mr. FRANK of Massachusetts changed his vote from “yea” to “nay.”

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

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

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall 858, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “nay.”

Mrs. NAPOLITANO. Madam Speaker, I was absent during rollcall vote No. 858 in order to attend an important event in my district. Had I been present, I would have voted “nay” on the Motion to Suspend the Rules and Pass, As Amended H.J. Res. 2—Proposing a Balanced Budget Amendment to the Constitution of the United States.

Ms. BASS of California. Madam Speaker, on rollcall No. 858 I was unable to be present as I was in California attending a family funeral. Had I been present, I would have voted “nay.”

Shuster	Thornberry	Whitfield
Simpson	Tiberi	Wilson (SC)
Smith (NE)	Tipton	Wittman
Smith (NJ)	Turner (NY)	Wolf
Smith (TX)	Turner (OH)	Womack
Southerland	Upton	Woodall
Stearns	Walberg	Yoder
Stivers	Walden	Young (AK)
Stutzman	Walsh (IL)	Young (FL)
Sullivan	Webster	Young (IN)
Terry	West	
Thompson (PA)	Westmoreland	

NAYS—167

Ackerman	Green, Al	Owens
Altmire	Green, Gene	Pallone
Andrews	Grijalva	Pastor (AZ)
Baldwin	Gutierrez	Payne
Barrow	Hahn	Pelosi
Becerra	Hanabusa	Perlmutter
Berkley	Hastings (FL)	Peters
Berman	Heinrich	Peterson
Bishop (GA)	Higgins	Pingree (ME)
Bishop (NY)	Himes	Polis
Blumenauer	Hinchey	Price (NC)
Boswell	Hinojosa	Quigley
Brady (PA)	Hochul	Rahall
Braley (IA)	Holden	Rangel
Brown (FL)	Holt	Reyes
Capps	Honda	Richardson
Cardoza	Hoyer	Richmond
Carnahan	Inslee	Rothman (NJ)
Carney	Israel	Roybal-Allard
Carson (IN)	Jackson (IL)	Ruppersberger
Castor (FL)	Jackson Lee	Rush
Chandler	(TX)	Ryan (OH)
Chu	Johnson (GA)	Sánchez, Linda
Cicilline	Johnson, E. B.	T.
Clarke (MI)	Kaptur	Sarbanes
Clarke (NY)	Keating	Schakowsky
Clay	Kildee	Schiff
Cleaver	Kind	Schrader
Clyburn	Kissell	Schwartz
Cohen	Kucinich	Scott (VA)
Connolly (VA)	Langevin	Scott, David
Conyers	Larsen (WA)	Serrano
Cooper	Lee (CA)	Sewell
Costa	Levin	Sherman
Costello	Lewis (GA)	Slaughter
Critz	Lipinski	Smith (WA)
Crowley	Loeb sack	Speier
Cuellar	Lofgren, Zoe	Stark
Cummings	Lowe y	Sutton
Davis (CA)	Lujan	Thompson (CA)
Davis (IL)	Lynch	Thompson (MS)
DeFazio	Maloney	Tonko
DeGette	Markey	Towns
DeLauro	Matsui	Tsongas
Dicks	McCarthy (NY)	Van Hollen
Dingell	McCollum	Velázquez
Doggett	McDermott	Vislosky
Donnelly (IN)	McGovern	Walz (MN)
Edwards	McNerney	Wasserman
Engel	Meeks	Schultz
Eshoo	Michaud	Waters
Farr	Miller (NC)	Watt
Fattah	Miller, George	Welch
Frank (MA)	Moore	Wilson (FL)
Fudge	Moran	Woolsey
Garamendi	Murphy (CT)	Yarmuth
Gonzalez	Nadler	

NOT VOTING—27

Baca	Filner	Oliver
Bass (CA)	Galle gly	Pascarell
Butterfield	Giffords	Paul
Capuano	Hirono	Roskam
Courtney	Larson (CT)	Ryan (WI)
Crenshaw	Marchant	Sanchez, Loretta
Deutch	Napolitano	Sires
Doyle	Neal	Tierney
Ellison	Nunes	Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1405

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.

Stated for:

Mr. RYAN of Wisconsin. Madam Speaker, today, I missed rollcall vote 859. Had I been present, I would have cast the following vote:

rollcall 859—H. Res. 470, Providing for consideration of H.R. 3094—"yea."

Stated against:

Mrs. NAPOLITANO. Madam Speaker, I was absent during rollcall vote No. 859 in order to attend an important event in my district. Had I been present, I would have voted "nay" on agreeing to H. Res. 470—Rule providing for consideration of H.R. 3094—Workforce Democracy and Fairness Act.

Mr. PASCRELL. Madam Speaker, I missed the last rollcall vote today.

Had I been present, I would have voted "nay" on rollcall vote No. 859, on H. Res. 470—Rule providing for consideration of H.R. 3094—Workforce Democracy and Fairness Act.

Mr. FILNER. Madam Speaker, on rollcall 859, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

Mr. ELLISON. Madam Speaker, today I inadvertently missed rollcall vote No. 859. Had I been present I would have voted "nay."

PERSONAL EXPLANATION

Mrs. BIGGERT. Madam Speaker, on rollcall No. 857, I was unavoidably detained. Had I been present, I would have voted "no."

ADJOURNMENT TO TUESDAY, NOVEMBER 22, 2011

Mr. LOBIONDO. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. on Tuesday, November 22, 2011; when the House adjourns on that day, it adjourn to meet at 1 p.m. on Friday, November 25, 2011; and when the House adjourns on that day, it adjourn to meet at 2 p.m. on Tuesday, November 29, 2011.

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

There was no objection.

AMERICA'S CUP ACT OF 2011

Mr. LOBIONDO. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3321) to facilitate the hosting in the United States of the 34th America's Cup by authorizing certain eligible vessels to participate in activities related to the competition, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Clerk read as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "America's Cup Act of 2011".

SEC. 2. DEFINITIONS.

In this Act:

(1) **34TH AMERICA'S CUP.**—The term "34th America's Cup"—

(A) means the sailing competitions, commencing in 2011, to be held in the United States

in response to the challenge to the defending team from the United States, in accordance with the terms of the America's Cup governing Deed of Gift, dated October 24, 1887; and

(B) if a United States yacht club successfully defends the America's Cup, includes additional sailing competitions conducted by America's Cup Race Management during the 1-year period beginning on the last date of such defense.

(2) **AMERICA'S CUP RACE MANAGEMENT.**—The term "America's Cup Race Management" means the entity established to provide for independent, professional, and neutral race management of the America's Cup sailing competitions.

(3) **ELIGIBILITY CERTIFICATION.**—The term "Eligibility Certification" means a certification issued under section 4.

(4) **ELIGIBLE VESSEL.**—The term "eligible vessel" means a competing vessel or supporting vessel of any registry that—

(A) is recognized by America's Cup Race Management as an official competing vessel, or supporting vessel of, the 34th America's Cup, as evidenced in writing to the Administrator of the Maritime Administration of the Department of Transportation;

(B) transports not more than 25 individuals, in addition to the crew;

(C) is not a ferry (as defined under section 2101(10b) of title 46, United States Code);

(D) does not transport individuals in point-to-point service for hire; and

(E) does not transport merchandise between ports in the United States.

(5) **SUPPORTING VESSEL.**—The term "supporting vessel" means a vessel that is operating in support of the 34th America's Cup by—

(A) positioning a competing vessel on the race course;

(B) transporting equipment and supplies utilized for the staging, operations, or broadcast of the competition; or

(C) transporting individuals who—

(i) have not purchased tickets or directly paid for their passage; and

(ii) who are engaged in the staging, operations, or broadcast of the competition, race team personnel, members of the media, or event sponsors.

SEC. 3. AUTHORIZATION OF ELIGIBLE VESSELS.

Notwithstanding sections 55102, 55103, and 55111 of title 46, United States Code, an eligible vessel, operating only in preparation for, or in connection with, the 34th America's Cup competition, may position competing vessels and may transport individuals and equipment and supplies utilized for the staging, operations, or broadcast of the competition from and around the ports in the United States.

SEC. 4. CERTIFICATION.

(a) **REQUIREMENT.**—A vessel may not operate under section 3 unless the vessel has received an Eligibility Certification.

(b) **ISSUANCE.**—The Administrator of the Maritime Administration of the Department of Transportation is authorized to issue an Eligibility Certification with respect to any vessel that the Administrator determines, in his or her sole discretion, meets the requirements set forth in section 2(4).

SEC. 5. ENFORCEMENT.

Notwithstanding sections 55102, 55103, and 55111 of title 46, United States Code, an Eligibility Certification shall be conclusive evidence to the Secretary of the Department of Homeland Security of the qualification of the vessel for which it has been issued to participate in the 34th America's Cup as a competing vessel or a supporting vessel.

SEC. 6. PENALTY.

Any vessel participating in the 34th America's Cup as a competing vessel or supporting vessel that has not received an Eligibility Certification or is not in compliance with section 12112 of title 46, United States Code, shall be subject to the applicable penalties provided in chapters 121 and 551 of title 46, United States Code.