

Committee Report Description: Rollcall No. 5. Ms. Jackson-Lee offered an amendment that would have exempted sexual predators from prosecution under the bill if they were clergy, godparents, aunts, uncles, or first cousins of a minor, and would require a study by the Government Accounting Office. By a rollcall vote of 13 yeas to 20 nays, the amendment was defeated.

Mr. GINGREY. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

Ms. SLAUGHTER. Mr. 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, further proceedings on this question will be postponed.

**REPORT ON RESOLUTION DISMISSING ELECTION CONTEST RELATING TO OFFICE OF REPRESENTATIVE FROM TENNESSEE'S SIXTH CONGRESSIONAL DISTRICT**

Mr. NEY, from the Committee on House Administration, submitted a privileged report (Rept. No. 109-57) on the resolution (H. Res. 239) dismissing the election contest relating to the office of Representative from the Sixth Congressional District of Tennessee, which was referred to the House Calendar and ordered to be printed.

**PROVIDING FOR EXPENSES OF CERTAIN COMMITTEES OF HOUSE OF REPRESENTATIVES IN ONE HUNDRED NINTH CONGRESS**

Mr. NEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 224) providing for the expenses of certain committees of the House of Representatives in the One Hundred Ninth Congress, as amended.

The Clerk read as follows:

H. RES. 224

*Resolved,*

**SECTION 1. COMMITTEE EXPENSES FOR THE ONE HUNDRED NINTH CONGRESS.**

(a) IN GENERAL.—With respect to the One Hundred Ninth Congress, there shall be paid out of the applicable accounts of the House of Representatives, in accordance with this primary expense resolution, not more than the amount specified in subsection (b) for the expenses (including the expenses of all staff salaries) of each committee named in such subsection.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, \$11,257,009; Committee on Armed Services, \$12,826,208; Committee on the Budget, \$12,026,478; Committee on Education and the Workforce, \$15,493,286; Committee on Energy and Commerce, \$19,925,687; Committee on Financial Services, \$15,203,100; Committee on Government Reform, \$20,497,085; Committee on Homeland Security, \$14,000,000; Com-

mittee on House Administration, \$9,554,568; Permanent Select Committee on Intelligence, \$9,527,870; Committee on International Relations, \$16,299,018; Committee on the Judiciary, \$15,312,992; Committee on Resources, \$14,520,962; Committee on Rules, \$6,365,600; Committee on Science, \$12,327,996; Committee on Small Business, \$5,586,973; Committee on Standards of Official Conduct, \$4,290,536; Committee on Transportation and Infrastructure, \$18,108,082; Committee on Veterans' Affairs, \$6,474,418; and Committee on Ways and Means, \$17,819,494.

**SEC. 2. FIRST SESSION LIMITATIONS.**

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2005, and ending immediately before noon on January 3, 2006.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, \$5,495,805; Committee on Armed Services, \$6,292,249; Committee on the Budget, \$6,013,239; Committee on Education and the Workforce, \$7,705,970; Committee on Energy and Commerce, \$9,812,619; Committee on Financial Services, \$7,427,648; Committee on Government Reform, \$10,121,443; Committee on Homeland Security, \$6,100,026; Committee on House Administration, \$4,648,683; Permanent Select Committee on Intelligence, \$4,500,653; Committee on International Relations, \$7,946,084; Committee on the Judiciary, \$7,461,565; Committee on Resources, \$7,178,224; Committee on Rules, \$3,074,229; Committee on Science, \$6,101,648; Committee on Small Business, \$2,721,600; Committee on Standards of Official Conduct, \$1,891,890; Committee on Transportation and Infrastructure, \$8,856,869; Committee on Veterans' Affairs, \$3,075,732; and Committee on Ways and Means, \$8,674,514.

**SEC. 3. SECOND SESSION LIMITATIONS.**

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2006, and ending immediately before noon on January 3, 2007.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, \$5,761,204; Committee on Armed Services, \$6,533,959; Committee on the Budget, \$6,013,239; Committee on Education and the Workforce, \$7,787,316; Committee on Energy and Commerce, \$10,113,068; Committee on Financial Services, \$7,775,452; Committee on Government Reform, \$10,375,642; Committee on Homeland Security, \$7,899,974; Committee on House Administration, \$4,905,885; Permanent Select Committee on Intelligence, \$5,027,217; Committee on International Relations, \$8,352,934; Committee on the Judiciary, \$7,851,427; Committee on Resources, \$7,342,738; Committee on Rules, \$3,291,371; Committee on Science, \$6,226,348; Committee on Small Business, \$2,865,373; Committee on Standards of Official Conduct, \$2,398,646; Committee on Transportation and Infrastructure, \$9,251,213; Committee on Veterans' Affairs, \$3,398,686; and Committee on Ways and Means, \$9,144,980.

**SEC. 4. VOUCHERS.**

Payments under this resolution shall be made on vouchers authorized by the committee involved, signed by the chairman of such committee, and approved in the manner directed by the Committee on House Administration.

**SEC. 5. REQUIREMENTS FOR USE OF FUNDS FOR MASS MAILINGS.**

(a) IN GENERAL.—None of the amounts made available under this resolution may be used by a committee for the production of material for a mass mailing unless—

(1) the mailing is of a press release to the communications media, a notice of the schedule of a hearing or markup of the committee (the content of which shall be limited to date, time, location, topic, witness list, and ADA services), a committee document printed pursuant to the applicable provisions of title 44, United States Code, or a request for the views of the public or the views of other authorities of government essential to the conduct of the study, investigation, or oversight of matters within the jurisdiction and related functions assigned to the committee under rule X of the Rules of the House of Representatives;

(2) prior to mailing, the chairman or ranking minority member of the committee (as the case may be) submits a sample of the material to the House Commission on Congressional Mailing Standards and the Commission determines that—

(A) the mailing is ordinary and necessary to the conduct of the normal and regular business of the committee, and

(B) the mailing would be in compliance with the requirements of subsections (a)(3)(A), (a)(3)(C), (a)(3)(C), (a)(3)(G), (a)(4), and (a)(5) of section 3210 of title 39, United States Code, if mailed by a Member of the House of Representatives;

(3) the mailing would not be prohibited under section 3210(a)(6)(A) of title 39, United States Code, if mailed by a Member of the House of Representatives; and

(4) the aggregate amount that will be spent in franking costs by the committee for mass mailings during the session involved, after taking into account the franking costs of such mass mailing, will not exceed \$5,000.

(b) MASS MAILING DEFINED.—In this section, the term "mass mailing" has the meaning given such term in section 3210(a)(6)(E) of title 39, United States Code.

**SEC. 6. REGULATIONS.**

Amounts made available under this resolution shall be expended in accordance with regulations prescribed by the Committee on House Administration.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. NEY) and the gentlewoman from California (Ms. MILLENDER-MCDONALD) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. NEY).

Mr. NEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we are here to consider H. Res. 224, an omnibus funding resolution providing for the expenses of certain committees of the United States House of Representatives in the 109th Congress.

In February of this year, the chairman and ranking member of each committee presented a budget request to the Committee on House Administration and introduced individual resolutions, as is our process, to support their funding request.

H. Res. 224, the Omnibus Primary Expense Resolution, combines all of the individual resolutions into one bill, including our new permanent committee, the Committee on Homeland Security.

I am pleased to put before the House a bipartisan resolution that can be supported by a majority of Members on

both sides of the aisle. I feel that both chairmen and ranking members will agree that this carefully crafted agreement will provide sufficient funding for them to carry out the duties and responsibilities with which they are charged. As we all know, the Committee on Homeland Security was created at the beginning of this Congress, making it a permanent standing committee of the U.S. House of Representatives. The committee will provide an important oversight function overseeing the Department of Homeland Security and ensuring that the combined agencies are doing the job we all expect of them with regard to protecting our homeland.

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The inclusion of the Select Committee on Homeland Security and the permanent committee funding process significantly raises the funding levels needed for committees to operate. Their budget alone increased funding for this resolution by 1 percent. Protecting our homeland is now a reality, and the funding needed to run the committee is also a reality that we dealt with and came to a conclusion that I think is good for the committee and the entire process here in funding.

During this cycle, committees requested a total of \$273.4 million in spending. This is approximately \$40 million more than what was authorized in the 108th Congress and represented a 17.1 percent requested, and I stress "requested" increase. Removing homeland security from the equation, the request by committees totaled \$257.8 million, which is a \$35 million increase over the 108th authorized levels and a 15.7 percent increase. This resolution reduces, I am pleased to say, the amount requested by committees by \$16.2 million, or a 5.9 percent decrease.

H. Res. 224, as amended, provides for expenses of all committees and authorizes \$257.4 million, a 10.1 percent increase. This is a \$23.7 million increase over the 108th Congress authorized levels.

It should be noted that the 109th Congress funding level of \$257 million in this resolution is still lower than the funding levels in the 103rd Congress when adjusted for inflation. The mark for the 103rd Congress was \$223.3 million, which adjusted for inflation amounts to \$296.4 million in 2005 dollars. That means in real terms we have held a reasonable line of expenditures for the committee; but we are able to still carry out the tasks of these committees, which is so important to constituents across the United States who depend on these committees to be able to produce public policy and to do their work for the people of the country.

I am proud of the numbers we are putting forward with this resolution, Mr. Speaker. As I stated earlier, I feel that most Members will be able to widely support this measure.

This resolution also carries forward a goal that we reached in the 107th Con-

gress whereby committees allocated at least one-third of their resources to the minority. Since the 104th Congress, we have strived to reach the goal of dividing committee resources on a two-thirds/one-third basis between the majority and the minority of each committee. I am proud to say that committee chairmen have worked with their respective ranking members and vice versa and produced agreements that provided for a two-thirds/one-third split of resources agreements that have been reached between the Chairs and the ranking members to their satisfaction.

I want to note that it is important that under the leadership of the gentleman from Illinois (Speaker HASTERT), who runs the House, and the goal that he set when the gentleman from California (Mr. THOMAS) was chairman and the gentleman from Maryland (Mr. HOYER) Hoyer was the ranking member, they set the two-thirds/one-third allocation and did a wonderful job to get to that. The gentleman from Connecticut (Mr. LARSON) was our ranking member, and the Speaker held to the same tenacity to reach that deal, and we reached the two-thirds/one-third.

I am pleased today our ranking member, the gentlewoman from California (Ms. MILLENDER-MCDONALD), is here and has carried on to make sure that has stayed intact and refined it and has pushed for the minority in a marvelous way. This goal would never have been reached if it were not for our ranking member, the gentlewoman from California (Ms. MILLENDER-MCDONALD).

This ensures a fair division of the resources. I want to thank the gentleman from California (Mr. THOMAS) and the gentleman from Maryland (Mr. HOYER) for their work on this issue and the previous assignments, and I want to thank the chairman of each committee and their ranking member for their cooperation with each other on this matter.

Mr. Speaker, when I speak again, I will have some ending thanks for some staff on both sides of the aisle. I will save that until after our ranking member speaks.

Let me just say, I am so proud. We might have differences in the House, but we come together for the institution of the House today. I am so proud of our ranking member for working through the issues, of expressing for her membership for the ranking members of what they wanted to see in this document.

I want to thank again the Chairs and the ranking members. It is truly a document that will receive, I believe, wide bipartisan support.

Mr. Speaker, I reserve the balance of my time.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of this committee's funding resolution. For the past 6 years, the Speaker and

the gentleman from Ohio (Chairman NEY) have labored in the House service to the benefit of both the majority and the minority. They have firmly established the fairness principle in the committee funding process. By doing so, they have benefited this great institution and have brought civility to the House regarding the fair allocation of committee resources.

While many others have also worked to bring this about, including the gentleman from California (Mr. THOMAS) and my predecessor ranking members, especially the gentleman from Maryland (Mr. HOYER), it is the gentleman from Ohio (Chairman NEY) and the Speaker who must be credited with greatly diminishing this source of continuing tension between the majority and the minority.

But the most important consequence of the application of the Speaker and the gentleman from Ohio (Chairman NEY) of the fairness principle today is that the principle is now firmly established as an operating standard within the House; and I believe it will be applied from this point forward, no matter which political party is in the majority.

The fairness principle, simply stated, is that the minority is entitled to a minimum of one-third of the staff and committee resources and control over those resources. The fairness principle has been embedded in House rules for many decades under both Republican and Democratic majorities. It is currently reflected in the House rule X, clause 9.

Six committees unconditionally operate under the fairness principle today, with the remainder operating on a version of the fairness principle agreeable to the respective chairmen and ranking members. We must anticipate that as committee leaders' positions change hands, old compromises and accommodations will yield to the universal and unconditional application of the fairness principle. Only then will the gentleman from Ohio (Chairman NEY) and the gentleman from Illinois (Speaker HASTERT) have fulfilled the worthy objective of securing civility between the majority and the minority regarding the division of committee resources.

Mr. Speaker, we also would like to compliment the gentleman from Ohio (Chairman NEY) on another matter of great importance to this institution. It involves the self-initiated mass mailings on behalf of committees, which could have undermined public support for the franking privilege.

The Committee on House Administration has taken a very enlightened approach to these taxpayer-funded mailings. The resolution before us clarifies the existing rules regarding committee-initiated mass mailings and prohibits the use of committee funds to prepare mass mailings once a committee has expended \$5,000 in mass-mailing costs in a session.

Mass mailings by committees would have to be approved by the bipartisan

Franking Commission and would be subject to the 90-day cutoff that individual Members are subjected to. This clarifying language and the limitation provide guidance which will allow committees to strategically plan their franking use during each session of Congress.

By a separate action of the Committee on House Administration, we adopted a committee resolution setting an overall committee limit for all

forms of franked mail, including committee-initiated frank mailings, of \$5,000 per session. Again, this gives committees a planning tool. And we recognize that a committee might find itself in crisis due to exigent circumstances.

During the markup of this resolution, the gentleman from Ohio (Chairman NEY) expressed clearly and unequivocally that any committee needing additional franking authorization

above the \$5,000 must return to the committee to request and justify the needed increase. Such an increase would be adopted by the full committee in the form of a committee supplemental resolution, and the increased funding could not be used for mass mailings.

Mr. Speaker, I insert a chart in the RECORD at this point.

COMMITTEE FRANKED MAIL EXPENDITURES

	2000	2001	2002	2003	2004
Agriculture .....	\$691.91	\$578.90	\$521.92	\$645.20	\$384.52
Armed Services .....	5,640.99	6,300.05	7,312.99	673.37	470.97
Budget .....	1,232.48	285.20	129.48	133.25	252.44
Education and the Workforce .....	1,665.49	1,458.71	1,515.39	1,345.59	4,839.41
Energy and Commerce .....	3,937.66	2,737.09	1,772.19	1,838.59	1,673.53
Financial Services .....	1,617.51	1,025.71	733.41	1,078.74	856.10
Government Reform .....		4,776.00	4,689.00	3,767.09	9,700.46
Homeland Security .....	n/a	n/a	n/a	909.01	783.89
House Administration .....	1,381.12	688.07	2,606.07	756.20	7,883.31
Intelligence .....	342.16	248.10	146.46	353.99	190.26
International Relations .....	5,041.04	1,730.78	834.57	739.27	724.38
Judiciary .....	6,866.53	4,530.67	4,422.33	2,957.02	2,956.42
Resources .....	1,563.89	2,882.59	2,081.58	51,123.13	53,917.29
Rules .....	241.19	257.14	222.97	924.33	958.19
Sciences .....	2,810.99	1,974.97	1,874.39	1,739.34	14,122.29
Small Business .....	3,292.73	2,214.66	3,502.11	897.88	1,623.39
Standards .....	17,016.88	1,126.46	4,640.89	3,133.07	1,016.13
Transportation .....	1,824.82	2,254.39	1,264.35	1,624.70	1,156.61
Veterans .....	2,206.75	2,037.79	1,656.58	1,200.22	1,694.77
Ways and Means .....	4,372.19	2,958.93	1,959.06	1,640.67	1,156.84

Mr. Speaker, the chart details aggregate franked mail expenditures on behalf of committees during the last 5 years. As you can see, few committees will have any difficulty operating within the limit established by the Committee on House Administration based on spending levels prior to the 108th Congress.

This is a great resolution because it really does continue the fairness practice that has been put forth by the Speaker, but especially by this chairman, the gentleman from Ohio (Chairman NEY); and it has been my privilege to work with him on this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. NEY. Mr. Speaker, I yield myself such time as I may consume.

I wanted to mention a few thanks that we need to say. The minority leader, the gentlewoman from California (Ms. PELOSI), and also her counsel, Bernie Raimo; the gentleman from Illinois (Speaker HASTERT), of course, for his diligence on this issue and fairness with the committee funding structure; Scott Palmer with the Speaker and Ted Van Der Meid, who provided constant assistance to us on the issues; also our staff, Paul Vinovich, Jeff Janas and David Duncan; and the minority, George Shevlin, Charlie Howell, and Catherine Tran.

Let me also thank the members of our committee, the gentleman from Texas (Mr. BRADY), the gentlewoman from California (Ms. ZOE LOFGREN), the gentleman from Florida (Mr. MICA), the gentleman from Michigan (Mr. EHLERS), the gentleman from California (Mr. DOOLITTLE), the gentleman from New York (Mr. REYNOLDS), and our newest member, the gentlewoman from Michigan (Mrs. MILLER).

As we have opened up the House, and it is a wonderful thing, to the age of

the Internet, where Americans can actually see what is going on in their House, in the committees, as we have done that, more people are writing than ever before, more people are wanting answers than ever before; and that is wonderful open structure in this House. But that has caused, obviously, extra work; and we have staff of these committees, both minority and majority staff, that are doing a wonderful job to respond to citizens across the country and crafting laws.

We can argue about the laws, whether they are good or bad, or make amendments; but if we did not have the committee structures of all of the committees of this House, we would not be able to craft the law; we would not be able to carry out lawmaking.

So, again, I want to especially thank our ranking member for doing a wonderful job, giving us her views, and giving wonderful input into the system.

Mr. Speaker, I reserve the balance of my time.

Ms. MILLENDER-McDONALD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank again the chairman for his leadership in drafting this resolution and also would like to ditto what he said in terms of the staffs on both sides working diligently to ensure that we had this type of resolution.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, I rise to address just one aspect of the funding resolution. I have come to this floor before with my concerns that mass mailings have been sent by a particular committee. We as Members of the House have constituents that we need to keep in touch with, but a com-

mittee has as its constituents only the members of that committee. A committee does not answer to the whole people of the United States; it answers to this House and to its Members.

This funding resolution makes it clear that the mass mailings of any committee cannot exceed over \$5,000 in postage in any year. Basically, that means no effort to reach out to an entire community, an entire congressional district, with an ideological message.

For that reason, I want to commend the ranking member and the Chair for putting to rest that issue, at least for as long as this funding resolution is operative.

I would also point out that it is my understanding that this funding resolution calls for any mass mailings sent by a committee to go to the Franking Commission. I want to thank the leader of our party for appointing me to that commission, where I will serve with our ranking member (Ms. MILLENDER-McDONALD) and others.

So I am confident that the mailings of committees will be limited to committee business, will not be so massive as to try to affect the views of an entire congressional district, and will follow the rules of the House as to manner and content.

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So I once again commend the chairman and commend the ranking member.

Ms. MILLENDER-McDONALD. Mr. Speaker, I yield back the balance of my time.

Mr. NEY. Mr. Speaker, I do have a speaker who has arrived, so I yield 2 minutes to the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Mr. Speaker, let me thank my colleague for yielding me

this time and congratulate the chairman of the committee, the gentleman from Ohio (Mr. NEY) and his ranking member and the leadership on both sides for coming together on this funding resolution.

I could take Members back 12, 14 years ago when this committee funding resolution every year was a brawl. Having sat on the Committee on House Administration with some of my colleagues, there were times when the majority was getting 82 percent of the budget, sometimes 78 percent of the budget, and I always believed that it was fair for the minority to get at least one-third of the resources. It has really been a long struggle in bringing that about. I thought that when we were in the minority, I believed the same since we have been in the majority, and over these years I think we have accomplished an awful lot in terms of funding committees at a reasonable level, bringing comity and stability to the House.

I just want to say to my two colleagues who brought this resolution to the floor today that they deserve the congratulations of all of the Members and the leadership on both sides as well.

Mr. NEY. Mr. Speaker, I yield myself such time as I may consume.

I do not believe that I have any further speakers on this issue, but I did forget to mention the franking issue, and I agreed with that amendment. What we did is we changed the rules. We did not clarify the rules, but we changed the rules. Previously, committee mailings were not covered by the same regulations that apply to individual Members. This was the case in the 108th and the previous Congress. This rule change will treat committee mailings the same as individual mailings with respect to the blackout and the preapproval.

So we have I think made a change in the rules that, as I said, I agreed with is good, and all the chairs of the committees and the ranking members agreed with the change.

Ms. ZOE LOFGREN of California. Mr. Speaker, I strongly support the House Committee Funding Resolution for the 109th Congress as approved by the House Administration Committee on Thursday, April 21, 2005. This Resolution assures that the Minority will be treated fairly in regard to both committee budgets and staff. It abides by the 2/3–1/3 principle in which the Minority receives 1/3 of the staff, 1/3 of the budget, and control over that budget. It is my understanding that every Chair and Ranking Member in the House have come to an agreement on their individual budgets, and all treat the Minority in a fair and respectful way. I commend Chairman NEY and Ranking Member MILLENDER-MCDONALD for their hard work on this Resolution.

During Markup of the Committee Funding Resolution, Congresswoman MILLENDER-MCDONALD offered an amendment regarding House Committee's use of the Frank. Under this amendment, Committees will be limited to a \$5,000 franking budget per year, and Committees will need to abide by, and receive ap-

proval from, the House Franking Commission for any mass mailings. This is an important proposal that I strongly support. This amendment assures that House Committees will only use the Frank for official purposes, and stem the questionable franking practices that developed at the end of the 108th Congress.

Finally, I must comment on the controversy surrounding the budget of the Resources Committee during the 108th Congress.

My colleague Chairman NEY was elected to Congress in 1994, the same year as me. As you will recall, 1994 was the year that the Republicans took control of Congress for the first time in 40 years.

Led by Newt Gingrich, the incoming members of the House promoted the Contract with America. The Contract promised that under Republican rule, the House would pass a number of resolutions and bills within the first 100 days of the 104th Congress.

One of the promises made by the Republicans was to pass a resolution on the first day of the 104th Congress that would provide for the selection of a major, independent auditing firm to conduct a comprehensive audit of Congress for waste, fraud or abuse. Republicans were concerned that tax dollars were being misspent by the House of Representatives. Chairman NEY signed the Contract with America, and I can only assume that he supported this provision.

It seems odd to me now that a little over 10 years later, my friend BOB NEY and his Republican colleagues do not seem to have the same zeal for investigating waste, fraud and abuse here in the House.

During the Committee Funding Resolution hearings in March, I posed several questions about the budget and policies of the Resources Committee during the 108th Congress to Resources Committee Chairman RICHARD POMBO.

On October 6, 2004, The Hill reported that Chairman POMBO planned to close the Resources Committee for a month leading up to the November 2004 elections. It went on to state that the staff would receive a month of vacation time and Chairman POMBO's spokesman stated on-the-record that some staff may choose to go and work on campaigns during their time off.

During the hearing, I posed several questions about the vacation policy of the Resources Committee to Chairman POMBO and gave him the opportunity to clear up the confusion about the events leading up to the 2004 elections.

Chairman POMBO welcomed the opportunity to address the issue. He answered some of my questions at the hearing, and said he would need to get back to the Committee regarding others.

In an effort to get to the bottom of this issue and clear up any confusion, I put my questions in writing for Chairman POMBO. The record, at the direction of Chairman NEY, was held open so Chairman POMBO could respond to the House Administration Committee within 30 days. Chairman POMBO did respond to some, but not all, of my questions in writing on April 13, 2005.

Both Chairman NEY and representatives of Chairman POMBO have categorized these ordinary and routine inquiries as something extraordinary. Mr. POMBO's spokesman has actually compared me to Senator Joseph McCarthy. While I find that comment to be a bit

weird, I am prepared to state unequivocally that I do not believe Chairman POMBO or NEY are communists!

So the record is totally clear, I have included in the Committee Report accompanying this resolution all of the correspondence between myself, Chairman NEY and Chairman POMBO on this issue as well as the transcript of our discussion at the committee hearing. This report should be posted on the House Administration Committee Web site. I will also note that at this time, Chairman POMBO has still not answered all of my written questions.

It is the job of the House Administration Committee to oversee all operations of the House of Representatives, including the approval of taxpayer-funded committee budgets. Under this Committee Funding Resolution, the Resources Committee will receive a 7.5 increase in their operating budget in the 109th Congress.

It is only appropriate that the House Administration Committee confirm that the money spent by the Resources Committee during the 108th Congress was done so in a proper way. Chairman POMBO still has the ability to quickly clear up this confusion. I remain hopeful that Chairman POMBO will take the time to answer all the written questions in detail about the policies and practices of the Resources Committee to reassure that tax dollars are being spent in a legal, fair, and ethical manner. Chairman NEY, signers the Contract with America, and anyone else that believes in good government, should demand nothing less.

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and agree to the resolution, H. Res. 224, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of H. Res. 224, as amended.

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

There was no objection.

#### DISMISSING THE ELECTION CONTEST RELATING TO THE OFFICE OF REPRESENTATIVE FROM THE SIXTH CONGRESSIONAL DISTRICT OF TENNESSEE

Mr. NEY. Mr. Speaker, I offer a resolution (H. Res. 239) dismissing the election relating to the office of Representative from the Sixth Congressional District of Tennessee, and ask unanimous consent for its immediate consideration in the House.