

and therefore changed its regulations. The new rules proposed by the Commission require "written" permission from consumers and these new rules have been stayed from going into effect until June 30th of this year, just a few short days away.

The legislation before us is designed to put specific language into the statute permitting an "established business relationship" exception to the general prohibition against junk faxes. Many businesses have complained that written permission is too onerous a regulatory requirement for many of the faxes that they stipulate are routinely sent in the ordinary course of business to established customers or customers requesting such faxes. This has been done by reputable business entities presumably without complaints from the recipients of such faxes.

We must recognize, however, that many small businesses and residential consumers find many of these unsolicited faxes, including those faxes sent because a valid claim of an "established business relationship" was being asserted, to be a considerable irritant and strongly object to receiving them. The legislation, therefore, addresses additional issues, including putting into the statute an "opt-out" ability for consumers to object to receiving junk faxes, even when such faxes are sent to them based upon an established business relationship. For the decade that the original FCC regulations were in place, many consumers simply were not aware of the FCC's established business relationship exception, nor did very many know they had an ability to stop these faxes or any clear way in which to effectuate such a request.

The bill the House is considering includes new provisions requiring an "opt-out" notice and policy that we will add to the statute. The bill requires junk faxes to include, on the first page, a clear and conspicuous notice to consumers that they have the right not to receive future junk faxes from the sender. Second, the notice must include a domestic contact telephone number and fax number for consumers to transmit a request not to receive future faxes.

Third, the substitute requires the notice to conform with the Commission's technical and procedural standards for sending faxes under Section 227(d) of the law, which include the requirement to identify the entity sending the facsimile advertisement. This is an important provision because one of the biggest complaints from the FCC at the hearing, and with other law enforcement entities and aggrieved consumers, is that they have had difficulty legally identifying the source of many of the unsolicited faxes. In addition, there were some senders of junk faxes who evidently and falsely believed that simply because they were sending an unsolicited fax based upon their ability to prove they had an "established business relationship" with a consumer, and thus did not have to abide by the general prohibition against such faxes, that this also meant they did not have to abide by the other FCC and statutory technical rules. These statutory and regulatory rules include requirements that junk fax senders identify themselves in such faxes. Law enforcement entities and consumers need to be able to find the legal business name or widely recognized trade name of the entity sending a junk fax in violation of the rules in order to pursue enforcement actions.

Fourth, this bill makes it clear that a consumer can "opt-out" of receiving faxes to multiple machines, if they have more than one, rather than opting out solely for the particular machine that received the junk fax. Fifth, in this legislation the Commission is tasked with exploring additional mechanisms by which a consumer might opt-out, such as in person or by email or regular mail, and also requests that the Commission establish cost-free ways by which consumers can opt-out. These notice and opt-out requirements all represent new provisions to the law for which existing enforcement remedies will apply.

This legislation also includes the ability for the FCC to limit the duration of an established business relationship notwithstanding the fact that the law would include an opt-out notice and ability which avails consumers of the right to opt-out of receiving faxes at any point in time. I believe this is an important concept and one which deals with the legitimate expectations of consumers. If a consumer buys something from a store, consumers might expect to hear from that store within a reasonable period of time. Over time however, a consumer's expectation changes and there is a time after which the established business relationship can be said to have lapsed.

Finally, I think it is important to take a comprehensive look at overall enforcement of the junk fax law. I am concerned that some of the most egregious junk fax operations, the entities that broadcast such faxes to millions, often escape enforcement. They may be found guilty, cited by the FCC and sometimes fined—but often it appears as if they either ignore the fines, skip town, or live overseas. For these reasons the bill includes provisions that will give us an annual accounting of the FCC's enforcement activities as well as a GAO analysis of what additional enforcement tools may be necessary to provide sufficient deterrent, especially to the most egregious and abusive junk fax senders.

Again, I want to commend Chairman UPTON and Chairman BARTON for their work on this bill, and in particular for their willingness and openness in working with me and Mr. DINGELL in crafting the compromises needed to achieve consensus. I encourage all the members to support it.

Madam Speaker, I yield back the balance of my time.

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

In closing, let me just say that I welcome my friend's comments. I would only say that we can now refer to "the other body" as "the Senate." We changed the rules beginning with this Congress, so we do not need to damn the other side by saying "the other body;" we can now thank them for their efforts, and this is maybe the first time that has ever happened. But we applaud their efforts led by Chairman STEVENS and others in the Senate.

Mr. MARKEY. Madam Speaker, will the gentleman yield?

Mr. UPTON. I yield to the gentleman from Massachusetts.

Mr. MARKEY. Madam Speaker, I thank the gentleman very much, because this is an incantation which I have never actually been able to make legally under the rules of the House in my 29 years in this body, so I would

like for the first time to utter the phrase: I would like to thank the Senate for its work on this legislation. It is much appreciated.

Mr. UPTON. Madam Speaker, I thought the gentleman might want to revise and extend since we had something so gracious coming from the other body now called the Senate. But I want to thank them as well on a bipartisan basis for getting this legislation expedited to the floor. Madam Speaker, I would ask all of my colleagues to support this legislation.

Mr. GENE GREEN of Texas. Madam Speaker, I rise in support of S. 714, the Junk Fax Prevention Act of 2005.

The FCC's recent proposal to require written permission to send commercial fax messages created a great deal of controversy, and I support this small amendment to the Junk Fax law that will make the larger law work better.

I am a strong supporter of the Telephone Consumer Protection Act and its ban on unsolicited commercial faxes, which place an undue financial burden on small business and individual recipients.

It's one thing to have to receive a unsolicited telemarketer's call—it's even worse to have to pay for it by having to replace the paper from your fax machine.

However, I agree that the explicit, written notification requirement contemplated by the FCC in its proposed rulemaking is problematic for some situations like trade associations, realtors, and others who already have existing business relationships.

As a result, I am pleased to join the bipartisan leadership of the House Energy and Commerce Committee in supporting S. 714, the Junk Fax Prevention Act of 2005.

This Act corrects the FCC's rule and allows for businesses to communicate with other businesses with whom they have an established business relationship, as long as they allow business to "opt-out" of future faxes.

This new law will not weaken protections for residential consumers or protection for businesses from unsolicited ads for printer toner, vacation deals, and other sales pitches that cost consumers money.

This new law will prevent businesses and realtors from having to fill out paperwork to communicate with each other about an existing business relationship.

Madam Speaker, I support this bill and urge its adoption by the full House.

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

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the Senate bill, S. 714.

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

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3057, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2006

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, by direction

of the Committee on Rules, I call up House Resolution 341 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 341

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3057) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with "or" on page 113, line 26, through page 114, line 10. Where points of order are waived against part of a section, points of order against a provision in another part of such section may be made only against such provision and not against the entire section. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 1 hour.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to revise and extend his remarks.)

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, the rule provides 1 hour of general debate evenly divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule also provides one motion to recommit with or without instructions.

I would like to take just a minute, Madam Speaker, to reiterate that we bring this rule forward under an open rule. Historically, appropriations bills have come to the House governed by an open rule, and we continue to do so, in order to allow every Member of this House the opportunity to submit amendments for consideration, obviously as long as they comply with all of the Rules of the House.

Madam Speaker, the legislation before us appropriates over \$20 billion, an increase of \$73 million, for operations across the globe. The bill is fiscally sound while, at the same time, compassionate and globally responsive to the needs of those plagued by disease and international disaster.

The bill bolsters the President's Millennium Challenge Corporation to \$1.75 billion, nearly a quarter of a billion dollars more than in fiscal year 2005. The expansion of assistance is meant to help bring economic security and the rule of law to some of the most of the poorest nations of the world. The Millennium Challenge provides assistance through a competitive selection process to developing nations that are pursuing political and economic reforms basically in three areas, Madam Speaker: ruling justly, investing in people, and fostering economic freedom. Economic development genuinely succeeds when it is linked to free market economic principles as well as to democracy and where governments are committed to implementing reform measures in order to achieve these goals.

Two years ago in his State of the Union address, President Bush announced the President's emergency plan for AIDS relief, the largest international health initiative in history initiated by a single government to address one disease. This bill shows Congress's continued support of the fight against HIV/AIDS, as it includes over \$2.6 billion to continue the fight against that horrendous deadly disease.

Our resolve to help all those across the globe who fight this disease is strong; it is serious. In addition to funding, the Federal Government enlists the expertise of various agencies, including the Food and Drug Administration, which assures that the medicines we send to the developing world are safe and effective to help those with HIV/AIDS.

In other foreign assistance, H.R. 3057 funds the Andean Counterdrug Initiative at the President's request, \$734 million, \$9 million more than last fiscal year. Economic growth in the area since the start of Plan Colombia is proof that the assistance we have provided Colombia has made a difference, a very important difference in that country. I myself visited in April of last year and was able to see the extraordinary progress that the Colombian government and the Colombian people have made against the narcoterrorists, and they constantly reiterate their gratitude to this Congress for the important assistance, Madam Speaker, that we have provided them and continue to do so.

However, we must not take progress in the Andean region for granted. If the United States turns its back on the region, a scenario may ensue which would require greater U.S. investment and involvement at a time when we obviously have significant responsibilities worldwide.

Madam Speaker, the underlying legislation also provides over \$2.5 billion for military and economic assistance to Israel. We must continue to ensure that our friends and allies remain secure. I am fully convinced that a strong Israel is necessary not only for Israel, but also for the security interests of the United States. We are committed to do everything we can so that Israel is safe and secure within its borders.

Madam Speaker, H.R. 3057 was introduced by the gentleman from Arizona and reported out of the Committee on Appropriations on June 21 by voice vote. It is a good bill, essential to our continued commitment to the security and safety of all in the United States, and we bring it forth, as I stated before, under a very fair and, as a matter of fact, an open rule.

I would like to take this opportunity to thank the gentleman from Arizona and the gentlewoman from New York for their leadership on this important issue, and I obviously would urge my colleagues to support both the underlying legislation as well as this rule.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, I thank my good friend, from Florida (Mr. LINCOLN DIAZ-BALART) for yielding me this time, and I yield myself such time as I may consume.

Madam Speaker, I rise today to express my significant concerns about the Foreign Operations bill for fiscal year 2006. The substance of the underlying legislation will be addressed later in my statement.

Madam Speaker, while the rule is similar to that of other appropriations bills, I am extremely disappointed that the majority has blocked our colleague, the gentleman from Texas (Mr. EDWARDS) from offering an amendment that would have provided \$1 billion in emergency funding for the Veterans' Administration. All of our colleagues here in the House know that the Bush administration and the Republican majority, by their own admission, have underfunded the Veterans' Administration by \$1 billion. Without the emergency funding proposed by the gentleman from Texas (Mr. EDWARDS), the VA will shortly run out of money, leaving veterans, and there are 86,000 of them coming back from Iraq and Afghanistan and elsewhere, with nowhere to turn. But because my friends in the majority on the Committee on Rules did not make the Edwards amendment in order, the House will not have an opportunity to consider this critical amendment now. Shame on all of us.

Madam Speaker, the underlying legislation has some admirable provisions yet, in several areas, it falls far short of meeting the United States' near and long-term policy needs.

The majority's excuse that the budget constraints prevent greater generosity is just that: an excuse. The simple fact of the matter is that the Republicans' reckless and irresponsible

economic policies have left the United States with little room to meet our important international and domestic obligations.

Realize, I think that it is appropriate that we have funding allocated to fighting the plagues of our time, HIV and AIDS, malaria and tuberculosis. I applaud the current appropriations and encourage this body to continue supporting these efforts until these diseases have been completely eradicated.

I am also appreciative of the assistance levels for the Middle East. This past April, with the chairman of the Committee on Rules, the gentleman from California (Mr. DREIER), I had an opportunity to visit Israel and the Palestinian territories, and we met with officials from both sides of the conflict. I found them at that time to be committed to the pursuit of a fair and just peace and dedicated to ensuring an equitable resolution to the many issues that divide the Israelis and the Palestinians. The United States must continue to show its commitment to Israel, our most reliable ally in the Middle East. This legislation does just that. Further, we must be engaged in the region and reward positive efforts by the Palestinians with appropriate levels of assistance.

I am also pleased to note that the United States is the leading donor of humanitarian assistance to Darfur, with \$350 million appropriated in this legislation. This assistance is important, but not nearly enough. Frankly, the Bush administration has been neglectful of the realities on the ground, even while acknowledging that genocide is taking place. There should be no action on earth that compels us to act more than genocide. However, the House continues to refuse to move the Darfur Accountability Act, which provides for sanctions against the regime and authorizes the President to use force, if needed, to save the lives of innocent civilians.

□ 1100

Is there a reason vastly more compelling than halting genocide that is forcing the United States to merely shake our finger in admonishment at the Sudanese Government? The world long remembers those instances in which the United States failed to take action to prevent genocide, and I fear that this is going to be another one of those times.

Despite all of the positive provisions in the bill, Mr. Speaker, there are several aspects of this bill that project the wrong message to the global community. At a time of intense international hostility toward many aspects of United States foreign policy, we should not be compounding the problem with a "sore loser" attitude and a lack of commitment to protecting human rights.

Allow me to expand. Section 528 of the underlying legislation withholds 25 percent of funding to the World Bank's International Development Association if it fails to continue implementing

some procurement reforms that are supported by the United States. Once again, as with last week's United Nations Reform Act, Republicans are insisting on a my-way-or-the-highway approach. This is plain wrong. We will never reform these institutions by staying at home and complaining. We must accept compromise and continue to press for change while remaining a committed participant.

Mr. Speaker, typically, the foreign operations bill is one of the most bipartisan bills that this body passes every year. While I will most likely support the underlying legislation, I am greatly concerned by the overall amount of money appropriated in this bill. Later today, we will hear from the chairman and other Republican leaders who will claim that they did the best they could with what they were given. I do not doubt that, Mr. Speaker; and I applaud the chairman and ranking member of the subcommittee for the hard and dedicated work which they do for all of us. Nevertheless, the budget constraints which the chairman and others will speak of are the creation of the Republicans' fiscal mismanagement.

I am appalled that we have the money to provide egregious tax cuts to extremely wealthy people in our country; yet we do not have the money to meet our international humanitarian commitment. We have the money to provide billions in tax giveaways to the Bush administration's favorite corporate donors; yet we do not have the money to provide the necessary assistance to some of the poorest countries in the world. This is beyond shameful. It is negligent, and it leads many in the world to understandably question the seriousness of our rhetoric on human rights and the promotion of democracy.

Just once, Mr. Speaker, I would like to come to this floor with Republicans in the majority and President Bush in the White House and say, We do not have the money for tax cuts for millionaires and billionaires because we have to fulfill our commitment to improving the lives of billions of people around the world, including millions right here in our own country.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

With regard to some of the many, many points that were made by my distinguished friend, and I am certainly not going to address them all at this point, but I would like to make two points with regard to this foreign aid bill which we are bringing to the floor today with an open rule. We are providing over \$20 billion in foreign aid in this bill. That is an increase of \$73 million over last year. We are fulfilling our obligations and being quite compassionate as we do so.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the distin-

guished chairman of the Committee on Rules.

Mr. DREIER. I thank my friend for yielding and thank him for his fine management of this very important rule.

Mr. Speaker, I rise in strong support of this rule which provides for an open amendment process. Any germane amendment that any Member chooses to offer will in fact be debated and voted upon here in the House. So understand that Members under the rules of the House will have an opportunity to amend this legislation as they see fit.

I was very happy to hear praise for the bill from my good friend from Fort Lauderdale, Florida (Mr. HASTINGS) as well as the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) and an understanding that at the end of the day there will be bipartisan support for this legislation.

We know full well that this is a piece of legislation that is often misunderstood by many Americans. There is a belief that somehow we expend 10 to 15 percent of the Federal budget on foreign assistance, on foreign aid; and there is a belief that we are taking our hard-earned tax dollars and sending them down a rat hole when, in fact, there needs to be an understanding that the foreign operations bill is comprised of less than 1 percent of the entire Federal budget.

I believe that the chairman and ranking member have done a great job in putting together a bill, and I will do exactly what the gentleman from Florida (Mr. HASTINGS) said and say correctly that with the resources that are limited, we frankly have done, I believe, extraordinarily well. There is a reason that resources are limited when it comes to the Federal budget. It is not, as my friend from Florida said, because of reckless and irresponsible policies that President Bush and the Republicans have put forward. It is the fact that both Democrats and Republicans are regularly saying that we need to bring about a reduction in the Federal deficit. We cannot continue to have deficit spending.

Now, the so-called reckless and irresponsible policies that have been categorized as that by my good friend are policies that have actually brought the Federal deficit to a level that is \$73 billion lower than had been anticipated and projected in February. First, we saw in April a reduction of \$50 billion; and then just 2 weeks ago, we got the report of an additional \$23 billion reduction in the Federal deficit. Why? Because of the fact that we have seen strong, bold economic growth. We have a 3.5 percent GDP growth rate taking place in this country, and we also have seen the unemployment rate at 5.1 percent, lower than the average unemployment rate through the 1960s, 1970s, 1980s and 1990s.

And so this view, somehow, that we have created more problems when it comes to the deficit, we not only have

not created more problems; we have got the deficit on a downward slope, we are still fighting the war on terror, and we are meeting these very important obligations.

The gentleman from Florida (Mr. HASTINGS) was absolutely right, Mr. Speaker, when he talked about the great trip that we took in traveling throughout the Middle East, going to Israel and the Palestinian territories. We were also in Egypt. I believe that the aid package that we have here for both Israel and Egypt is very important, and I would like to compliment my friend from Wisconsin (Mr. OBEY), the distinguished ranking minority member of the Committee on Appropriations, for his effort to focus resources on the democratization that is taking place in Egypt. We know that for the first time ever, we in September are going to see multicandidate elections take place in Egypt. I believe that that is a clear sign that the policies that we have been pursuing under President Bush in creating a chance for 8.5 million Iraqis to vote has been a very positive thing.

We know that today marks the first anniversary of the transition from the Coalition Provisional Authority to Iraqi sovereignty, which is a very, very important thing to mark. Obviously, we have tragically seen terrorist activities take place throughout the past year which have been designed to bring about destabilization. But because of what we have done, because of the resolve, and the President will be talking about this tonight in his nationally televised address from Fort Bragg, we as a Nation are determined to see political pluralism, the rule of law and the building of democratic institutions; and the effort that the gentleman from Wisconsin has put into that when it comes to Egypt is, I think, a very, very important one.

I also want to talk about the issue that was raised by the gentleman from Florida (Mr. HASTINGS), that being the concern that we all have over this issue of a shortfall in funding for our veterans. Mr. Speaker, we all know, Democrats and Republicans alike, that there is a great responsibility that we have to our veterans. Our veterans have shed their blood and shared their courage for the good of our country. They have given us our enduring freedom, and it is our duty to honor our country's commitment to them. It is our duty to do that.

Now, just this morning at 9 o'clock, we have seen the gentleman from New York (Mr. WALSH), the very, very distinguished chairman of the subcommittee that deals with this issue, the Subcommittee on Military Quality of Life and Veterans Affairs, hold a hearing focusing on the need to address this issue. We did, unfortunately, get this report of the shortfall, but it is important to note what it is that we have done for our Nation's veterans.

We passed by a vote of 425-1 the military quality of life appropriations bill.

That legislation includes over \$28 billion for the Veterans Health Administration, including \$21 billion for medical services. Medical services are actually funded in the legislation at \$1.6 billion above the current fiscal year. Over the last 2 years, funding for medical care for veterans has increased by 18 percent. That does not in any way diminish the fact that we have unfortunately gotten this report of the \$1 billion shortfall; but, Mr. Speaker, it makes it very clear that we as an institution have a responsibility to encourage the Veterans Administration to have a degree of accountability.

When you provide \$28 billion in resources, \$21 billion for medical services, an increase of 18 percent over the last 2 years, it seems to me that steps need to be taken to ensure that we, in fact, look at and understand this problem of the \$1 billion shortfall. We should not continue to subsidize what obviously is a problem.

That is why there is a strong commitment. The White House is committed to dealing with this issue. The gentleman from Indiana (Mr. BUYER), the chairman of the authorizing committee, is very determined to deal with this issue. And I believe that we have done the correct thing by saying the funds will be available through using surpluses that the Veterans Administration has and other operational funds while we try to deal with the challenge of this \$1 billion shortfall.

There will be some who will try to claim that we are ignoring the problem of the \$1 billion shortfall that has been announced if we do not defeat the previous question and turn back this rule. Nothing could be further from the truth. We face the problem head-on. We are going to responsibly deal with it working together in a bipartisan way with the executive branch and the legislative branch to ensure that we can address this issue.

I urge support of this rule. I thank my friend for his leadership that he has shown on this and a wide range of very important foreign policy issues.

I will close with one point that I raised with the gentleman from Arizona (Mr. KOLBE) when he testified and, that is, I am very proud that Speaker HASTERT and Minority Leader PELOSI have come together to establish a task force, a commission that is geared towards seeing the United States House of Representatives directly provide technical assistance and other expertise to emerging parliaments in these new democracies that are taking place around the world, and there are very important resources for that that are included in this bill. I would like to thank my colleagues who have been involved in that. I urge support of both the rule and the underlying legislation.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2½ minutes to the gentleman from Massachusetts (Mr. MCGOVERN) with whom I serve on the Rules Committee.

Mr. MCGOVERN. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in opposition to this rule for one simple reason: it shortchanges our Nation's veterans. I would say to my friend and colleague, the distinguished chairman of the Rules Committee, with all due respect, our veterans do not need more hearings. They do not need your sympathy. They need your action. They need this Congress to act, and they need this Congress to act now.

The Department of Veterans Affairs recently admitted they are \$1 billion short. Last night in the Rules Committee, Democrats offered an amendment by the gentleman from Texas (Mr. EDWARDS) to correct this shortfall and to make sure that our veterans get the health care that they deserve. As the gentleman from Texas noted in his testimony before the committee, "There are three basic reasons why VA health funding must be increased above present levels.

□ 1115

"First, health care inflation is approximately 7 percent a year. Second, 86,000 Iraqi and Afghanistan war veterans have needed VA care. Third, health care and prescription drug costs have caused a net increase of 250,000 veterans per year using the VA health care system."

Mr. Speaker, despite this glaring need for more veterans health care funding, the Republican majority on the Committee on Rules refused to provide it on a partisan vote. What are our priorities?

Yesterday in The Washington Post, it was reported that senior VA officials are spending their time making sure that every VA facility has a framed portrait of the VA Secretary prominently displayed.

One senior VA official said that facilities should make the portrait their "highest priority."

I have a suggestion for the VA. Maybe their highest priority should be providing adequate health care for our veterans. Maybe their highest priority should be spending American tax dollars wisely.

There is a quote from Abraham Lincoln's Second Inaugural etched into the VA building downtown. It says, "to care for him who shall have borne the battle and for his widow and his orphan."

Lincoln did not say anything about the framed portrait of government officials.

Mr. Speaker, I urge my colleagues to vote no on the previous question so that we can provide adequate funding for veterans health care.

During this time of war, our veterans deserve more than nice words. They deserve the health care that they have earned.

I realize that this is not a tax cut for millionaires, something that you on the other side of the aisle embrace with urgency, but how can you turn your backs on the brave men and women fighting in the wars that you voted for?

Mr. Speaker, this is an outrageous situation that must be fixed today, not tomorrow, not next week, not next month. We do not need any more hearings. We need to fix it today. We owe the men and women who have worn the uniform of this country nothing less.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we are very proud of our support for veterans. A few weeks ago, as a matter of fact, on May 25, this House of Representatives brought to the floor, considered and passed by a vote of 425 to 1 the appropriations bill for the next fiscal year on military quality of life. The legislation included over \$28 billion for the Veterans Health Administration, including \$21 billion for medical services. Medical services were funded \$1.6 billion above the current fiscal year. Over the last 2 years, funding for the veterans medical care has increased by 18 percent.

We are very proud of our support for veterans. And I would like to say, Mr. Speaker, that I know of no two Members of this House who feel and have more concern for the rights of veterans than the chairman of the Committee on Veterans' Affairs, the gentleman from Indiana (Mr. BUYER), as well as the chairman, the gentleman from New York (Mr. WALSH) of the appropriations subcommittee that funds veterans affairs.

So this matter brought to our attention now of a shortfall is of extreme concern to them. And as we speak, Mr. Speaker, a hearing is taking place to fully investigate the causes and the issues of this shortfall, a hearing is taking place by the appropriations subcommittee dealing with this issue, Military Quality of Life Appropriations Subcommittee, called for by the chairman, the gentleman from New York (Mr. WALSH). And so not only are we not ignoring the issue, we are proud of our record of support for veterans and will continue to support veterans in a way which will make us all proud.

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

Mr. HASTINGS of Florida. What my colleague from Florida ignores is that we could do something today for those same veterans.

Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, this bill spends a lot of money on foreign aid, but there is a major problem with this bill today. And that problem is not money that the bill contains. It is money that the bill does not contain.

Last week we were told by the Veterans Administration that after continually resisting efforts to increase funding for veterans health care, they were finally admitting that there was, in fact, a \$1 billion shortfall in veterans health care funding for the present fiscal year.

My understanding is that at the hearing of the Subcommittee on Military

Construction this morning, the VA amended that number and they are now telling us that in addition to the \$1 billion shortfall which they said they had in this fiscal year, they are saying that they are going to need \$1.5 billion next year, plus another \$1.1 billion if the Congress does not take action with respect to co-payments and enrollment fees that the Congress has already decided that it will not support.

So in other words, there is a huge hole in the Veterans Administration health care funding and it is growing.

Now, we have had to endure a lot of cynical comments from some Members on the other side over the past 2 years because the gentleman from Texas (Mr. EDWARDS) and I and several others have tried at every opportunity to get more money into the budget for veterans health care.

In fact, I recall at one point the gentleman from Texas (Mr. EDWARDS) was called a demagogue by a member of the majority party because he stood up and insisted that we fund veterans health care at least a billion dollars higher level than it was being funded.

I think now we recognize, and I would hope our friends on the other side of the aisle would recognize, that the numbers which the gentleman from Texas (Mr. EDWARDS) and others have been citing are correct and that the numbers that the Veterans Administration has been citing are not.

I find it ironic that the majority party even removed from the Committee on Veterans' Affairs chairmanship, the gentleman who last year recognized along with us that we need higher funding for veterans health care. He was rewarded for being frank about the needs for veterans by being bounced out of his committee chairmanship.

I think we ought to take a look at what the facts are. Right now medical facilities are literally falling down around their patients. One veterans medical clinic had to put up scaffolding around walls to protect patients from falling bricks. Physicians at VA hospitals have reported that they had to visit neighboring hospitals to borrow supplies that they needed to carry out specific medical procedures.

The VA is proposing two solutions to the problem: diverting \$400 million that was to be used for medical services next year, and using \$600 million that was supposed to be used to improve hospitals. This, in our judgment, is just digging the hole deeper, and it is not the first time that we have seen this resistance.

In fiscal 2002 the administration would not allow the VA to spend \$275 million that Congress had provided to meet the needs of veterans. In fiscal year 2004, the VA Secretary testified that the administration had cut his own request by \$1.2 billion. They now admit there is a shortfall.

For 2006 the VA bill adds only 2 percent or \$661 million for the Veterans

Health Care Administration. Not nearly enough in light of today's revelations.

I will place into the RECORD, Mr. Speaker, a listing of our efforts over the past 2 years to raise veterans health care.

In short, I simply want to urge each and every Member of this House on both sides of the aisle to vote against the previous question on the rule on this bill so that we can try to respond to what is obviously an emergency situation and add to this bill the money that the gentleman from Texas (Mr. EDWARDS) tried to add on the floor last week to a previous bill so that we can clean up the shortfall in the VA health care budget for this year, and so that we do not dig the hole deeper for the following year.

Even the money that the gentleman from Texas (Mr. EDWARDS) was asking for last week will not be sufficient for the 2-year problem, but it is a whole lot better than hiding the problem under the rug as the administration has done for the past 2 years.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. WALSH), the distinguished chairman of the Subcommittee on Military Quality of Life of the Committee on Appropriations.

Mr. WALSH. Mr. Speaker, I thank the gentleman for yielding me time.

I do not think I am incorrect in stating that this discussion regarding veterans health care does not belong on a foreign operations bill. Clearly there is a venue for discussion of veterans funding. And as Members know, we have had a full discussion of that before the House and in committee and it was done in a proper way.

I just want to make sure that everyone understands that we were provided additional information after the House had concluded its work on the Veterans and Military Quality of Life bill. That prompted us, my colleague, the distinguished gentleman from Texas (Mr. EDWARDS), my ranking member of the subcommittee, to jointly request an oversight hearing which was conducted just this morning for 2½ hours.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. WALSH. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding.

I would simply say I appreciate the oversight hearing but what we need is not so much a hearing but action. Secondly, I would grant to the gentleman that the preferred place to deal with this problem is not on this bill. The problem is we tried to deal with it on the bill where it belongs and we were blocked by the majority for doing so.

I thank the gentleman for yielding.

Mr. WALSH. Reclaiming my time, we can deal with this before the 2006 budget is implemented. We have time. It is June. We moved expeditiously to get the bill passed. We did that.

We now have new information and we have to respond to that. And the questions I can frankly say were aggressive and thorough, and the response from the Veterans' Administration, while complete, at least we believe complete at this time, was not as thorough as we would like.

And we asked questions, the gentleman from Texas (Mr. EDWARDS) and I and other members of the subcommittee have asked questions. We want to get at what exactly is the anticipated shortfall for 2006. We want to make sure that this projected deficit for 2005 is responded to. That there is no diminution of care or quality of care in our veterans hospitals and that is our responsibility. That is the proper venue for this debate. Not on the foreign operations bill. We will have time to respond to it.

We have had discussions with OMB and with the Veterans' Administration. We will not rest until we resolve this difference of what is needed to meet the needs of our veterans. But I assure the House and Members here today that we will get to the bottom of this, we will get the proper resolution. And if additional funds are needed, and I believe they are, we will find them.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 4 minutes to the gentlewoman from New York (Mrs. LOWEY), ranking member of the Subcommittee on Foreign Operations who has a great deal of dedication and skill in this arena.

Mrs. LOWEY. Mr. Speaker, I thank the gentleman for yielding me time.

I rise in opposition to this rule and urge my colleagues to defeat the previous question. I am grateful for the Committee on Rules for granting an open rule for consideration of H.R. 3057, the FY 2006 Foreign Operations Appropriations bill.

It is always my preference each year to allow as broad a debate as possible on the provisions in the bill and on United States foreign aid policy generally.

□ 1130

I believe this rule will accomplish that.

However, I did ask the Committee on Rules to grant a waiver to one amendment during today's debate, an amendment offered by the gentleman from Texas (Mr. EDWARDS) to provide \$1 billion in emergency funding for veterans health care. While I do not usually support giving waivers to amendments on the foreign operations bill that are not directly related to the bill, I wholeheartedly support the gentleman from Texas' effort.

The administration's recent revelation of a \$1 billion shortfall in veterans health care funding is already significantly impacting our veterans, as facilities across the country deny new requests for appointments. This admission, which emerged during a congressional hearing last week, comes less than 4 months after Secretary Nichol-

son wrote to the Senate with a bold assertion that the VA "does not need emergency supplemental funds in fiscal year 2005." It seems Secretary Nicholson was either misleading Congress or simply was not informed of the facts; and, frankly, I do not know which poses a greater threat to the veterans health care system.

The nonchalance with which the administration has handled funding for veterans health care is unbelievable, especially as our men and women in uniform continue to serve in Iraq, Afghanistan, and around the world. These brave Americans continue to give the ultimate sacrifice to defend our freedoms, and we must fulfill our commitment to care for them upon their return.

The gentleman from Texas' effort is not without precedent. The Committee on Rules made in order a Republican amendment to the Iraq War supplemental on REAL ID, allowing for adoption of this provision without any real debate or hearings. The committee also made in order a nongermane amendment to the legislative branch appropriations bill, arguing that the continuity of Congress was too important not to include.

Given what our veterans have done for this country, the gentleman from Texas' amendment is too important not to consider today, and I urge defeat of the previous question.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

We will get to the bottom of this problem. We will solve it, and we have heard from the chairman of the appropriations subcommittee that has jurisdiction over the veterans issue to that effect. We will hear as well shortly from the chairman of the Committee on Veterans' Affairs, and when I say we are going to get to the bottom of this and solve it, it is coming from the history of the House of Representatives that in the last 2 years alone has increased funding for veterans medical care by 18 percent. We are very proud of our record, and we are going to continue to have a record to be proud of.

So having said that, I would simply like to remind any colleagues who may be following this debate that with this rule what we are doing is bringing to the floor the foreign aid bill, the foreign operations appropriations bill, which includes about \$22 billion, the foreign aid bill, includes about \$22 billion, and it is almost \$100 million over the amounts that we appropriated for the current fiscal year. That is what we are bringing to the floor again, Mr. Speaker, with this rule.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my friend from Florida, the distinguished gentleman, amazes me with his logic. We gave the veterans \$2 billion more he said last year. What

does that have to do with today and the fact that there is a \$1 billion shortfall? This shortfall that has come to the attention of people is a mistake. When can this administration say that we were wrong about something? The veterans need \$1 billion and that is that.

Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas (Mr. EDWARDS) who has been denigrated for arguing this point over the last 2 years.

Mr. EDWARDS. Mr. Speaker, I think what the House has to decide today is what is more important: House procedures that we waive every single day for the most insignificant of reasons or taking care of a \$1 billion-plus shortfall in veterans health care programs during a time of war.

Quite frankly, if the gentleman from New York (Mr. WALSH), my good friend and leader of the House Subcommittee on Military Quality of Life and Veterans Affairs, were Speaker of the House, I would withdraw my opposition to the vote against the rule that denies us a chance to provide adequate care for veterans; but the fact is he is not. The fact is that repeatedly this year, not the Committee on Appropriations on veterans affairs health care spending, but the House leadership has repeatedly said no to adequate funding for VA medical care.

The gentleman from Florida talked about how proud he was of his work on veterans programs this year. Let me just point out that if we go back and look at the budget resolution passed on a partisan basis in April, that budget resolution directs a cut compared to present services of \$14 billion in veterans health care over the next 5 years. I am not only not proud of that; that is the reason I voted against the partisan budget resolution in April that began this process.

This problem was not created by the Committee on Appropriations. It was created by an inadequate budget resolution that was pushed through this House in April, strictly on a partisan basis. The fact is, I am less interested in how we got here and more interested in how we take care of veterans. That is more important than all the partisan disagreements we might discuss on the floor this day.

What are the facts? The facts are that the Veterans Administration has now admitted that it has approximately, or say minimally, a \$1 billion shortfall. The fact is that kind of shortfall is delaying purchasing equipment that doctors and nurses at our VA hospitals say is needed to provide quality care for veterans. That shortfall is going to have a direct impact on the quality of care for America's veterans, including veterans coming back from the Iraq and Afghanistan wars.

If anyone questions how serious this shortfall is, let me just read to my colleagues a letter dated May 3 of this year from Barbara Watkins, a medical center director for the Alexandria VA

Medical Center in Virginia. She says: "Dear Friend: As of April 29, 2005, the Alexandria VA Medical Center is no longer scheduling appointments for new Non Service Connected veterans." In laymen's terms, what that means is if you are a veteran that is unemployed, if you are a veteran that is making only \$10,000 a year or so, perhaps on minimum wage, and you have a serious health care concern, you will not be given a medical appointment at the Alexandria VA Medical Center. My guess is that this kind of cut in services for veterans is occurring all over the country.

The fact is that in Togus, Maine, quoting the gentleman from Maine (Mr. MICHAUD), I can tell my colleagues, using Togus VA Hospital in Maine, the Togus facility actually had to put up scaffolding over the doors to block bricks from falling on patients or staff. This crisis is real. It is serious. It is today.

The gentleman from New York (Mr. WALSH), is correct: we should not normally have to deal with this on the foreign aid appropriations bill. Frankly, we should have dealt with it in April on the budget resolution that underfunded VA medical care. I wish we could have added this money in the VA budget that passed recently in the House. The fact is that is already through the House, and the problem is that if the Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies has to deal with it in a nonemergency basis, guess where we will have to take \$1 billion from to take care of the VA health care crisis?

It will come out of military construction. That is housing, day care facilities for our active duty servicemen and -women and their families, or it might have to come out of the defense health care budget. That is hospital care and medical care for active duty servicemen and -women, members of the Guard and Reserve who are fighting the war on terrorism.

This is not the best place to deal with the veterans health care crisis. But if not now, when? If not this bill, what bill? Let us vote "no" on the rule. Let us add \$1 billion today to deal with the veterans health care funding crisis.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Indiana (Mr. BUYER), the chairman of the Committee on Veterans' Affairs.

Mr. BUYER. Mr. Speaker, I thank my colleague for the time.

I would like to give an explanation of how we got here. I have great respect for the gentleman from Texas (Mr. EDWARDS), my colleague, and his sincerity and his work not only on the commitment of men and women who wear the uniform but also our veterans.

I also extend congratulations. You are either that good, or it was the best guess that turned out to be right. What I really believe in my heart, since you are my friend, is the latter because we

do not understand this health financing model as well as we should. So I know you just said I really do not want to say how we got here, let us take immediate action. First of all, we do not even know how to define the word "adequate." To take action, we need to have it based on an intellect, and we are not even there yet.

So what happened here? Let me tell my colleagues how we got here. Everybody in this town seems to be throwing out a budget number with regard to veterans health. Whether it is the American Legion who has a number, whether the independent budget has a number, whether Republicans have a number, whether Democrats have a number, whether VA has a number or the OMB or the President, everybody seems to have a number. So I said wait a minute, time out here.

I looked back into what we did in the mid-1990s when after the BRAC and prior to before we ever created TRICARE for life and we are trying to figure out the military health delivery system's budget number, and we never could get it right, and we always have to come back in the supplementals, right? So what do we do? We held a hearing on the finance models on the predictability of these budgets. So we increased the predictability.

What is going on now? The modeling still is wrong. So on June 23, in the full Committee on Veterans' Affairs, we held a hearing on the finance of how we do the health modeling with regard to what are the assumptions that are used in the model, what are the risk adjustments that may be necessary, what are the variances, what are the unexpected contingencies. All of these things are very important.

One thing I think is fascinating that we learned was that the model that we used, because the VA contracts with the private sector and when we contract, the model that is used in the private sector is done on an annual basis. In DOD, they use this model, and it is a 2.5 projection. In the VA, it is a 2.5 to 3.5, which means we are stressing the model itself.

I just want everybody to know this is extremely important. We are stressing the health finance model, which means we need to go back and perhaps do more science with regard to how we predict these budgets.

My colleagues say, Steve, what are you talking about? This is extremely important, and we are going to continue our work. Why? Because we need to make sure we define the word, what is "adequate."

So when the VA sends this dollar figure to not only the authorizers but, more importantly, the appropriators, so when you pass a budget you know what that budget is and you have confidence in it.

Now there is no hide-the-ball here. The VA conducts a mid-year review. When they conducted the mid-year review, unfortunately a week after the gentleman from New York's (Chairman

WALSH) and the gentleman from Texas' (Ranking Member EDWARDS) product is passed by the floor, we learned from the mid-year review that they are off on the 2005 budget. They are off because of OIF and OEF and dental and personnel and increase on demand of services for older veterans, and now they have a shortfall with regard to 2005.

The Secretary informs us and says I have work-around solutions with regard to 2005. We in Congress authorize what is called a cushion, whether it is DOD health or VA health, and that cushion is around \$400 million that goes from year to year. He says, well, I need to take \$380 million out of the \$400 million cushion, and I also then need to redirect or reprogram out of the capitalization accounts for 2005.

I agree with the gentleman from New York (Chairman WALSH) and the gentleman from California (Chairman LEWIS) with regard to our oversight responsibilities. Matter of fact, the Speaker said maintain our oversight to make sure that we maintain the quality of care and the services necessary for America's veterans. That is going to be done.

So as we listen and be a good listener with regard to the Secretary's work-around solutions for 2005, it is 2006. That 2006 budget number, I will submit there is no one here on this floor, despite whatever number they may advocate, that knows exactly what it is today.

□ 1145

Hearings are very important, and the hearings are going to continue. This is, as the Secretary said, evolution. Yes, this is going to be an evolutionary process to get it right about 2006. I do not care about just 2006, I care about getting it right from 2006 on. I care about getting it right in 2006 and beyond because of our commitment to veterans.

So it would be very good and very helpful and very appropriate for us to use the right words on this floor. No one owns a cornerstone in their advocacy to veterans and what they have done for this Nation. No one in this House. We all do. We all respect the service and sacrifice of our veterans.

So let us embrace the challenge of getting into the health modeling issue to make sure these issues are right; that we go in and work with our Senate colleagues to make sure we get the numbers correct with regard to the 2006 budget. And when we do this, we then define what is "adequate funding" for the VA.

Mr. Speaker, I want to work with my friend, the gentleman from Texas (Mr. EDWARDS) and with the chairman, the gentleman from New York (Mr. WALSH). I respect the leadership of Chairman WALSH, and I also thank him for his firmness and for his tough words with the Secretary. I look forward to working on this commitment.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I just want to indicate my strong support for the bill and particularly for the provisions relative to Armenia and the Nagorno Karabakh. Thanks to the chairman of the subcommittee, the gentleman from Arizona (Mr. KOLBE), the ranking Democrat, the gentlewoman from New York (Mrs. LOWEY), and also my friend and co-chair of the Congressional Caucus on Armenian Issues, the gentleman from Michigan (Mr. KNOLLENBERG), for their continued support we now have \$67.5 million in the bill for humanitarian assistance to Armenia, which is \$12.5 million more than what the President requested; and \$5 million in assistance for Nagorno Karabakh, which is \$2 million more than last year. I just want to thank all the members of the subcommittee for their continued support.

It is very important this House continue to recognize the plight of the victims of the Nagorno Karabakh conflict, and that is why we must support the committee's recommendations. It is also significant that the President requested and the committee has maintained military assistance parity between Armenia and Azerbaijan with \$5.7 million allocated to each country. By allocating equal levels of military and security assistance to both nations, the U.S. Government will preserve its credibility as an impartial and leading mediator in the continued and sensitive peace negotiations for the Nagorno Karabakh conflict.

Given the ongoing Azerbaijani blockades and threats to renew military aggression against Armenia and Karabakh, it is critically important the administration continue to promote balanced, short- and long-term policies that elevate regional cooperation and reduce the risk of conflict in the South Caucasus region. The members of this subcommittee and the leadership on both sides of the aisle have for a long time played a major role in trying to provide balanced, short- and long-term policies that elevate regional cooperation in the Caucasus, and I thank them once again for the assistance levels that are in this legislation.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, when the gentleman from Indiana (Mr. BUYER) was talking a moment ago about the gentleman from Texas (Mr. EDWARDS) either being lucky or being good, he chose that he was lucky during the last 2 years. However, the gentleman from Texas (Mr. EDWARDS) spoke with hospital administrators, and that is how he got his information. And if somehow or another we were not so interested in hanging

the picture of the Committee on Veterans' Affairs chairman somewhere rather than trying to figure out what hospital administrators need, all of us could be good.

I know this much: At the Veterans Hospital in West Palm Beach, Florida, veterans wait 6 months on occasion to get themselves treated, and I think that is ridiculous.

Mr. Speaker, I will be calling for a "no" vote on the previous question. If the previous question is defeated, I will amend the rule so we can consider the amendment of the gentleman from Texas (Mr. EDWARDS) that was rejected in the Committee on Rules last night on a straight party-line vote.

Mr. Speaker, the Edwards amendment would provide additional badly needed health care funds for our Nation's veterans today. The Edwards amendment uses the supplemental authority provided in the 2006 budget resolution to correct the current \$1 billion shortfall mistake in funding for the health care needs of America's veterans, including the approximately 86,000 new Iraqi and Afghanistan veterans.

Mr. Speaker, I am sure all of my colleagues are aware by now of the announcement last week by the Bush administration's own Secretary of Veterans Affairs that the VA is facing a \$1 billion shortfall in veterans' health care. This is not news to this side of the aisle. We have known all along the funding was woefully inadequate. We have tried on numerous occasions to increase funding to care for our returning soldiers, but the Republican leadership has ignored our demands and has consistently rejected our many attempts to add money to the VA health care budget. Maybe now they will listen. Today, they will have a chance to show just how much they support our soldiers.

I want to assure my colleagues that a "no" vote will not prevent us from considering the foreign operations appropriations bill under an open rule. But a "no" vote will allow Members to vote on the Edwards amendment to help our brave returning veterans get the health care they need and deserve. However, a "yes" vote will block consideration of this amendment and, sadly, once again, this leadership will turn its back on our wounded veterans.

We make much of visiting veterans' hospitals. We make much of Veterans Day. All of these are appropriate undertakings. But when we learn that this administration has made a big mistake with reference to veterans in this Nation, we cannot muster here in the House of Representatives the oomph to do the things necessary for people that are putting their lives on the line for us and returning home in need of care.

Vote "no" on the previous question.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment immediately prior to the vote.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I am pleased that my good friend from Florida, as he was wrapping up his remarks, as always with eloquence, talked about the "yes" votes and the "no" votes, because just 1 month ago, Mr. Speaker, when this House brought forth the bill to fund the Committee on Veterans' Affairs, the appropriations bill to fund Veterans' Affairs, there was a very interesting "yes" and "no" vote on this floor; 425 yes and 1 no.

So I simply want to put in context what has been said today. If we would be acting with such unfairness on the majority side, if we would be neglecting the interests of those men and women who we all hold in such admiration, then why was the vote to fund Veterans' Affairs 425-1 only 1 month ago?

As we have heard from the chairman of the Committee on Veterans' Affairs, from the authorizing committee, and the chairman as well of the Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies of the Committee on Appropriations on these issues brought to our attention subsequent to that vote of 425-1, they are being addressed. They are being delved into. They will be solved. And we will continue to be proud of our record of support for our veterans.

Now, with regard to what this rule does, the rule we have been discussing today, it brings forth for consideration by this body the foreign aid appropriations bill, over \$20 million in foreign aid. A lot of important programs, humanitarian programs; support for allies and friends; for poor people throughout the world; for the sick and the infirm. It is a good piece of legislation, Mr. Speaker.

So at this time, Mr. Speaker, I would request that the underlying legislation, the foreign operations legislation, be supported, as well as the rule that brings it forth, which is an open rule.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

PREVIOUS QUESTION ON H. RES. 341 RULE FOR H.R. 3057 FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS FY06 APPROPRIATIONS

At the end of the resolution, add the following new sections:

SEC. 2. Notwithstanding any other provision of this resolution, the amendment printed in section 3 shall be in order without intervention of any point of order and before any other amendment if offered by Representative Edwards of Texas or a designee. The amendment is not subject to amendment except for pro forma amendments or to a demand for a division of the question in the committee of the whole or in the House.

SEC. 3. The amendment referred to in section 2 is as follows:

AMENDMENT TO H.R. 3057, AS REPORTED
OFFERED BY MR. EDWARDS OF TEXAS

At the end of the bill (before the short title), insert the following new title:

**TITLE VI—DEPARTMENT OF VETERANS
AFFAIRS**

**VETERANS HEALTH ADMINISTRATION
MEDICAL SERVICES**

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department of Veterans Affairs, and including medical supplies and equipment and salaries and expenses of health-care employees hired under title 38, United States Code, and aid to State homes as authorized by section 1741 of title 38, United States Code; \$1,000,000,000, to be available for obligation upon the enactment of this Act and to remain available for obligation until September 30, 2006: *Provided*, That the amount provided under this heading is designated as making appropriations for the purpose set forth in subparagraph (A) of section 402(a)(1) of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for the fiscal year 2006: *Provided further*, That amounts made available under this heading may be transferred to other accounts of the Department of Veterans Affairs to the extent necessary to reimburse those accounts for prior transfers to “MEDICAL SERVICES” after notice of the amount and purpose of the transfer is provided to the Committees on Appropriations of the Senate and House of Representatives and a period of 30 days has elapsed: *Provided further*, That the transfer authority in this paragraph is in addition to any other transfer authority available to the Department of Veterans Affairs.

Mr. LINCOLN DIAZ-BALART of Florida. 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.

Mr. HASTINGS of Florida. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

**ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE**

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put each question on which further proceedings were postponed in the following order:

Motion to suspend the rules on H.R. 458, by the yeas and nays;

Ordering the previous question on H. Res. 341, de novo;

Adoption of H. Res. 341, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

**MILITARY PERSONNEL FINANCIAL
SERVICES PROTECTION ACT**

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 458, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 458, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 405, nays 2, not voting 26, as follows:

[Roll No. 324]

YEAS—405

Abercrombie	Castle	Frelinghuysen
Ackerman	Chabot	Gallegly
Aderholt	Chandler	Garrett (NJ)
Akin	Chocola	Gerlach
Alexander	Clay	Gibbons
Allen	Coble	Gilchrest
Andrews	Cole (OK)	Gillmor
Baca	Conaway	Gingrey
Bachus	Conyers	Gohmert
Baird	Cooper	Gonzalez
Baker	Costa	Goode
Baldwin	Costello	Goodlatte
Barrett (SC)	Cox	Gordon
Barrow	Cramer	Granger
Bartlett (MD)	Crenshaw	Graves
Barton (TX)	Crowley	Green (WI)
Bass	Cubin	Green, Al
Bean	Cuellar	Green, Gene
Beauprez	Culberson	Grijalva
Becerra	Cummings	Gutierrez
Berkley	Cunningham	Gutknecht
Berman	Davis (AL)	Hall
Berry	Davis (CA)	Harman
Biggart	Davis (FL)	Harris
Bilirakis	Davis (IL)	Hart
Bishop (GA)	Davis (KY)	Hastings (FL)
Bishop (NY)	Davis (TN)	Hastings (WA)
Bishop (UT)	Davis, Jo Ann	Hayes
Blackburn	Davis, Tom	Hayworth
Blumenauer	Deal (GA)	Hefley
Blunt	DeFazio	Hensarling
Boehlert	DeGette	Herseth
Boehner	Delahunt	Hinchey
Bonilla	DeLauro	Hinojosa
Bonner	DeLay	Hobson
Bono	Dent	Hoekstra
Boozman	Diaz-Balart, L.	Holden
Boren	Diaz-Balart, M.	Holt
Boswell	Dicks	Honda
Boucher	Dingell	Hooley
Boustany	Doggett	Hostettler
Boyd	Doyle	Hoyer
Bradley (NH)	Drake	Hulshof
Brady (PA)	Dreier	Hunter
Brady (TX)	Duncan	Hyde
Brown (OH)	Edwards	Inglis (SC)
Brown, Corrine	Ehlers	Inslee
Brown-Waite,	Emanuel	Israel
Ginny	Emerson	Issa
Burgess	English (PA)	Istook
Burton (IN)	Eshoo	Jackson (IL)
Butterfield	Evans	Jackson-Lee
Buyer	Everett	(TX)
Calvert	Farr	Jindal
Camp	Fattah	Johnson (CT)
Cannon	Feeney	Johnson (IL)
Cantor	Ferguson	Johnson, E. B.
Capito	Filner	Johnson, Sam
Capps	Fitzpatrick (PA)	Jones (OH)
Capuano	Foley	Kanjorski
Cardin	Forbes	Kaptur
Cardoza	Ford	Keller
Carnahan	Fortenberry	Kelly
Carson	Fox	Kennedy (MN)
Carter	Frank (MA)	Kennedy (RI)
Case	Franks (AZ)	Kildee

Kind	Musgrave	Scott (VA)
King (IA)	Myrick	Sensenbrenner
King (NY)	Nadler	Serrano
Kirk	Napolitano	Sessions
Kline	Neal (MA)	Shadegg
Knollenberg	Neugebauer	Shaw
Kolbe	Ney	Sherman
Kucinich	Northup	Sherwood
Kuhl (NY)	Norwood	Shimkus
LaHood	Nunes	Shuster
Langevin	Nussle	Simmons
Lantos	Oberstar	Simpson
Larsen (WA)	Obey	Skelton
Larson (CT)	Oliver	Slaughter
Latham	Osborne	Smith (NJ)
LaTourette	Otter	Smith (TX)
Leach	Owens	Smith (WA)
Lee	Oxley	Snyder
Levin	Pallone	Sodrel
Lewis (CA)	Pascarella	Solis
Lewis (GA)	Pastor	Souder
Lewis (KY)	Pearce	Stark
Linder	Pelosi	Stearns
Lipinski	Pence	Strickland
LoBiondo	Peterson (MN)	Stupak
Lofgren, Zoe	Petri	Sullivan
Lowey	Pickering	Tancred
Lucas	Pitts	Tanner
Lungren, Daniel	Platts	Tauscher
E.	Poe	Taylor (NC)
Lynch	Pombo	Terry
Mack	Pomeroy	Thomas
Maloney	Porter	Thompson (CA)
Manzullo	Price (GA)	Thompson (MS)
Marchant	Pryce (OH)	Thornberry
Markey	Putnam	Tiahrt
Marshall	Radanovich	Tiberi
Matheson	Rahall	Tierney
Matsui	Ramstad	Towns
McCarthy	Rangel	Turner
McCaul (TX)	Regula	Udall (CO)
McCollum (MN)	Rehberg	Udall (NM)
McCotter	Reichert	Upton
McCrery	Renzi	Van Hollen
McDermott	Reyes	Velázquez
McGovern	Reynolds	Visclosky
McHenry	Rogers (AL)	Walden (OR)
McIntyre	Rogers (KY)	Walsh
McKeon	Rogers (MI)	Wamp
McKinney	Rohrabacher	Wasserman
McMorris	Ros-Lehtinen	Schultz
McNulty	Rothman	Waters
Meehan	Roybal-Allard	Watson
Meek (FL)	Royce	Watt
Meeks (NY)	Ruppersberger	Waxman
Melancon	Rush	Weiner
Menendez	Ryan (OH)	Weldon (FL)
Mica	Ryan (WI)	Weldon (PA)
Millender-	Ryun (KS)	Weller
McDonald	Sabo	Westmoreland
Miller (FL)	Salazar	Wexler
Miller (MI)	Sánchez, Linda	Whitfield
Miller (NC)	T.	Wicker
Miller, Gary	Sanchez, Loretta	Wilson (NC)
Miller, George	Sanders	Wilson (SM)
Mollohan	Saxton	Wolf
Moore (KS)	Schakowsky	Woolsey
Moore (WI)	Schiff	Wu
Moran (KS)	Schwartz (PA)	Wynn
Moran (VA)	Schwarz (MI)	Young (AK)
Murphy	Scott (GA)	Young (FL)

NAYS—2

Paul
NOT VOTING—26

Brown (SC)	Jefferson	Payne
Cleaver	Jenkins	Peterson (PA)
Clyburn	Jones (NC)	Price (NC)
Doolittle	Kilpatrick (MI)	Ross
Engel	Kingston	Shays
Etheridge	McHugh	Spratt
Fossella	Michaud	Sweeney
Herger	Murtha	Taylor (MS)
Higgins	Ortiz	

□ 1219

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: “An Act to prevent the sale of abusive insurance and investment products to military personnel, and for other purposes”.