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House of Representatives

The House met at 10 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

May today's prayer rise before You, O Lord, and give You praise.

May the acts of Congress be accomplished this day according to Your holy will, and generate a new spirit among the Members that will give them satisfaction in their work and bring justice and security to the Nation.

May those who are in most need of Your mercy take refuge in You today.

May this day bring joy and laughter to children, relief of suffering to the sick and loving consolation to the elderly.

At the end of the day, may all rest from their labors and may You grant the world peace.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. BURGESS) come forward and lead the House in the Pledge of Allegiance.

Mr. BURGESS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will recognize up to five 1-minute speeches on each side.

PLACEMENT OF THE TEN COMMANDMENTS

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

Mr. POE. Mr. Speaker, the Supreme Court once again has made complex that which is clear.

In their decisions regarding placement of the Ten Commandments on public property, an alleged violation of the first amendment, their rulings are inconsistent. They have said that the Ten Commandments must be removed from those courthouses in Kentucky. On the same day, the same Supreme Court said that the Ten Commandments placed on the State Capitol grounds of Texas, that is okay.

The Supreme Court, the Ten Commandments police, has created confusion, chaos and calamity. What if folks in Kentucky decide to remove those forbidden Ten Commandments from inside the courtrooms and place them on the courthouse grounds, is that permitted?

Well, the chief of police of the Ten Commandments police, Justice David Souter, would be the one to decide because he ruled one way in one case and the opposite way in the other case.

Mr. Speaker, the Supreme Court ruling should be simple for all Americans to understand. The Ten Commandments are simple to understand. The 10 amendments to the Constitution are simple to understand. It is ironic that the same Supreme Court, policing the Ten Commandments throughout courthouses, in their own courtroom above their head, Moses holding the Ten Commandments. This ought not to be.

HONORING LOS ANGELES COUNTY DEPUTY JERRY ORTIZ

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today with a heavy heart to honor the life and public service of Los Angeles County Sheriff's Deputy Jerry Ortiz.

A 15-year veteran of the police department, as well as an Army veteran, husband and father, Deputy Ortiz was slain in the line of duty while valiantly working to wipe out gangs in southeast Los Angeles County.

Deputy Ortiz's tragic murder shows how the gang epidemic has gotten out of hand, and he paid the ultimate price trying to make his community safer.

Deputy Ortiz was a model law enforcement agent and was admired and respected by his colleagues.

He was awarded the Lakewood City Medal of Valor for arresting a robbery suspect, and he will be remembered as a tireless crime fighter who personified the ideals of community-based policing.

On behalf of every resident of the 39th Congressional District, I thank and honor Deputy Ortiz for dedicating his life to defending our country and making our community a safer place to live and to raise a family.

May God bless and give strength to Deputy Ortiz's wife and children as they mourn their tragic loss. Deputy Ortiz will truly be missed.

EMINENT DOMAIN

(Ms. PRYCE of Ohio asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PRYCE of Ohio. Mr. Speaker, as a former judge and now a Member of Congress, I rise today to protest the attack on individual private property rights contained in the recent Supreme Court decision Kelo v. City of New London.

Following the Court's logic, nothing can stop a local government from replacing a church with a Wal-Mart, or a family farm with a shopping mall, because these will produce greater tax revenues for the government in charge.

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Private property ownership is vital to both our freedom and our prosperity. The Kelo decision now puts every home and every business owner on notice that their property may be taken by the government at any time.

This is not the American way, Mr. Speaker. The Court's decision is an abdication of its responsibility to protect individual property rights, and it is a gross misinterpretation of the Constitution.

As we approach our Nation's Day of Independence, we should be concerned about protecting our freedoms, not curtailing them. A just and wise government values individual ownership and protects it.

Mr. Speaker, it is a sad day. Our Nation is built on many, many important tenets, and protection of private property is certainly not the least of them.

EXPRESSING THANKS

(Mr. AL GREEN of Texas asked and was given permission to address the House for 1 minute.)

Mr. AL GREEN of Texas. Mr. Speaker, on yesterday this august body amended the Transportation-Treasury-HUD appropriations bill to include $7.7 million to fight discrimination in housing. I stand before this body today, Mr. Speaker, to thank all of the persons who supported this amendment, both Democrats and Republicans because it could not have been done without bipartisan support, and for that, I am thankful.

I also thank my staff, Mr. Speaker, because no one does anything without a capable, competent and qualified staff, and I think I have one of the best.

Finally, Mr. Speaker, I want to thank another group of people. On yesterday, we had another event wherein we had to leave rather untimely. I want to thank those many security persons who work on our behalf. They are not only helpful and respectful, they are also full of care for us. Mr. Speaker, as we rush out, they rush in to uncertain danger. I want them to know that we care about them. Mr. Speaker, I do not know exactly what we pay them, but whatever it is, it is not enough for the service that they render.

HONORING BARNEY CHAPMAN

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

Mr. BISHOP of Utah. Mr. Speaker, I rise today to honor a constituent and friend, who after 37 years is retiring as an officer of the largest credit union in my congressional district, the America First Federal Credit Union.

Barney B. Chapman's service to constituents' financial needs in my district over the years is impressive, but his work in the community is the reason he deserves the respect and thanks today.

The organizations which have benefited from him include: The Air Force Reserves, Boy Scouts of America, Chamber of Commerce, Legislative and Military Affairs Committee, the Federation of Independent Business, several Governors Advisory Boards, Salt Lake Community College, the Junior League, Junior Achievement of Utah, the United Way, Weber School District and Weber State College.

Like the good old boy scout that he is, Barney Chapman does his best to do his duty to God and his country and to help other people at all times, but I am particularly grateful for his commitment to the Air Force. A good airman lives by three principles: integrity first, service before self, excellence in all he does. These are the Air Force core values, and as a full colonel retired, they are his as well. They typify the life of Barney Chapman, and for that, I do honor and thank him today.

REPUBLICAN REFUSAL TO FUND VETERANS HEALTH CARE

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

Mr. PALLONE. Mr. Speaker, America's veterans are still waiting. It has been a week now since the Department of Veterans Affairs finally admitted that veterans health care funding was short $1 billion. As a result of that shortfall, VA facilities around the country can no longer schedule appointments for new veterans.

House Republicans, however, do not seem to be too concerned. Democrats have tried repeatedly over the last week to offer amendments that would provide the VA the $1 billion so veterans can get the services they were promised, but Republicans have shot down every effort to increase funding.

Last week, the gentleman from Texas (Mr. EDWARDS) tried to offer an amendment to the Labor-HHS bill to eliminate the Republican VA funding shortfall, but the Republican majority refused to allow a vote. Then, yesterday the gentleman from Texas (Mr. EDWARDS) wanted to offer the amendment to the Transportation spending bill, and once again, Republicans refused to allow a vote.

Mr. Speaker, this House should not adjourn for the 4th of July recess until we honor our promise to our veterans.

CONGRATULATIONS TO THE ELDER PANTHERS

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

Mr. CHABOT. Mr. Speaker, earlier this month, Ohio's number one-ranked Elder Panthers capped off a season of domination in grand fashion by celebrating its 12th State baseball championship.

Here is my dentist's son, the catcher, Billy O'Conner, and pitcher, Matt Klausing, moments after the win on the front page of the Delhi Press.

The 3–0 shutout over Toledo Start gave the Panthers 28 victories for the year, the most in school history, and marked the third consecutive Division I State baseball championship by a Cincinnati area team following in the footsteps of fellow GCL rivals Moeller back in 2004 and St. Xavier in 2003.

Cincinnati Elder is no stranger to being honored on this House floor for its long-standing tradition of athletic and academic excellence.

It gives me great pleasure to, once again, congratulate Elder High School and its players and coaches and students and teachers and parents on capturing yet another State title. As always, they make the west side of Cincinnati proud.

An Elder Panther family, the Lysaghts, dropped off this T-shirt at my office, celebrating the win, and this La Salle Lancer intends to wear it with pride. Go Elder.

□ 1015

EIGHTH ANNIVERSARY OF KHOBAR TOWERS BOMBING

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, this past Monday, June 25, marked the eighth anniversary of the bombing of the Khobar Towers in Saudi Arabia. At 9:50 p.m. local time, a truck bomb exploded with the force of 20,000 tons of TNT, and 19 Americans were left dead, Americans who were due to return home 2 days later on June 27.

Mr. Speaker, we now know that this was one of the first battles in the global war on terror, and we have since seen other such battles, and other Americans have lost their lives. Now we are engaged in what the President describes as a forward strategy of the war on terror, and he articulated that vision again for the American people 2 nights ago, and I was grateful for his ability to do that.

Mr. Speaker, the recollection of our record in what has happened in the past 10 years' time around the world has so changed everything that we do in this House, and the events of last evening have shown us one more time how the world has changed around us.

I salute the families of the men and women who died at the Khobar Towers. God bless them, God rest their souls, and God bless every one of our American troops serving today.

GENERAL LEAVE

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 3058, and that I may include tabular material on the same.

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

There was no objection.

TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 342 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3058.

□ 1017

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3058) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes, with Mr. MCHUGH in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday June 29, 2005, the amendment by the gentleman from Indiana (Mr. SOUDER) had been disposed of and the bill had been read through page 194, line 7.

Mr. KNOLLENBERG. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 210, line 18, be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The text of the remainder of the bill through page 210, line 18, is as follows:

TITLE IX—GENERAL PROVISIONS, GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 901. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

SEC. 902. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2006 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of such department, agency, or instrumentality.

SEC. 903. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $8,100 except station wagons for which the maximum shall be $9,100: *Provided,* That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: *Provided further,* That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further,* That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

SEC. 904. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 905. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of the enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3) is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992: *Provided,* That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: *Provided further,* That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further,* That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further,* That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 906. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 907. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13101 (September 14, 1998), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 908. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided,* That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 909. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 910. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 911. Funds made available by this or any other Act to the Postal Service Fund (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service or under the charge and control of the Postal Service. The Postal Service may give such guards with respect to such property, any of the powers of special policemen provided under 40 U.S.C. 1315. The Postmaster General, or his designee, may take any action that the Secretary of Homeland Security may take under such section with respect to that property.

SEC. 912. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 913. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2006, by this or any other Act, may be used to pay any prevailing rate employee described in

section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by the comparable section for previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2006, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(2) during the period consisting of the remainder of fiscal year 2006, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 2006 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2006 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 2005, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 2005, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 2005.

(f) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 914. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations. For the purposes of this section, the term ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 915. Notwithstanding section 1346 of title 31, United States Code, or section 910 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).

SEC. 916. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(5) the Bureau of Intelligence and Research of the Department of State;

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Department of Homeland Security, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of National Intelligence or the Office of the Director of National Intelligence.

SEC. 917. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for the current fiscal year shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973.

SEC. 918. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 919. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 920. No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: ''These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling.'': *Provided*, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with

the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

SEC. 921. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 922. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 923. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations.

AMENDMENT OFFERED BY MR. HINCHEY

Mr. HINCHEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HINCHEY:

Page 210, line 20, after ''used'' insert ''directly or indirectly, including by private contractor,''.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from New York (Mr. HINCHEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I yield myself such time as I may consume.

This amendment, Mr. Chairman, clarifies that the existing anti-propaganda section of the bill also includes contracting out for these services to publicity experts and others. Its intent is to simply prevent contracts with journalists and other publicity experts without authorization by the Congress, and it will prevent additional embarrassing reports in the future because it will prohibit these bogus news reports, generated by contracts between the government and those willing to take the money and spin the information.

Examples of administrative propaganda are numerous. Last month, The Washington Post reported that the National Resource Conservation Service paid a freelance writer at least $7,500 to write articles touting so-called Federal conservation programs and placed them in outdoors magazines. These articles were placed and not one of them disclosed the fact that the writer was under Federal contract and that these were not objective articles.

Last year, the conservative commentator Armstrong Williams was paid $241,000 by the Education Department to promote the administration's education policy. And columnist Maggie Gallagher received $21,500 from the Department of Health and Human Services to work on the administration's marriage initiative. Again, neither of these individuals informed the public that they were working for the government and that they were not writing objective articles.

Finally, it has recently surfaced that a semi-invisible PR group had received $200 million of taxpayers' dollars to spread anti-Saddam Hussein propaganda prior to the Iraq war. In fact, soon after the attacks on our country on September 11, 2001, the company received a $100,000-a-month contract from the Pentagon to offer media strategy advice. This was part of the misinformation campaign that led to the war in Iraq; and the result of that misinformation was that two-thirds of the American people thought that Saddam Hussein was actually behind the 9/11 attacks. We know, of course, that that was not the case. And eight out of ten Americans thought that Iraq had nuclear weapons because they were afflicted with this misinformation campaign.

While the administration has been embarrassed by their contracts, at least the ones that have been made public, the agencies knew what they were doing when they hired these people to promote these misinformation campaigns. Many have questioned the legality of all of these contracts. The GAO, in fact, is looking into the legality of Armstrong Williams and the Gallagher case, and that ought to determine whether or not the administration violated the ban on covert propaganda.

It is obvious, however, Mr. Chairman, that we need to make this statement with greater clarity and define more clearly what cannot be done by this or future administrations to misinform and mislead the American people by contracting out and engaging in a propaganda campaign using taxpayer dollars to misinform the American people.

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

The CHAIRMAN. Does any Member wish to claim time in opposition to the amendment?

Mr. KNOLLENBERG. Mr. Chairman, I claim the time in opposition, but we accept the amendment.

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

Mr. HINCHEY. Mr. Chairman, is there an opposing argument to the amendment?

The CHAIRMAN. The gentleman from Michigan claimed the time in opposition, and he has reserved his time.

Mr. KNOLLENBERG. Mr. Chairman, if I may inquire, does the gentleman have any time remaining?

The CHAIRMAN. The gentleman from New York (Mr. HINCHEY) has 1½ minutes remaining; and the gentleman from New York has inquired if there are Members who wish to be heard in opposition. The gentleman from Michigan (Mr. KNOLLENBERG) controls the time in opposition.

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume to note that there are no Members here that are in opposition, and I have no position on this matter except to accept the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. HINCHEY. Mr. Chairman, I yield myself the balance of my time, and I thank the gentleman for accepting the amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. HINCHEY).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 924. No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofor authorized by the Congress.

SEC. 925. (a) In this section the term ''agency''—

(1) means an Executive agency as defined under section 105 of title 5, United States Code;

(2) includes a military department as defined under section 102 of such title, the Postal Service, and the Postal Rate Commission; and

(3) shall not include the Government Accountability Office.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under section 6301(2) of title 5, United States Code, has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 926. Notwithstanding 31 U.S.C. 1346 and section 910 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Joint Financial Management Improvement Program (JFMIP), shall be available to finance an appropriate share of JFMIP administrative costs, as determined by the JFMIP, but not to exceed a total of $800,000 including the salary of the Executive Director and staff support.

SEC. 927. Notwithstanding 31 U.S.C. 1346 and section 910 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse ''General Services Administration, Government-wide Policy'' with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: *Provided*, That these funds shall be administered by the Administrator of General Services to support Government-wide financial, information technology, procurement, and

other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency groups designated by the Director (including the Chief Financial Officers Council and the Joint Financial Management Improvement Program for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, and the Federal Acquisition Council for procurement initiatives). The total funds transferred or reimbursed shall not exceed $10,000,000. Such transfers or reimbursements may only be made 15 days following notification of the Committees on Appropriations by the Director of the Office of Management and Budget.

SEC. 928. None of the funds made available in this or any other Act may be used by the Office of Personnel Management or any other department or agency of the Federal Government to prohibit any agency from using appropriated funds as they see fit to independently contract with private companies to provide online employment applications and processing services.

POINT OF ORDER

Mr. ISSA. Mr. Chairman, I raise a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. ISSA. Mr. Chairman, I raise a point of order against section 928. This provision violates clause 2 of House rule XXI. It proposes to change existing law within the jurisdiction of the Committee on Government Reform and, therefore, constitutes legislation on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this section addresses funds in other acts. This section, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and this section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 929. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 930. Notwithstanding section 1346 of title 31, United States 945./Code, or section 910 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: *Provided,* That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science; and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 931. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds, the Catalog of Federal Domestic Assistance Number, as applicable, and the amount provided: *Provided,* That this provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 932. Subsection (f) of section 403 of Public Law 103–356 (31 U.S.C. 501 note), as amended, is further amended by striking ''October 1, 2005'' and inserting ''October 1, 2006''.

SEC. 933. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF INDIVIDUALS' INTERNET USE.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to the rendition of the Internet site services or to the protection of the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term ''regulatory'' means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term ''supervisory'' means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 934. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 935. The Congress of the United States recognizes the United States Anti-Doping Agency (USADA) as the official anti-doping agency for Olympic, Pan American, and Paralympic sport in the United States.

SEC. 936. Notwithstanding any other provision of law, funds appropriated for official travel by Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A–126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 937. None of the funds made available under this or any other Act for fiscal year 2006 and each fiscal year thereafter shall be expended for the purchase of a product or service offered by Federal Prison Industries, Inc., unless the agency making such purchase determines that such offered product or service provides the best value to the buying agency pursuant to governmentwide procurement regulations, issued pursuant to section 25(c)(1) of the Office of Federal Procurement Act (41 U.S.C. 421(c)(1)) that impose procedures, standards, and limitations of section 2410n of title 10, United States Code.

SEC. 938. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 939. Each Executive department and agency shall evaluate the creditworthiness of an individual before issuing the individual a government travel charge card. The department or agency may not issue a government travel charge card to an individual that either lacks a credit history or is found to have an unsatisfactory credit history as a result of this evaluation: *Provided*, That this restriction shall not preclude issuance of a restricted-use charge, debit, or stored value card made in accordance with agency procedures to: (1) an individual with an unsatisfactory credit history where such card is used to pay travel expenses and the agency determines there is no suitable alternative payment mechanism available before issuing the card; or (2) an individual who lacks a credit history. Each Executive department and agency shall establish guidelines and procedures for disciplinary actions to be taken against agency personnel for improper, fraudulent, or abusive use of government charge cards, which shall include appropriate disciplinary actions for use of charge cards for purposes, and at establishments, that are inconsistent with the official business of the Department or agency or with applicable standards of conduct.

SEC. 940. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without advance approval of the Committees on Appropriations, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 941. From funds made available in this or any other Act under the headings ''The White House'', ''Special Assistance to the President and the Official Residence of Residence of the Vice President'', ''Council on Environmental Quality and Office of Environmental Quality'', ''Office of Science and Technology Policy'', and ''Office of the United States Trade Representative'', the

Director of the Office of Management and Budget (or such other officer as the President may designate in writing) may, 15 days after giving notice to the Committees on Appropriations of the Senate and the House of Representatives, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: *Provided*, That the amount of an appropriation shall not be increased by more than 50 percent by such transfers: *Provided further*, That no amount shall be transferred from the heading ''Special Assistance to the President and the Official Residence of the Vice President'' without approval of the Vice President.

SEC. 942. Section 4(b) of the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270) is amended by adding at the end the following new paragraph:

''(5) Executive agencies with fewer than 100 full-time employees as of the first day of the fiscal year. However, such an agency shall be subject to section 2 to the extent it plans to conduct a public-private competition for the performance of an activity that is not inherently governmental.''.

SEC. 943. (a) No funds shall be available for transfers or reimbursements to the E-Government Initiatives sponsored by the Office of Management and Budget (OMB) prior to 15 days following submission of a report to the Committees on Appropriations by the Director of the Office of Management and Budget or receipt of approval to transfer funds by the House and Senate Committees on Appropriations.

(b) The report in (a) shall detail:

(1) the amount proposed for transfer for any department and agency by program office, bureau, or activity, as appropriate;

(2) the specific use of funds;

(3) the relevance of that use to that department or agency and each bureau or office within, which is contributing funds; and

(4) a description on any such activities for which funds were appropriated that will not be implemented or partially implemented by the department or agency as a result of the transfer.

SEC. 944. (a) The adjustment in rates of basic pay for employees under the statutory pay systems that takes effect in fiscal year 2006 under sections 5303 and 5304 of title 5, United States Code, shall be an increase of 3.1 percent, and this adjustment shall apply to civilian employees in the Department of Defense and the Department of Homeland Security and such adjustments shall be effective as of the first day of the first applicable pay period beginning on or after January 1, 2006.

(b) Notwithstanding section 913 of this Act, the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2006 under sections 5344 and 5348 of title 5, United States Code, shall be no less than the percentage in paragraph (a) as employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under section 5303 and 5304 of title 5, United States Code. Prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5 and prevailing rate employees described in section 5343(a)(5) of title 5 shall be considered to be located in the pay locality designated as ''Rest of US'' pursuant to section 5304 of title 5 for purposes of this paragraph.

(c) Funds used to carry out this section shall be paid from appropriations, which are made to each applicable department or agency for salaries and expenses for fiscal year 2006.

SEC. 945. (a) IN GENERAL.—Section 604(d) of the Fair Credit Reporting Act (15 U.S.C. 1681b(d)) is amended to read as follows:

''(d) LIMITATION ON USE OF CONSUMER REPORT.—

''(1) IN GENERAL.—A credit card issuer may not use any negative information contained in a consumer report to increase any annual percentage rate applicable to a credit card account, or to remove or increase any introductory annual percentage rate of interest applicable to such account, for any reason other than an action or omission of the card holder that is directly related to such account.

''(2) NOTICE TO CONSUMER.—The limitation under paragraph (1) on the use by a credit card issuer of information in a consumer report shall be clearly and conspicuously described to the consumer by the credit card issuer in any disclosure or statement required to be made to the consumer under this title.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 604(a)(3)(F)(ii) of the Fair Credit Reporting Act (15 U.S.C. 1681b(a)(3)(F)(ii)) is amended by inserting ''subject to subsection (d),'' before ''to review''.

□ 1030

POINT OF ORDER

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) will state his point of order.

Mr. LINCOLN DIAZ-BALART. Mr. Chairman, I make a point of order that section 945 of H.R. 3058 is in violation of clause 2 of rule XXI.

That rule precludes changes in existing law from being report in a general appropriation bill. The section directly amends the Fair Credit Reporting Act, an Act within the jurisdiction of the Committee on Financial Services regarding the use of credit reports.

The section beginning on page 222, line 23, through 223, line 20, clearly constitutes legislation on an appropriations bill.

I would note further that House Resolution 342, the rule providing for consideration of the bill, did not waive points of order under clause 2 rule XXI against this section.

I would urge the Chair to sustain the point of order.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. OBEY. Mr. Chairman, I rise to be heard on the point of order.

Section 945 to which the gentleman objects is in this bill for the purpose of ending a practice under which a credit card company can jack up a cardholder's interest rates to the default rate which can be as high as 30 percent. Even if that person has never missed a payment and never been a day late on any payment to that credit card company, that interest rate can be jacked up if that consumer was 1 day late in the payment of some other bill and that was reported on a credit report.

This language is in here to correct a glaring and obscene omission in legislation which was passed by the House several weeks ago, the infamous bankruptcy bill.

As I understand the rules, the gentleman is objecting to this language because it is legislation on an appropriation bill and falls under the jurisdiction of another committee. As I understand the rules, while the Rules Committee did not protect this section in the rule under which the bill is being debated, this section could be passed by the House if no Member chooses to object to it.

I would respectfully suggest to the gentleman, in the interest of protecting consumers in this country from these bloodsuckers, I would suggest that the gentleman would do the country a great service if he would withdraw his point of order.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, this issue has been debated at length by the House. There was a similar amendment that was debated at length. It was rejected by the membership of this House by a significant vote. In this case today on an appropriations bill, legislating this issue, that has been debated and rejected in an appropriate forum, this is not clearly an appropriate forum. I reiterate my point of order.

Mr. OBEY. Mr. Chairman, I would have to reluctantly concede because of the warped rules which the majority party passed out of the Committee on Rules, which protected countless other provisions from points of order, but neglected to protect this section so that some of the biggest banks in the country can rip-off Americans, I would have to confess that under that myopic and misguided rule, I would have to concede the point of order.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The Chair must first dispose of the point of order. Does the gentleman wish to be heard on the point of order?

Mr. OLVER. Mr. Chairman, I will wait until the point of order has been disposed of and then claim my 5 minutes.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

The Chair finds that this section directly amends existing law. The section, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am going to repeat some remarks that I made on the floor the other day. I happen to have a Visa card. I have had it for years.

The other day I received in the mail a notification that this Visa card had been transferred to another bank. If you take a look at the fine print on the notice that accompanies that transfer, the fine print makes clear that the following can occur.

Let us say that for 10 years the gentleman from Florida who just lodged

the point of order, let us say for 10 years that gentleman has held this same Visa card, and that for that 10-year period he has not been late a single day in any payment to this credit card company. Nonetheless, the gentleman from Florida, or any other citizen of America, can have the interest rate on this card raised to the default rate if, for instance, that person had gone on vacation and while on vacation that person's wife, let us say, had broken her arm. And let us say she was responsible for writing the checks each month and because she was hurt she could not write the checks for a couple of weeks. And if that late payment because of that injury—to another company on another account—wound up in a credit report totally unrelated to your performance on the initial card, nonetheless, that credit card company claims the right to jack up interest rates to 30 percent.

In my view, that is nothing but blood-sucking usury, and I find it incredible that the majority party in this House finds ways time and time and time again to genuflect to the special interests like these credit card companies and to use the technicalities of the rules of this House to deny the average American citizen the protection that they ought to have a right to expect from representatives of this body who are supposed to represent the general interests rather than the special interests of these credit card companies.

It is an outrage that this body would allow this kind of a practice to continue. It is an outrage that the well-connected shysters who engage in this practice are not stood up to unanimously by 435 people in this House.

So all I can say is if the majority wants to hide behind the technicalities to protect yet another well-paying special interest, I cannot do a whole lot about it except raise my voice, and that is what I am doing today.

I would hope that the American consumers would take notice who it is that decides that the technicalities of the rules are more important than giving the consuming public a fair shake.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. As the designee of the gentleman from Wisconsin (Mr. OBEY), the gentleman from Massachusetts (Mr. OLVER) is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, last week the full Committee on Appropriations voted 33 to 25 to accept this provision that prevents credit card issuers from using totally unrelated consumer information to raise the annual percentage rates on cardholders. The provision could have been protected by the Committee on Rules. It was not. Therefore, the point of order was possible. The gentleman from Wisconsin (Mr. OBEY) has accepted the point of order reluctantly.

But this provision in no way prevents companies from raising interest rates, but simply states that banks can only base that decision on the interest rate on information that is relevant to the account that they issue. This provision would make sure that people who pay their credit card account on time and remain within their credit limit do not have their annual percentage rates increased.

The practice of using unrelated information to increase those rates is not allowed when lenders issue home mortgages, and it simply should not be allowed when they issue credit cards. It is outrageous that this practice is legal.

I hope that the discussion here, since the issue has been ruled out of order, will be the impetus for the Committee on Financial Services, which has raised the point of order, it will be the impetus to get rid of this practice.

Mr. HINCHEY. Mr. Chairman, will the gentleman yield?

Mr. OLVER. I yield to the gentleman from New York.

Mr. HINCHEY. Mr. Chairman, I find this inexplicable. This is the House of Representatives. We are here purposefully to protect the interests of the American people. There is no situation in which it is more clear as to where the interest of the American people lie than in the context of this amendment that has been offered today by the gentleman from Wisconsin (Mr. OBEY). I assume that is why it passed the Committee on Appropriations by such a strong vote.

But for political reasons, the Committee on Rules has decided not to protect the amendment, not to allow it to come out here and not be subject to the kind of opposition it received a moment ago from the gentleman from Florida.

This issue should be debated on the floor of this House. This amendment should be passed. Why? Because the credit card companies are increasingly putting American families deeper and deeper and deeper in debt. The average debt now, according to the Federal Reserve, the average debt of the average American family is 115 percent of income and the main reason for that is credit card debt.

The credit card companies attract consumers, often attracting them in at relatively reasonable interest rates, and then very rapidly for extraneous reasons and circumstances, increase those rates. And the debt that people owe to credit card companies is going up and up and up.

That is one of the reasons why this House of Representatives passed that atrocious bankruptcy bill not long ago, a bankruptcy bill which, in effect, in large part was influenced strongly by the credit card companies. What have we become? This House, which is supposed to represent the interests of the American people, the average American, the average American family, has fallen now to represent narrower and narrower special interests, and the obvious special interest in this case are the credit card companies which has become the fastest growing and one of the most lucrative businesses in America. And why? Because we are not doing our job. This House of Representatives is not doing what it is supposed to do: Protect the interest of the average family and not allow usurious interest rates to take place here over and over and over again.

□ 1045

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

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

Mr. OBEY. Mr. Chairman, the practical result of the point of order lodged by the gentleman from Florida is to make the credit card companies the only people in America who can raise the price of something you bought after you bought it. If people are comfortable putting themselves in that supine position, I cannot do anything about it. But I find it interesting that the gentleman is a member of the Rules Committee, which cleverly left this measure exposed and then exploited that failure on the part of the Rules Committee in order to knock this language out of the bill. That is a nice sleight of hand operation.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 946. Unless otherwise authorized by existing law, none of the funds provided in this Act or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 947. None of the funds made available in this Act may be used to administer, implement, or enforce the amendment made to section 515.533 of title 31, Code of Federal Regulations, that was published in the Federal Register on February 25, 2005.

AMENDMENT NO. 14 OFFERED BY MR. SIMMONS

Mr. SIMMONS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. SIMMONS:

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

SEC. ____. (a) LIMITATION ON USE OF FUNDS.—None of the funds made available in this Act may be used to enter into, implement, or provide oversight of contracts between the Secretary of the Treasury, or his designee, and private collection agencies. Notwithstanding this provision, the Secretary of the Treasury, or his designee, may continue to utilize any private collection contract authority in effect prior to October 22, 2004. Nothing in this provision shall impact the administration of any tax or tariff.

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided by this Act for ''INTERNAL REVENUE SERVICE–BUSINESS SYSTEMS MODERNIZATION'' is hereby reduced by $5,000,000.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of June 29, 2005, the gentleman from Connecticut (Mr. SIMMONS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut (Mr. SIMMONS).

Mr. SIMMONS. Mr. Chairman, I yield myself such time as I may consume.

My amendment is very straightforward. It simply requires that the collection of Federal taxes will continue to be done by officials of the IRS and not by private contractors. This amendment is similar to one that was introduced by the gentlewoman from West Virginia (Mrs. CAPITO) last year and passed by voice vote, although it was ultimately taken out of the bill in conference.

I think all of us, Mr. Chairman, want a Federal system that efficiently collects taxes, but we cannot do it at the expense of taxpayers' rights or privacy. If the IRS is allowed to go forward with the outsourcing of tax collection, millions of taxpayer files will be made available to private debt collection companies. These companies, in turn, will collect up to a 25 percent fee for any collections from American taxpayers.

This type of incentive system on the part of collectors is ripe for abuse and ripe for harassment, which is why the IRS specifically prohibits its own employees from being engaged in a quota system with regard to tax collection.

Mr. Chairman, each year millions of Americans voluntarily disclose sensitive personal information to the IRS with the expectation that it will be handled with the utmost discretion and care, that it will be protected from erroneous or deliberate disclosure outside the IRS. Yet current law allows the IRS to disclose this information to third-party contractors. This cannot be allowed to stand.

Do we really want to release commission-hungry tax collection agents on the American public? Is this really good public policy?

Mr. Chairman, at a time when we are concerned about identity theft, we should not be in the business of putting sensitive information into the hands of private contractors. Just today, the Washington Post did an editorial, Have You Been Stolen? And it says, ''Once your name, date of birth, address and Social Security number go astray, you are permanently at risk.''

Yet, if we do not pass this amendment that I have offered here today, millions of American taxpayers will be permanently at risk.

Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Chairman, I am pleased to join with my colleague from Connecticut in offering this amendment to ensure the fair treatment of the American taxpayer.

Mr. Chairman, it was just back in 1998 that, in response to overly aggressive IRS collection tactics, the Congress passed the IRS Restructuring and Reform Act. That act specifically prevented IRS agents and their supervisors from being evaluated based on how much taxes they collected. They couldn't get a bonus based on how much tax they collected. The reason was pretty simple. We wanted to make sure that the IRS agents had an objective approach, that they weren't harassing taxpayers for their own personal benefit.

That brings us to why we are offering this amendment here today. The provision that was included last year in the FSC corporate tax bill reversed that policy. In fact, even worse, it said that private collection agencies could go out and collect these taxes and that they would get a 25 percent bonus if they collected those taxes. In other words, they were on a commission, based on how much they collected, which creates exactly the wrong incentive, an incentive that we tried to address back in 1998 when we passed that earlier legislation.

Furthermore, it hurts the American taxpayer in another way. Right now, when the IRS agent goes out and collects taxes, 100 percent of those taxes go to the public Treasury to be spent on education and health care and other things that this Congress may decide to invest in for the American people. Under the existing special interest provision that got stuck into the law last year, 25 percent of those moneys are now going to go, not to the Federal Treasury for public purposes, but they are going to be pocketed by these private bounty hunters, essentially, debt collectors who are out there, who have an incentive to be overly aggressive with the taxpayer, have an incentive not to look at the issue fairly; and at the end of the day, they pocket 25 percent instead of those funds going to the benefit of the American taxpayer.

Mr. Chairman, I commend my colleague for offering this amendment and I urge its adoption.

Mr. SIMMONS. Mr. Chairman, could I ask how much time I have remaining?

The CHAIRMAN. The gentleman from Connecticut has 30 seconds remaining.

Mr. SIMMONS. Mr. Chairman, in those 30 seconds I would like to say that taxes today are complicated. Senior citizens have problems with them. Single moms have problems with them. Small business owners have problems with them. Mistakes can be made. But the collection should not be turned over to commission-based bounty hunters. We should not adopt a policy that turns these people loose on our citizens.

Mr. Chairman, I ask unanimous consent that this amendment be withdrawn, as I understand that there is a point of order against it.

The CHAIRMAN. Without objection, the gentleman's amendment is withdrawn.

There was no objection.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I do understand that the point of order lies, and I understand why my chairman has raised the point of order. I just want to make something clear on the record, however, that I believe that collection of tax is an inherent role of government, and if the point of order had not lay against the provision, I would have supported the amendment that was offered by the gentleman from Connecticut.

Given the ongoing reports of identity theft and lost data these days, I have come to abhor the very idea of putting private and sensitive information in the hands of debt collectors. It seems to me, as I have already pointed out, it is an inherent role of government to collect taxes. It is a fundamental responsibility of government. We shouldn't privatize this activity, particularly when it will cost taxpayers more money than collecting the owed taxes by Federal employees.

For that reason, I would have supported the amendment, but I do understand the point of order as my chairman has raised it.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FLAKE:

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

SEC. ____. (a) None of the funds made available in this Act may be used to implement, administer, or enforce the amendments made to section 515.561 of title 31, Code of Federal Regulations, as published in the Federal Register on June 16, 2004, with respect to any Member of the United States Armed Forces.

(b) The limitation in subsection (a) shall not apply to the implementation, administration, or enforcement of section 515.560(c)(3) of title 31, Code of Federal Regulations.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. A point of order is reserved.

Pursuant to the order of the house of June 29, 2005, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume. I had assumed that a point of order would be raised. I know that those opposing this amendment don't want to talk about this amendment, and I can understand why.

Carlos Lazo escaped from Cuba in the late 1980s. He hopped a raft, but unfortunately he was caught; he was caught by Castro's forces. He was taken back to Cuba where he spent 1 year in Castro's prisons.

A little later he decided that the pull from freedom was strong enough that

he would try again, and he did. He got on another raft and this time he made it. He made it and he became an American. Not only did he become an American, he became a soldier. Not only that, he went over to Iraq and served us proudly. In fact, Sergeant Lazo was recently awarded the Bronze Star for bravery in action in Iraq.

Last June, when he came home from Iraq, he wanted to visit his two sons who are still in Cuba. He is divorced. They and their mother live in Cuba. He tried to do so. He went to the Miami Airport only to find that since he had been in Cuba once in the past 3 years, he couldn't go again for another 3 years. He was prevented from going to see his family.

Here we are, our government, telling one of its finest, a soldier who put his life on the line in Iraq, a soldier that we trust in Iraq, but don't trust to be able to go and see his family more than once out of every 3 years. We acknowledge that he should be able to go see his family, but only once every 3 years.

What kind of a policy is that for us to have? And who would object to that? How hard-hearted do you have to be to say a soldier serving his country cannot go home and see his two kids?

Those on the other side might say, well, why don't we just bring his family over here? And he says, well, I have a good relationship with their mother and she wants them to stay there, and who am I to say any different? He also would like to see his grandmother and relatives while he is over there, that couldn't come here.

The notion that we should tell him what is best for him is at the root of this whole policy of denying Cuban-American families the right to see their families. If this amendment is indeed ruled out of order and we are unable to decide the fate of Sergeant Lazo, the only alternative is to vote for the Davis amendment that will be offered shortly.

POINT OF ORDER

Mr. LINCOLN DIAZ-BALART of Florida. Point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state his point of order.

Mr. LINCOLN DIAZ-BALART of Florida. Is debate supposed to be on the point of order?

The CHAIRMAN. The gentleman from Florida reserved a point of order. The Chair has recognized the gentleman from Arizona for 5 minutes on his amendment pursuant to the unanimous consent agreement.

Mr. FLAKE. Mr. Chairman, let me point out again, this is another thing that the other side doesn't want you to hear. That is why I was just interrupted.

□ 1100

The only way we can allow Sergeant Lazo to see his family is to vote for the Davis amendment, which will allow him and other Cuban American families to go see their families better than once every 3 years.

I think Sergeant Lazo says it best. He says, Cubans pray every day that their parents die 3 years apart if their parents are in Cuba, so they are able to go see them.

Who are we? Who are we as Americans to tell other Americans that they should only be able to go and see their family, their mother, their father, or their kids in this case once every 3 years? What kind of policy is that?

Again, I am not able to offer this amendment. It is going to be ruled out of order. So the only way we can allow Sergeant Lazo or other Cuban Americans or others to see their families more than once every 3 years is to vote for the Davis amendment that will be offered shortly.

Again, Cuban Americans are only allowed once every 3 years. If they have a mother in Cuba and she dies and they decide to attend her funeral, if their father's dies 2 years later, they cannot go to his under this policy unless we vote for the Davis amendment.

I ask my colleagues to please look at their hearts here, see if this is what they want to do as an American to deny another American the right to see their family in Cuba. That is what this amendment is all about. Because we are unable to offer this one, that is what the Davis amendment will be about.

When we are debating the Davis amendment, I suppose we will hear on the other side, as we have heard in the past, hey, we oppose this, we live in a Cuban American community, we know that they do not want to go see their families. Perhaps the people they know feel that way, but I can tell my colleagues, I represent some Cuban Americans as well. People do all over.

Sergeant Lazo comes from the State of Washington, and they would like to go. And who are we, who is anyone to tell others that they cannot go there?

At the root of what we are trying to do is to give people the freedom to make that choice themselves rather than imposing that choice upon them, a choice whether to go see their families, to be able to visit their kids, as a soldier. And there are other soldiers as well; he is not the only one.

I would ask Members to please vote for the Davis amendment if we are unable to vote for this one.

Mr. FARR. Mr. Chairman, the hypocrisy of this Administration is stunning. Sergeant Lazo was sent by his commander in chief to fight in a war that President Bush has claimed is a "fight for freedom."

Yet this same Sergeant Lazo, an American citizen, has been told by the Government he serves that he is forbidden from seeing his children simply because they live in Cuba.

This tragedy is an extension of the administration's idiotic policy to restrict travel to Cuba.

This myopic policy is anti-family, anti-democratic values and it must be repealed.

I have been a strong supporter of lifting the travel ban and embargo; there is no better way to spread democracy and improve relations between Cuba and the United States then by allowing for people-to-people exchanges and unlimited family travel and promoting trade between our two countries.

But because of the restrictive travel policies implemented by this administration, each and every U.S. citizen should be very concerned that fellow American citizens do not enjoy the same rights and freedoms that each one of us has.

Sargeant Lazo is a tragic victim of a flawed 40-year-old policy. It is time for change. Support the Flake amendment and allow Sargeant Lazo to visit his children.

POINT OF ORDER

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.'' The amendment at hand requires a new determination. And so I make the point of order against this amendment.

We will have discussion today, Mr. Chairman, on the right of all the people of Cuba to be free and the right for them not to have families divided. They pray every day for freedom, and they work for it. We will have that debate. But not on amendments that violate the rules of this House.

I ask for a ruling from the Chair.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Hearing none, the Chair is prepared to rule.

The Chair finds that this amendment includes language requiring a new determination by Federal officials to discern whether a person is a member of the Armed Forces. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I cannot believe what has just happened on the floor of this House. In effect, what has happened is that some of these same people who tried to stick their noses into the question of how the Schiavo family should deal with an end-of-life issue at a time of great pain for that family, some of the people in this House who felt compelled to stick their noses into that case are now trying to stick their noses into the question of how often someone who is wearing the uniform of the United States can see their family.

I am getting awfully tired of having people on this floor bleat about family values and then take actions which keep families apart. I am awfully tired of hearing people, in effect, suggest that because we dislike Mr. Castro so much that the only way someone wearing the uniform of the United States is going to be able to see his family in Cuba is only if they are lucky enough to see Castro go.

What happens in the meantime? Where are these vaunted family values?

I will tell the Members where they are. When they get in the way of people's political ideology or family squabbles in Cuba, they get tossed out the window. What a pitiful joke.

AMENDMENT NO. 4 OFFERED BY MR. DAVIS OF FLORIDA

Mr. DAVIS of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. DAVIS of Florida:

Page 224, insert the following after line 8:

SEC. 948. (a) None of the funds made available in this Act may be used to implement, administer, or enforce the amendments made to section 515.560 or 515.561 of title 31, Code of Federal Regulations (relating to travel-related transactions incident to travel to Cuba and visiting relatives in Cuba), as published in the Federal Register on June 16, 2004.

(b) The limitation in subsection (a) shall not apply to the implementation, administration, or enforcement of section 515.560(c)(3) of title 31, Code of Federal Regulations.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Florida (Mr. DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, may I first ask, as a matter of procedure, who will be claiming time on the other side?

The CHAIRMAN. Time has not yet been claimed.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself 2¾ minutes.

Today I am offering an amendment to repeal the administration's rules restricting family travel to Cuba. I offered this same amendment last September. It passed by a vote of 225 to 174. Unfortunately, the amendment was not included in the conference report. I am asking my colleagues, Democrats and Republicans, to join me again today in correcting this cruel injustice.

As was just described in the prior amendment, the Department of Treasury introduced rules in June of 2004 that limit to once every 3 years the opportunity of anybody in my home State of Florida of the United States to visit their own flesh and blood, their family, in Cuba regardless of the circumstances.

Furthermore, the policy that I seek to repeal through this amendment is an unforgivable policy that redefines the family to exclude aunts, uncles, and cousins. And I ask anybody on the floor of the House today to stand up and defend this indefensible aspect of the policy.

A vote for my amendment is to reinstate the prior rule that allowed people here in the United States to visit their own family once a year and to apply for a specific license if there were an emergency: a birth, a death, or someone who is very sick and might die.

I represent hundreds of people in the Tampa Bay area, like many Americans, who simply would like to be with their family in these tragic times. This policy prohibits it.

Let me be clear. My amendment does not address the broader issue of the embargo or unfettered travel to Cuba. That is a debate for another day. This is simply about families. This Congress, this country should be in the benefit of supporting families, not undermining them, not separating. This policy punishes Cubans on both sides of the straits, and it has no positive impact on the embargo issue. I represent many people who are trying to reach out to their families at a time they have little hope, little support, under this oppressive regime in Cuba I have seen with my own eyes.

As was mentioned earlier, Sergeant Lazo was good enough to be sent to Iraq to defend our country as part of the Washington National Guard. He has two sons in Cuba, one of whom, I understand, is in the hospital. He is not allowed to go visit his own son because he was in Cuba 2 years ago.

A deputy assistant secretary of the United States State Department summed this up last year. He said, an individual can decide whether they want to visit Cuba once every 3 years and the decision is up to them, and if they have a dying relative, they have to figure out the best time to travel. These are words that no one would dare speak on the floor of this House of the United States of Representatives. How outrageous.

This Chamber is constantly taking steps to defend and support families: tax relief, marriage penalty relief, child tax credits. Everyone on the floor of this House of Representatives talks about family values here and at home. This is a chance to act on family values. We have an opportunity today to support families who may be divided in geography, but they are not divided in flesh and blood and commitment to each other.

I hope this body, which is divided on the embargo, will come together, support families, and adopt the Davis amendment.

Today I am offering this amendment to repeal the administration's rules restricting family travel to Cuba.

As you may remember, I offered this same amendment last September. The House of Representatives recognized this injustice and passed my amendment by a bipartisan vote of 225 to 174. Unfortunately, my amendment was not included in the conference report. I call on my colleagues to pass this amendment once again.

On June 30, 2004, the Department of Treasury implemented new restrictions on family travel to Cuba. Cuban Americans are now limited to one 14-day visit with their Cuban relatives every 3 years.

The administration has also attempted to redefine the Cuban family. Cuban-Americans are no longer permitted to visit their aunts, uncles or cousins in Cuba.

My amendment would prohibit funds in this bill from being used to implement, administer or enforce the changes made to family travel.

A vote in favor of my amendment is a vote to reinstate the previous policy, which allowed Cuban-Americans one trip per year under a general license, allowed for additional emergency visits under a specific license and kept aunts, uncles and cousins where they belong—as part of the family.

Mr. Speaker, let me be clear. This amendment deals exclusively with keeping families together and would not permit unfettered travel.

But the United States should not be in the business of separating families. The new family travel rules undermine families, punish Cubans on both sides of the Florida straits and have minimal effect on the Government of Cuba.

The Cuban people are talented and ambitious, but under Castro's oppressive rule, they are left with little hope. For many, their only lifeline is the emotional and financial support they receive from relatives in America.

Mr. Chairman, I have spoken with numerous Cuban Americans in my district of Tampa Bay and across Florida who were heartbroken by these regulations. And, most recently, I met with SGT Carlos Lazo, a Cuban American who bravely served our country in Iraq. He is not even permitted to visit his two sons in Cuba.

In fact, last year, a deputy assistant secretary at the U.S. Sate Department summed up the outrageous insensitivity of these rules when he was quoted by Reuters as saying, "An individual can decide when they want to travel once every three years and the decision is up to them. So if they have a dying relative they have to figure out when they want to travel."

Mr. Chairman, this chamber is constantly celebrating and supporting America's families. We've passed marriage penalty relief and child tax credits. But these sweeping changes on family travel to Cuba were enacted without so much as one hearing in Congress.

Again, we have an opportunity to right this wrong. We have an opportunity to celebrate the positive relationships between the United States and Cuba. We have the opportunity to support families who may be divided in geography, but not in flesh and blood and certainly not in love.

This body may be divided on whether the United States should allow travel to Cuba for tourism or business reasons, but I hope that today we can unite in support of families. I urge my colleagues to vote in favor of the Davis amendment.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 5 minutes.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New Jersey (Mr. MENENDEZ).

(Mr. MENENDEZ asked and was given permission to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Chairman, I rise in opposition to the gentleman from Florida's amendment.

A year ago I too had concerns about the changes in the regulations on family travel when they were first introduced, and I voted with the gentleman from Florida (Mr. DAVIS) because I believed that Cuban Americans had virtually no notice that the regulations were about to be changed and they could not plan their travel to Cuba accordingly. But a year later my view of these concerns no longer applies.

So now the question becomes the focus on the impact of travel to Cuba, and I would like to share with Members of the House a letter that many of us recently received from the leading Cuban opposition leaders: Martha Beatriz Roque Cabello, Rene de Jesus Gomez Manzano, Felix Antonio Bonne Carcasses. These are the same opposition leaders who, on May 20 of this year, organized an historic Assembly to Promote Civil Society on the 103rd anniversary of Cuban independence.

This event brought many civil society organizations together for the first time to discuss democracy in Cuba. And as we learned in a hearing earlier this year in the Subcommittee on the Western Hemisphere, of which I am the ranking Democrat, the organizers and the participants in this event risked their personal freedom for the freedom of the Cuban people. In fact, these leaders have already suffered in Castro's jails for speaking out on behalf of the Cuban people. And it is the same group of leaders who risked their lives for democracy in Cuba, not those here in the diaspora, but those who are inside of Castro's Cuba, who ask this Congress in their letter not to adopt any changes, any changes, which would either partially or totally change the nature of the embargo.

In fact, they clearly state that any such change would be interpreted as a new policy of compromise with the Castro regime and cite that nothing has been done by the regime to move forward to an accommodation with that element of civil society that ultimately seeks to change the fundamental basics of human rights that we seek to promote throughout the world. And I think we have to heed the warning that they are sending, and we must send a clear message to the Castro regime that we will not compromise when it comes to human rights, freedom, and democracy in Cuba; that we will not dilute the embargo in any way and that we must respect the voices of those very same Cubans who suffer under the regime.

And, finally, let me just say that one cannot seek political asylum from a country and then constantly travel back to it. One is either a political asylee or one is not. One cannot keep traveling back to a country from which they are a political asylee.

And, lastly, we all know the great difficulties, those of us who are not only Cuban Americans but who represent 99 percent of all Cuban Americans in the country; and they have one voice, and that voice is to do everything we can to end the suffering of the Cuban people.

We hear those voices from Cuba. We should listen to them.

Mr. DAVIS of Florida. Mr. Chairman, I reserve the balance of my time.

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

Mr. Chairman, some may ask why the Cuban American community overwhelmingly not only supports these measures to limit resources to the terrorist regime, but elects Members, each and every Member, Cuban American Member whether they are Republicans or Democrats, who also agree with the overwhelming majority of the Cuban American community on measures to limit resources to the terrorist regime.

Among the reasons for that, obviously, it is because it is a terrorist regime, an anti-American terrorist regime, that oppresses the Cuban people and has done so for 46 years; but also because Cuban Americans know that freedom never comes free. The only country in the world that has the benefit of a law here in the United States that says one reaches soil in the United States and they are treated like a political asylee are Cubans. And with those great privileges, the great privilege of the Cuban Adjustment Act, come responsibilities.

If one is from any other country in the world, as the gentleman from New Jersey (Mr. MENENDEZ) said, and they are a political asylee, they cannot go back once every 3 years. They cannot go back, period, until the political situation changes in the country they have left. But Cubans not only are treated, and rightfully so, because they are fleeing a Communist tyranny in this hemisphere, as though they were jumping over the Berlin Wall, they are treated as political asylees, but they can go back and visit family every 3 years; whereas from any other country in the world, political asylees cannot.

□ 1115

So, at this point, I would say this is a very serious issue, but suffice it to say that it is not by chance that all the Cuban American Members of this House and the overwhelming majority of the community support all of these measures to limit resources from the terrorist regime.

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

Mr. DAVIS of Florida. Mr. Chairman, I yield myself 1 minute.

The argument has been made that this debate is about limiting resources. Does anyone want to stand on the floor of this House of Representatives and tell anyone that they cannot go visit a dying member of their family because that is an appropriate limitation on resources?

I have been down to Cuba and seen with my own eyes the suffering and injustice and misery under this oppressive regime. This government is treating their people terribly. One of the few things they have left in life, apart from their own faith and pride, is the support of our own family. No one, no one dares stand on the floor of this House today and answer the question, what do you tell somebody I represent or you represent when someone in their family is having a baby, is approaching death or may die and cannot go down to visit their own family because they were just there 2½ years ago. That is indefensible. It is unforgivable. This is not a debate about the embargo. This is a debate about whether we are going to stand on the floor of the House of Representatives and support families and support family values.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield the balance of my time to the gentlewoman from Florida (Ms. ROS-LEHTINEN), the distinguished leader and Member from the International Relations Committee.

Ms. ROS-LEHTINEN. Mr. Chairman, when we eliminate all the emotional rhetoric here on the floor, what we get to is this amendment. This amendment provides an economic lifeline to the dictatorship. By prohibiting OFAC from enforcing U.S. laws and regulations, this amendment removes those safeguards and it provides the Castro regime with the much needed currency to continue its reign of terror.

Prisoners of conscience are languishing in squalid cells in Cuba, and yet, what are we doing? We are going to bestow this pariah state another victory. Castro is very happy when we do these amendments. Former political prisoners in my Congressional district who endured the most inhumane treatment are the first ones to oppose any weakening of these restrictions.

I urge my colleagues to vote ''no'' on the Davis amendment.

Mr. DAVIS of Florida. Mr. Chairman, I yield 15 seconds to anyone who opposes this amendment, that wants to defend a policy that says that your family or mine or anybody's family cannot include aunts, uncles or cousins.

I would be happy to yield to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, the reason that President Bush implemented these regs, the reason we have an embargo is because we want the political prisoners freed, because we want political parties legalized, labor unions legalized, the press legalized, and elections scheduled, and we want to retain the leverage of those billions of dollars in travel until the dictatorship releases political prisoners. And you know something, yes, there is pain involved in the Cuban tragedy. But the pain comes from the tragedy of the dictatorship and not because of our policies.

Mr. DAVIS of Florida. Mr. Chairman, reclaiming my time, the silence is

deafening here. With all due respect to my colleague, with whom I agree on many Cuba policies and respect, no one dares stand on the floor of the House of Representatives and answer the question why we are supporting a policy that says that your uncle, aunt or cousin is not a member of your own family, your own flesh and blood.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Florida. I yield to the gentleman from Florida.

Mr. LINCOLN DIAZ-BALART of Florida. Did the gentleman not hear when I spoke 10 seconds ago?

Mr. DAVIS of Florida. Mr. Chairman, reclaiming my time, this is not a debate about the embargo. This is a debate about who is considered a member of the family. No one dares stand on the floor of the House of Representatives today and answer the question why we are going to deny to an individual the right to visit a member of their own family who may be having a child, who may be dying. I represent people who every day are facing the cruel injustice of this policy. For them it is not about a message. It is not about rhetoric. It is about the facts. The fact is we are denying Sergeant Lazo, who was good enough to represent our country and our families, including our aunts, uncles and cousins in Iraq, the ability to visit his own sons in Cuba, including one who in the hospital. This is an unforgivable indefensible policy.

I would urge Democrats and Republicans to once again adopt the amendment.

Mr. DELAY. Mr. Chairman, the author and proponents of this amendment, which would lift the longstanding prohibition on American travel in Cuba, support it for perfectly valid motives. They believe the infusion of both American money and American culture—however limited—will be a net positive for Cuba's struggling economy. And if, in fact, Cuba's economy was simply struggling, I would whole-heartedly support this amendment. But Cuba's economy is not struggling—it is strangled. It is dominated, oppressed, and leeched by Fidel Castro's terrorist regime in Havana.

Cuba has no economy, not in the way we understand the term; it merely has economic extensions of Castro's tyranny. In Castro's Cuba, any money taken in from tourists is pilfered by the government and used to fund its decades-old machinery of oppression. There is no free market; just a command economy. There are no small businessmen; just Castro's button-men. There is no service industry; just a giant money-laundering apparatus for a murderous tyrant. Proponents of this amendment, Mr. Chairman, would have us believe Cuba could become America's playground if only the economic sanctions were lifted—that once Cuba's economy and culture were exposed to American dollars and sensibilities, we would have a tropical paradise, an exotic vacation Mecca, right around the corner.

But Mr. Chairman, the difference between Cuba and Bermuda is not the absence of tourists in the former but the absence of secret police in the latter! The money Americans would spend in Cuba under this amendment would directly—not indirectly, but directly—benefit Fidel Castro's dictatorship, his aiding and abetting of international terrorism, his oppression of the Cuban people, and his hijacking of Cuban history. The only solution is to not spend that money in the first place.

President Bush is right, as he has been for four years, to promise to veto any legislation that enriches Fidel Castro or benefits his regime. The president is right. I stand with him, and I urge all my colleagues to do the same.

Mr. MCGOVERN. Mr. Chairman, these cruel anti-family restrictions need to be reversed. They have already caused too much human pain and suffering.

Nelson Diaz arrived in the U.S. in 1981, leaving his father, brothers and extended family in Cuba. He visited his family in May 2004—and is now not eligible to return until May 2007. His father is 87 years old and in failing health. If he is forced to wait the full three years, Diaz will not see his father alive again.

Waldo Parravicini left his family behind in 1958 when he came to the U.S. Until last June, he saw them on a regular basis, delivering vital medicines to his aging father. Under the new restrictions, Waldo has missed the deaths of his father and grandfather, aunts, uncles, cousins and friends, as well as the births and baptisms of nieces and nephews. If Waldo and his 93-year-old mother have to wait two more years, she may never see her oldest daughter and grandchildren again. Regarding the new limits on family travel, Waldo says they are "not worthy of any nation that truly values family and God."

Ana Karim, a pastor with the Richmond Mennonite Fellowship in Richmond, Virginia, has family throughout Cuba, who she visited regularly until last year. She brought medicine, clothing and food to her two uncles, one suffering from cancer and the other from Parkinson's disease. Now Ana cannot visit any of her family in Cuba because the new law declares that her uncles, aunts and cousins are not immediate family.

Mr. Chairman, who in this Chamber can possibly, in good conscience, support a policy that deliberately creates such family pain and suffering?

We're supposed to be the good guys.

Stop punishing these innocent families.

Support the Davis amendment.

PROFILES OF CUBAN-AMERICANS HARMED BY THE NEW FAMILY TRAVEL RESTRICTIONS ON CUBA

MARISELA ROMERO

Marisela Romero is a 56-year-old Cuban-American woman who lives in Miami. Her only sister and her mother had died in Cuba several years ago, leaving her to manage the care of her elderly and demented father who lived in a small coastal town on the island. Prior to last summer she had traveled every two to three months to visit him. She sent him medicines, diapers, and other supplies to make his life easier, and hired several Cubans who provided him with the round-the-clock care that allowed him to stay in his own home. Then, in 2004 our government dramatically restricted Cuban-Americans in terms of both traveling to Cuba and sending material aid. She was forbidden to send money to those who were caring for him. She was forbidden to visit him more often than once every three years. She was even forbidden to send him the diapers he needed because they were not deemed to be ''medicine.'' After several months of not seeing his only living child, he died. Both he and his daughter suffered irreparable harm because of the new regulations. It is unacceptable to treat either American families or Cuban families with such cruelty.

NELSON DIAZ

Nelson Diaz arrived in the United States in 1981, leaving his father, brothers, and extended family in Cuba. He was able to visit the island in May 2004 and is not eligible to return until May 2007. However, his father is 87 years old and in failing health. Diaz fears that if he is forced to wait the full three years that he will not see his father alive again. He also worries about his limited ability to send money and goods to the rest of his family. Despite having built a successful life in the United States, according to Diaz, ''I cannot be completely happy if my family and friends in Cuba are in need and I cannot help them.''

WALDO PARRAVICINI

Leaving behind his family in Cuba, Waldo Parravicini came to the United States in 1958 to attend college after Batista shut down the University of Havana. Until last June when the regulations governing family travel to Cuba changed and restricted visits to once every three years, Parravicini visited his family on a regular basis, delivering vital medicines to his aging father during his long battle with illness.

Referring to the travel restrictions, Parravicini says, ''its hypocrisy and double standard are incredible . . . and not worthy of any nation that truly values family and God.''

Because of the limitations on travel to Cuba, Waldo has missed important family events including the deaths of his father and grandfather, aunts, uncles, cousins, and friends; and the births and baptisms of nieces and nephews. If Waldo and his 93-year-old mother have to wait two more years to visit Cuba, his mother may not be able to see her oldest daughter and grandchildren again.

ANA KARIM

Ana has family throughout Cuba and has made a habit of visiting them at least once a year. On her visits to Cuba, Ana brings medicines, clothing, and food. These gifts are particularly helpful to her two uncles, one suffering from cancer and the other from Parkinson's disease.

While her uncles have received free medical treatment from the Cuban government, they face a drastic shortage of medicine, particularly ibuprofen. When Ana visited last May, she took several bottles of the pain medicine with her; a gift which was immensely appreciated.

Under new travel restrictions, effective June 30th, Ana is no longer able to visit her family in Cuba. The new law dictates that aunts, uncles, and cousins are not in one's ''immediate family'' and Cuban Americans cannot legally visit those relatives.

Ana works as a pastor with the Richmond Mennonite Fellowship in Richmond, VA. She has traveled to Cuba in this capacity as well leading two-week seminars in Cuba that fulfill a class requirement for students at Baptist Theological Seminary at Richmond. The new restrictions now prohibit any programs lasting shorter than 10 weeks, severing this opportunity from her as well.

Mr. FARR. Mr. Chairman, I rise in strong support of the Davis amendment to the Treasury Transportation bill.

Our foreign policy should reflect our Democratic values. The Administration claims that family values are the bedrock of our society,

yet this same Administration has instituted one of the most anti-family policies in US history.

In June 2004 the Office of Foreign Assets Control issued regulations that only permit Cuban-Americans to visit their immediate family members in Cuba every three years.

Are any of us willing to trade places with Cuban-Americans living in the United States who are denied the opportunity to visit freely with their family members . . . because of geography? I think not.

What does such a restrictive policy say about American values to Cuban Americans? What does such a restrictive policy say about American values to the rest of the world? What does such a policy say about the civil rights of Cuban Americans living in the United States?

It is akin to a ''separate but equal'' policy since Cuban Americans, who should enjoy the same civil liberties that all other Americans enjoy, cannot freely visit their families in Cuba.

As this Nation prepares to celebrate its 229th birthday on July 4, I urge my colleagues to remember the democratic principles our Founding Fathers enshrined in the Constitution. Don't treat Cuban Americans as ''separate but equal.''

Overturn the ban on travel to Cuba and support the Davis amendment.

Ms. DELAURO. Mr. Chairman, none of us come here to defend the Cuban Government or its historically poor human rights record and repressive system of government. But 46 years of the same failed policy have accomplished nothing. And the more we normalize relations with Cuba, the faster Fidel Castro will lose his grip on the Cuban people. This is why we should be making it easier for Americans to go to Cuba.

Yet we seem to be going in the opposite direction. Rather than being committed to political openness and the free exchange of goods and ideas—powerful forces—we are clamping down on our own citizens—in the process, preventing any liberalization of the Castro regime and penalizing law-abiding Americans.

Last week, I met with U.S. Army Sgt. Carlos Lazo, who has two sons in Cuba, one critically ill. This is a man who won the Bronze Star for fighting in Iraq, but our government will not let him visit his own son. Why? Because he traveled to Cuba last year. Even the Cuban government has said Sgt. Lazo's son can come here to visit his father.

So, Mr. Speaker, this is an issue of human rights and economic freedom. Limiting the rights of Americans to travel back to Cuba, or to send money home to their families is no way to bring change to Cuba.

In committee, we already acknowledged as much from the business end. There, we recognized how much progress we have made in the last few years on the economic front, with agriculture sales growing to almost $400 million from almost nothing 4 years earlier. That is why the committee unanimously agreed to loosen traveling restrictions to Cuba with respect to agribusiness.

There is no reason we should not do the same for these families. Now is a time for compassion. Particularly when we are talking about men and women in the United States military uniform, who are defending our freedom overseas, we should show them that their Congress recognizes that freedom begins at home. Support this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. DAVIS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. DAVIS of Florida. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida (Mr. DAVIS) will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FLAKE:

Page 224, insert the following after line 8:

SEC. 948. None of the funds made available in this Act may be used to amend section 515.566 of title 31, Code of Federal Regulations (relating to religious activities in Cuba), as in effect on June 29, 2005.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I reserve a point of order on Mr. FLAKE's amendments. He has got, I believe, eight of them, and I am not sure if all of them are consistent with the rules of the House. So what I would like to do because I do know that some at least or at least another one is not, I reserve a point of order on Mr. FLAKE's amendments.

The CHAIRMAN. The point of order is reserved.

Pursuant to the order of the House of June 29, 2005, the gentleman from Arizona (Mr. FLAKE) and the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) each will control 5 minutes.

The Chair recognizes the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I would rather respond to the questions on this. What this amendment simply does, those who are opposed to change in Cuba have said let us keep the current regulations. Let us keep the current exemptions that we have. Let us keep it all the same. The gentleman from New Jersey (Mr. MENENDEZ) just stood and said the dissidents are saying that, let us keep it exactly the same.

This amendment, with regard to the religious exemption that exists, says keep it the same. That is what we are doing with this amendment.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, again, I was not aware of which of the multiple amendments that the gentleman from Arizona (Mr. FLAKE) has filed he was going to bring up at this time. My understanding is that this particular amendment, of the many that he has filed, is in order. So I look forward to the debate.

The CHAIRMAN. Does the gentleman withdraw his reservation of the point of order?

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The gentleman from Florida is recognized for 5 minutes.

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

My understanding of this, of the many amendments that Mr. FLAKE has filed with regard to matters that would increase currency to the regime, this amendment states that he wants to tie the President's hands from issuing any further regulations that could have the effect of changing the current regulation that does permit religious travel to Cuba. So I want it to be clear, there is currently a category in U.S. law that permits travel for religious purposes to Cuba.

What the gentleman from Arizona (Mr. FLAKE) is saying is, well, I do not know if in the future the President could do something that I disagree with, and so I want to prohibit something the President may do in the future with this amendment. For example, the regime, colleagues, I am sure are aware of the fact, has had about 15 spies arrested in the United States in the last 3 or 4 years. If the administration should find that the religious travel category were being utilized to either train spies or intensify the efforts of Cuban state security against the United States, this amendment would prohibit the President from issuing, in effect, further regulations on that.

Religious travel is legal. That is not being debated at this time. What the gentleman from Arizona (Mr. FLAKE) is saying is that he wants to tie the hands of the President in the future with regard to one of the six remaining terrorist states in the world. It is wrong. We should not tie the President's hands, and so I oppose the amendment.

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

Mr. FLAKE. Mr. Chairman, I yield myself 1 minute. I offered this amendment to see what the other side would do on this, and just to let this body know how far we are going here. They claim to respect religious liberties and to allow religious visits to Cuba. Yet, when I say let us protect that current exemption that exists, they say we might want to go further. We might want to apply a religious test and, in fact, it is happening right now in Miami. There are groups that are going down under a certain religion, and now we have our own Department of Treasury and the Congress apparently saying we are not sure you are really that religion, we are not sure you really believe that. And so we might restrict that further.

In fact, regulations were just issued a few months ago to say that, you know, we think, and this is without approval of Congress, just new regulations saying it ought to only be 25 people that could go at one time. Anything else is unreligious apparently. That is where we are going. It just baffles me to see where we are going here.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield 1 minute

to the gentleman from New Jersey (Mr. MENENDEZ).

(Mr. MENENDEZ asked and was given permission to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Chairman, I think the gentleman from Arizona's amendment is very dangerous. Let me tell you why. Read the amendment. It says none of the funds made available in this Act can be used to amend this section relating to religious activities. If the administration or any future administration, if this amendment were adopted, wanted to increase the flow of religious activity into Cuba, which is permitted under existing law by license, is permitted under existing law by license, if there came a point in time in which the floodgates wanted to be open, the gentleman from Arizona's amendment would prohibit the Federal Government from doing so.

That is a prohibition that is not in the national interest, security or in the foreign policy of the United States, and it is very clear that religious institutions right now have all the wherewithal and have been traveling to Cuba.

Mr. FLAKE. Mr. Chairman, I yield myself 2 minutes. Mr. Chairman, believe me, given the history of this issue, the last thing any of us worry about is for those who oppose changes on the Cuba issue to liberalize or to allow more religion and more religious travel, because every effort is to restrict, is to tell people we know better than you. We apparently can define whether you are really religious or not or whether you really believe in that faith. That is what this is about. We are simply trying to protect it.

I would love the President to say, hey, let us open it and I would sponsor legislation to do that certainly. I have. But the last thing we are worried about here is for religion to be opened up because every effort by those who oppose the freedom to travel to Cuba has been to restrict people's freedoms and rights and religion.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield the balance of my time to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Chairman, I thank my friend from Florida for yielding time.

Mr. Chairman, this amendment is prospective. It seeks to prohibit the use of funds on something that may or may not happen, may be looser, may be stricter, legislating on hypotheticals. And once again, U.S. law already allows individual members of religious organizations to travel to Cuba for religious purposes. The only requirement is that they have a specific license. That is a safeguard in U.S. law to ensure that travel is in fact for the stated purposes, and not for the purposes of tourism.

□ 1130

The regulations ensure that financial donations are not provided to the regime under the guise of religious activity. Current law seeks to prevent the manipulation of legitimate activities to practice or share as one believes about the Cuban people.

The practice of religion should be reaching out, in solidarity, in total respect for the fundamental rights of each and every human being. But what happens in Cuba? The Cuban people continue to live mired in misery and oppression. In Cuba, people are denied their freedom of conscience, their freedom of belief, their freedom of religion. They are persecuted, prosecuted for those beliefs because they run contrary to the Communist doctrine.

Proponents of this amendment and others seeking to revoke U.S. policy toward the Castro dictatorship argue that they are doing it to help the Cuban people. But when we speak of helping the Cuban people, Mr. Chairman, we need to focus on the freedom of the Cuban people. Help is liberty. Help is helping to ensure that every Cuban can speak their minds, not be imprisoned or threatened or beaten to death for it. Help is ensuring that the Cuban people are permitted to practice their religion in true freedom. That is not taking place in Cuba right now.

I urge my colleagues to vote against this amendment. This amendment will just free, open so much of the lawlessness that is going on with the permitting process. It promotes lawlessness because it states we are not going to regulate it in the future. We do not know what will happen.

Reject this amendment.

Mr. FLAKE. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman from Arizona has 2½ minutes remaining.

Mr. FLAKE. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I offered this amendment to allow people to see what this is all about. And the notion that what the other side wants to defeat this amendment for, because they might allow more religious travel, is pretty much laid bare by opposition to the other amendments that have been offered, allowing family members to travel or military members to travel, or support for regulations in the past to restrict religious freedom; to say, hey, if you are of a certain religion, then we at the Department of Treasury, we are going to decide how many are really in your congregation, what kind of religion you have or whether it is really a religion at all. That is what this is about.

But I am cognizant of the fact that if this is twisted, like many of the amendments offered on Cuba are, and people misunderstand it as this is something to lift the whole embargo, in fact, the talking points just read refer to a different amendment because it talked about lessening.

I am talking about keeping. I am cognizant that if this were to go down, that would embolden this side to restrict religion even further, saying we have license. The House has said, let us restrict religion even further.

That is the last thing I want, and I will not be party to that.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

AMENDMENT OFFERED BY MS. LEE

Ms. LEE. Mr. Chairman, I offer an amendment.

The Chairman. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. LEE:

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

SEC. ____. None of the funds made available in this Act may be used to implement, administer, or enforce the amendments made to paragraphs (a) and (b) of section 515.565 of title 31, Code of Federal Regulations (relating to specific licenses for United States academic institutions and other specific licenses), as published in the Federal Register on June 16, 2004 (69 Fed. Reg. 33772). The limitation in the preceding sentence shall not apply to the implementation, administration, or enforcement of section 515.560(c)(3) of title 31, Code of Federal Regulations.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentlewoman from California (Ms. LEE) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment is very simple and, hopefully, should be very noncontroversial. It passed this body last year by voice vote, and I am asking for support again this year. This amendment is good for education, the budget, and our national security concerns and it supports our students. It is good for the spread of democracy. Let me explain why I say that.

This amendment prohibits funds in this bill from being used to enforce new regulations, promulgated in June of 2004, that severely restrict and in many cases eliminate opportunities for United States students to study abroad in Cuba.

The revised travel regulations take our policy towards Cuba in exactly the wrong direction. These regulations are plain punitive and undemocratic. They simply do not make sense for Americans. Regulations that have already denied and will continue to deny many American college students the basic opportunity to gain experience, knowledge and insight through study abroad in Cuba should not be funded.

This is an issue of freedom for our students to travel and gain invaluable experience and educational opportunities that only international study abroad programs can provide.

After the House passed this amendment last year, students and institutions from across the country were

very relieved. They want the opportunities to conduct their studies, learn about other cultures, and make independent judgments for themselves.

Mr. Chairman, this amendment simply moves students closer to what they really deserve. And make no mistake, isolating Cuba and preventing these important contacts between students and Cuba will not change the Government of Cuba.

In 1963, let me remind you that Attorney General Robert Kennedy sought to lift the entire U.S. travel ban to Cuba. He believed that the travel ban was inconsistent with our views, our views of a free society. More than 40 years later we are still debating an outdated policy from a bygone era, but this is just a very simple amendment that will speak right to our American students. We need this policy to allow our young people to change ideas, values and experiences.

These types of exchanges are what will truly bring change to Cuba. Our students are the best ambassadors for democracy. Also, Mr. Chairman, money spent enforcing these regulations, I think this money would be better spent tracking down terrorist finances.

Before the new regulations were enacted, the Miami Herald reported that the Office of Foreign Assets, which, of course, is the department responsible for tracking the finances of terrorists, international narcotics, and weapons of mass destruction, has six more times personnel, I could not believe this, six more times personnel working on Cuba licensing than tracking bin Laden.

Now, OFA officials are tracking students and Cuban American families instead of focusing on terrorists.

Today, I stand against squandering our resources to enforce these ineffective, outdated policies as they relate to our students and to our education. And I ask Members to support the ranks of American students to be educated, to travel abroad, to gain experience and to make judgments for the themselves.

American students are allowed to visit and participate in educational opportunities and programs in China and in other countries which we may or may not agree with, and so I believe that our own young people deserve this right. It is basic to their educational desires if they choose to do this.

Finally, I want to remind my colleagues that last year the State Department and the 9/11 Commission both underscored the importance of our youth in spreading American values. Patricia Harrison, Assistant Secretary of State for Educational and Cultural Affairs, stated before the Committee on International Relations, on which I serve, she said, One of our greatest assets in public diplomacy is the American people themselves. Programs, she said, that which bring Americans and foreign citizens in direct contact, can and do have tremendous positive impact.

The recommendations of the 9/11 Commission report stated that we must rebuild the scholarship exchange and library programs that reach out to young people and offer them knowledge and hope. I cannot agree more. It is in our best interest to allow our youth to spread the message of American values and hope so that people can see for themselves who America is and what we stand for.

This amendment is straightforward, Mr. Chairman, and should not be controversial. We are talking about mainstream family values, education, freedom to learn and the freedom to export our American principles.

I urge my colleagues to vote ''yes'' on the Lee amendment.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I rise to claim the time in opposition to the amendment.

Mr. Chairman, it is interesting how amendments make themselves to the floor, find their way to the floor with regard to the Cuban terrorist dictatorship, with language of freedom, talking about education, talking about reunification, talking about students.

Over 100 pro-democracy activists, leaders in Cuba met last month at great risk to their lives and to their families' lives, and they met publicly for the first time in 46 years. They held a convention. Many of them were not permitted to arrive. State security kept them in their homes, threw them in prison, but over 100 did arrive at the convention.

They met there and for the first time in 46 years they had elections and they elected leaders of the prodemocracy movement. They issued positions calling for the release of political prisoners and democracy, free elections. And they sent us a letter, Mr. Chairman, signed June 24, the three leaders of the Assembly to Promotes Civil Society.

They asked us in this letter with great respect for the decisions of a sovereign Congress, to reject each and every amendment that was going to be presented this week, either completely or partially eliminating sanctions against the dictatorship. And the dictator, Mr. Chairman, has gone on his state television, obviously, the only channel that belongs to him, and has said, ''A severe response'' awaits those mercenaries.

The omnipotent, totalitarian dictator, Mr. Chairman, until one day, omnipotent, goes on television and says ''a severe response'' awaits. The Cuban people know what that means. At any moment these leaders or their families will be thrown in dungeons and subjected to the torture that thousands of political prisoners are subjected to in Cuba each day and hundreds of thousands have been subjected to for 46 years.

Now, this letter, should we give it the credence and authority and respect that its courage, its heroism demands? I believe we should. This is a very serious issue. We have a policy to help the Cuban people and not the jailers of the Cuban people, not the oppressors of the Cuban people.

Mr. Chairman, how much time is remaining?

The CHAIRMAN. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) has 2½ minutes remaining.

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

Ms. LEE. Mr. Chairman, I yield myself such time as I may consume.

First, let me comment with regard to the gentleman's presentation, and I thank the gentleman for calling to our attention the letter. But I am opposing U.S. foreign policy. And it is my contention that we should not allow letters from foreign citizens to dictate those types of foreign policy measures that the United States of America should be making in terms of our educational programs for our American students.

This is about American students and their right to participate in educational programs. It has nothing to do with any of the issues that this letter addresses.

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Chairman, with over 160,000 American students studying abroad each year, the United States acknowledges the potential contribution of true educational exchanges, and Cuba is no exception.

Under current law, educational activities by American students in Cuba are permitted. In fact, under current law, these activities are enhanced by regulating the manner in which students may fulfill these study semesters abroad. Therefore, if it is truly the opportunity for education that the Lee amendment attempts to preserve, then I would like to respectfully remind my colleagues here today that American students are afforded this opportunity through the implementation of current regulations.

The regulations in place merely serve to ensure that those students traveling for educational purposes are doing just that. Current law establishes that specific licenses for educational activities be preserved for undergraduate and graduate institutions. These measures were enacted and must been enforced to prevent the abuse of educational activities such as spring break getaways and island shopping sprees.

I urge my colleagues to join me in voting ''no'' for the Lee amendment because educational travel is already permitted.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, how much time is remaining?

The CHAIRMAN. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) has 1½ minutes remaining.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield 1 minute

to the gentleman from Florida (Mr. MARIO DIAZ-BALART).

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I have been listening to this debate, and one of the things that was said today is that we should not accept letters from even freedom fighters, heroes who are suffering under Castro's oppression.

If we should not listen to them, maybe we should listen to what the dictator himself has said about amendments such as this in the past. When an amendment such as this passed a couple years ago, he said, ''The House of Representatives voted with determination and courage for amendments that bring glory to that institution. We should always be grateful for that gesture.''

That is the dictator himself, grateful for amendments like this. Should we be on the side of the Cuban people or should we be taking actions that the dictator himself calls glorious?

□ 1145

I think that is something that clearly this body needs to take in consideration.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield myself the remaining time.

I would ask all of colleagues who may be watching this debate to realize this is a very serious issue, that the policy of the United States is a well-thought through policy. It permits travel for educational reasons, humanitarian reasons, family reasons. There are 13 categories of legal travel.

Remember, it is terrorist state that has shot down Americans just years ago, that has the head of its air force indicted for murder of American citizens, shot down over the straits of Florida. It has the head of its navy indicted for drug trafficking. It is a terrorist state, one of six remaining states.

So these are serious issues. We must keep this policy to deny hard currency to the regime while permitting the 13 categories of legal travel.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. LEE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California (Ms. LEE) will be postponed.

AMENDMENT OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SANDERS:

At the end of the bill (before the short title), insert the following: ''None of the funds made available in this Act may be used to provide for the competitive sourcing of flight service stations.''

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Vermont (Mr. SANDERS) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 10 minutes.

The Chair recognizes the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Chairman, I yield myself such time as I may consume.

This tripartisan amendment is being cosponsored by the gentleman from Indiana (Mr. HOSTETTLER), the gentlewoman from South Dakota (Ms. HERSETH), the gentleman from New Jersey (Mr. LOBIONDO), the gentleman from Oklahoma (Mr. BOREN), the gentleman from Connecticut (Mr. SHAYS), and the gentlewoman from Connecticut (Ms. DELAURO). It also has the strong support of the AFL–CIO, representing 13 million American workers, the Transportation Trades Department, the Professional Airway Systems Specialists and the National Association of Air Traffic Specialists.

Mr. Chairman, on February 1, 2005, the FAA awarded a $1.9 billion contract to Lockheed Martin to close 38 out of 61 automated flight service stations across the country and privatize 20 others. This contract is not scheduled to go into effect until October 1, 2005.

If this contract is implemented, over 1,000 highly trained air traffic control specialists will be in danger of losing their jobs, and the retirement benefits of some 2,500 Federal aviation workers will also be in jeopardy.

Mr. Chairman, this privatization scheme is a bad idea, a wrong idea for a number of reasons. First and foremost is the question of air safety, something that is on the mind of every Member of Congress and every American person who flies.

Flight service stations are crucial to the safety and security of our Nation's air space. They provide a host of critical services to more than 600,000 general aviation pilots, as well as providing assistance to military and commercial pilots.

Air traffic control specialists advise pilots on such information as terrain, pre-flight and in-flight weather information, suggested routes of flight, altitudes and indications of turbulence or icing. As a matter of fact, when this country was attacked on September 11, 2001, the key national security function of air traffic control specialists was on full display. During that national tragedy, air traffic control specialists communicated crucial information to planes in the air and on the ground and were responsible for restarting air traffic in the days following. In addition, Mr. Chairman, keeping airplanes out of restricted air space is the responsibility of air traffic control specialists.

Further, air traffic control specialists are critical to protect our airways during a natural disaster. When hurricanes hit the southeast last year, flight service stations remained open, and air traffic control specialists remained working to ensure the safety of airline passengers, even though other FAA facilities were shut down.

Mr. Chairman, it is my very strong opinion that we should not be compromising air safety by privatizing air traffic control specialists to a corporation, Lockheed Martin, whose main function in life is making a profit. When passengers get on a plane, when passengers take off and land at an airport, they want to know that everything possible is being done to protect the safety of those flights and not that operations have been turned out to the lowest possible bidder.

Interestingly enough, Mr. Chairman, Congress has already passed a provision prohibiting three flight service stations in Alaska from being privatized, and that provision has been signed into law by the President. Mr. Chairman, I support that law and believe that what is good for Alaska, a State highly dependent on air travel, should be good for the rest of the country and that we should prevent flight service stations across the country from closing, which is exactly what this amendment will do.

Mr. Chairman, the second important reason that we should pass this amendment is that at a time when millions of American workers are worried that the pensions that have been promised to them will not be there when they retire, we must show that Congress will not be complicit in that process and that we will stand up for them when their pensions are going to be slashed.

Mr. Chairman, if this amendment fails, not only will 1,000 highly trained air traffic control specialists be in danger of losing their jobs, but the retirement benefits of some 2,500 Federal aviation workers, most of whom are over the age of 40, will be in jeopardy. That is wrong.

The Federal Government must set an example to the private sector. When we promise a Federal employee that he or she will get a pension, that promise must be kept. If we do not keep our promises regarding pensions to Federal employees, how can we expect that United Airlines or other major corporations will keep their promises?

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

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume.

Let me respond to the Sanders amendment, which I am opposed to. It is a transparent attempt to void a contract that would deliver tremendous benefits to the general aviation community and save the FAA $2.2 billion over the next 10 years.

It also could result in up to $350 million in additional costs to the FAA in the form of termination penalties.

There is no erosion of safety associated with contracting out flight service stations. Simply put, flight service stations do not control air traffic. Flight service stations receive and file flight

planes and provide pilot weather briefings, en route communications, and search and rescue services to general aviation pilots.

The contract will enhance all of these services to the general aviation community. It has strong support from private pilots because they know that better services will result in a safer system.

This contract will have little or no impact on commercial or military pilots who get these services from different sources.

It also protects existing flight service station employees. Lockheed Martin will offer jobs to all incumbent employees. Salaries will be matched, including locality pay. Lockheed Martin will provide a sign-on bonus, as well as a retention bonus for many positions, as well as up to $50,000 for relocation allowances. Additionally, Lockheed Martin will offer a 401(k) savings plan, income protection plan and performance bonuses.

The contract was fairly bid, and the flight service station employees competed in the offering.

This contract has been years in the making. Congress should not step in after the fact to stop this contract and deny better services to more than 600,000 private pilots.

Let me turn to some of the pilot private pilots on this. This is a quote: ''After spending 90 minutes getting an advance look at a 21st century flight service station and asking hard questions, all I can say is, Wow! On the basis of what the contractor will deliver under the contract, pilots are going to be much better served and much safer.''

Another: ''For the first time in history, pilots are going to get a contractual guarantee that a live briefer will answer their phone calls within 20 seconds and acknowledge their radio calls within 5 seconds. Flight plans will be filed within 3 minutes. It's in the contract.''

Then: ''And as any pilot who has been stuck on hold for 20 minutes trying to get a weather briefing can tell you, the system is overloaded and frequently non-responsive.''

These are all quotes from people who actually are involved in this process. So I strongly urge the defeat of this amendment.

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

Mr. SANDERS. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Oklahoma (Mr. BOREN).

Mr. BOREN. Mr. Chairman, I rise today in strong support of the amendment offered by the gentleman from Vermont (Mr. SANDERS), of which I am a cosponsor.

It is very important that we pass this amendment to protect aviation security and safety. The service provided by the flight service station specialists is an inherently governmental function. It is important to the community of McAlester, Oklahoma, in my district where we have many, many people employed and not only to McAlester, Oklahoma, but to our Nation because flight service stations across the country are a critical component of our air traffic system.

At a time when we all agree it is critical to strengthen aviation security and safety, privatizing these jobs is the wrong way to go. While there is a role for the private sector to competitively provide certain government services, this is not one of those services.

It is imperative they not be turned over to a for-profit company. We should not outsource our Nation's air traffic control functions. The safety of the flying public should not be offered to the lowest bidder, and these highly trained and experienced specialists should continue to provide their critical service to keep our Nation's air space safe and secure.

Mr. KNOLLENBERG. Mr. Chairman, I yield 4 minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, I thank the gentleman for yielding me time, and I rise in very strong opposition to the Sanders amendment.

I chair the Subcommittee on Aviation, and I can say that we have been involved for a number of years. We have had a comprehensive 3-year study by the Federal Aviation Administration, and in February of 2005, we awarded a contract to provide automated flight services for the next 10 years by a competent contractor.

This competitive sourcing process was supported by the aircraft owners and pilots association. They are the primary organization that represents many of the 600,000 pilots that we heard the sponsor of the amendment refer to. They are the main users of flight service stations, private pilots.

Flight service stations do not control air traffic. Flight service stations receive and file flight plans and provide pilot weather briefings, en route communications, and search and rescue services to the general aviation pilots.

According to their pilots, again AOPA, and this is Phil Boyer, he said this is the way the current system works for the safety of our pilots and so-called security in the air: ''Any pilot who has been stuck on hold for 20 minutes trying to get a weather briefing can tell you, the system is overloaded and frequently non-responsive. The system had to change, and this is a change for the better.'' He also said, ''Pilots are going to be much better served and much safer.''

□ 1200

Now, private pilots do recognize that the current system that we have in place is antiquated and it is costing us more than $600 million a year. So the worst part about this is we are paying more and getting bad service, or no service, as the head of the Aircraft Pilots Association has said.

So this contract is estimated to save the taxpayers about $2 billion over the next 10 years and provide dramatically improved service. If this amendment passes, in fact, there will be no transition money; and on top of that, there will be a $350 million penalty for termination of the contract.

Under the FAA reform plan, $2.2 billion in taxpayers' dollars will be saved, and again we will have new technology to make the airspace for our general aviation pilots safer, with the best, most efficient, cost effective technology and, at the same time, we protect the employees that are in place.

Mr. Chairman, I urge Members to consider this amendment and defeat it.

Mr. SANDERS. Mr. Chairman, I yield 1½ minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I rise in support of this amendment to protect hard working Federal employees in my district from having their jobs transferred to the private sector and ultimately lost.

The Federal Aviation Administration recently awarded to Lockheed Martin to run the Flight Service option of air traffic controller. The AFSS facilities in Cleveland, Ohio, will be closed down in the next year or 2, and approximately 32 jobs will be lost.

The only winner here is the contractor, Lockheed Martin, who will certainly profit handsomely. From my past experiences with the A76 process, I can predict with certainty that the Federal Government will lose money, many jobs will be lost, and the essential services of air traffic control will suffer. Privatization of essential government jobs is dangerous and unnecessary.

The FAA has steadfastly refused to answer several questions I and several other Members of Congress have asked about this privatization effort. We asked questions about the process of this privatization effort, employee transfers, the retirement options, opportunities to challenge the privatization, and future health care benefits. These are the sort of questions that employees should have had answers to months ago but still lack today.

We raised concerns as Members of Congress about how the vendor bids were evaluated, how risk was assigned to these bids and how the priority of the relationship between the FAA and the winning vendor was justified. We asked for copies of various vendor bids to make sure the process was fair. To date, the FAA has not responded to any letters that Members of Congress who are concerned about this have sent. This is outrageous and evidence that FAA privatization is faulty.

If the FAA cannot even respond to simple Congressional inquires, I question their ability to perform a fair process. Employees deserve better. Support the Sanders amendment and stand up for Federal employees.

Mr. KNOLLENBERG. Mr. Chairman, I reserve the balance of my time.

Mr. SANDERS. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I wish to thank the gentleman from Vermont for bringing this issue before us today.

Mr. Chairman, I have a station in my district that would be impacted by this; hard working people who work to protect all of the general pilots that come into that area, the City of Hawthorne, will lose their jobs. I do not understand why somehow the Alaska Flight Service Stations are protected from this privatization effort but all of the other stations are not, and they are going to consolidate and basically close down most of these 61 Flight Service Stations in the United States that service the needs of general aviation pilots, but not the Alaskan service stations.

In addition to that, I do not know what pilots the gentleman is referring to who have gotten behind consolidation and closing down these stations. It is not true of the pilots who call me. They do not like the privatization. They want to do away with it. They support the amendment of the gentleman from Vermont that we have before us, and I would ask the Members of this Congress to stand behind this amendment.

Save these Federal jobs and keep the protection that we have with these very caring Federal employees who do not want to be placed in a situation of unemployment.

Mr. KNOLLENBERG. Mr. Chairman, pardon me, but what is the time allotment on the other side and here?

The CHAIRMAN. The gentleman from Vermont (Mr. SANDERS) has 30 seconds remaining and the gentleman from Michigan (Mr. KNOLLENBERG) 3½ minutes remaining.

Mr. KNOLLENBERG. Mr. Chairman, I reserve the balance of my time.

Mr. SANDERS. Mr. Chairman, may I inquire as to how many more speakers the gentleman from Michigan has?

Mr. KNOLLENBERG. I have no speakers left, but I reserve the right to close, so I want to continue to reserve my time.

Mr. SANDERS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the issue here is a simple one: We cannot compromise the air safety of the United States of America to the lowest bidder, whose main function in life is profiteering rather than protecting the needs of American air travelers.

Equally important, we cannot turn our backs on the promises made to 2,500 Federal employees in terms of their pensions. If we turn our backs on them, we are turning our backs on millions of American workers whose pensions can also be slashed. Let us protect Federal employees. Let us pass this amendment.

Mr. KNOLLENBERG. Mr. Chairman, I yield myself the balance of my time.

Let me close with just a few points, Mr. Chairman. To summarize: Contracting out Flight Service Stations will result in no erosion in safety. It is a safer system and 600,000 general aviation pilots will get better service. The contract will save taxpayers money. Not a bad idea. Employees will be protected. This, in my judgment, is a no-brainer.

Mr. Chairman, I oppose the gentleman's amendment very strongly and urge all Members to oppose this amendment.

Ms. HERSETH. Mr. Chairman, I rise in strong support of this amendment, and I urge my colleagues to support it for several reasons.

This amendment would prevent the FAA from privatizing the critical flight safety functions that are currently performed by highly trained flight service professionals. Some government functions, like ensuring safe airspace for the flying public, play such a significant role in protecting public safety and enhancing homeland security, that we must insist that they remain government functions. Privatization, when used selectively, can deliver savings and efficiency, but not all functions are good candidates for privatization. Flight service falls into this category.

We have a flight service facility in Huron, South Dakota, that employs specialists who live in the community, and many of them are pilots themselves. The decision by the FAA to close Automated Flight Service Stations across the country would include the Huron station. Its functions are set to be delegated to facilities hundreds of miles away in other States. Taking this step would greatly strain the national capacity of the flight service and reduce pilots' access to the localized knowledge of weather and topography that the Huron station currently provides.

Of even more concern, this decision also could mean the elimination of virtually all of the flight service stations across the Northern Plains; an area of the country that relies on general aviation much more than the more densely populated regions of the country.

Finally, this step will not only weaken our Nation's air safety system, it will unfairly treat thousands of dedicated flight service employees that would be affected. While I agree that we cannot oppose privatization proposals solely because some Federal employees might lose their jobs, we also have an obligation to treat our dedicated public servants fairly. Most of the professionals that would be affected by this change, including many at the Huron flight service facility, have given many years of their professional lives to the Federal flight service. Many are within years or even months of qualifying for their Federal Government pensions. This policy would have the effect of unfairly slashing the retirement benefits that they have earned, and it is another reason why we should delay this action for a year and devise a more reasonable approach.

This amendment will give us time to devise a plan to ensure that vital aviation safety functions are provided by a well-trained and highly qualified workforce, and it would enable us to treat fairly those that have worked for many years to provide this important service. I urge my colleagues to support this amendment.

Mr. KNOLLENBERG. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SANDERS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Vermont (Mr. SANDERS) will be postponed.

AMENDMENT OFFERED BY MR. RANGEL

Mr. RANGEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. RANGEL:

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

SEC. ____. None of the funds made available in this Act may be used to implement, administer, or enforce the economic embargo of Cuba, as defined in section 4(7) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Public Law 104–114), except that the foregoing limitation does not apply to the administration of a tax or tariff.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from New York (Mr. RANGEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Mr. Chairman, I yield myself such time as I may consume.

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. Mr. Chairman, right now in the Committee on Ways and Means there is a lot of discussion going on in reporting out a Central American Free Trade Agreement, which includes the Dominican Republic. This is part of an effort on the part of our great country to try to open up the doors and to make certain we give an opportunity to people throughout the world, but especially those in our own hemisphere to have an opportunity for a better quality of life.

This concept has been extended to Communist China, to North Korea, and to other countries. But here, we believe, in Cuba, it has nothing to do with anything except politics. It has nothing to do with the economy. It has everything to do with a small group of people in Florida. With all due respect to their strong feelings against Castro, it would seem to many of us that the best way to get rid of a dictator is to really open up the country; to be able to go to send remittances to families; to be able to travel; but certainly to be able to have an exchange of commodities between their country and ours.

It seems to me that American businesses are losing billions of dollars by not being able to trade. And who is being hurt? It is certainly not Castro. It is the poor people in the country. And if we cannot believe or bring ourselves to see that this policy for over 45 years has cost us in prestige around the world that respects international trade agreements; that has cost us in money; but I really believe it has cost us by allowing Castro to tell the people in Cuba that every economic crisis that

they have is based on the United States' embargo.

As an American, if every country in the world has recognized this man, why can we not say that we recognize the Cuban people? Why can we not allow our business people to establish a relationship so that we are not blamed for what is happening in Cuba?

We have tried to do this before. The United Nations believes that we are in violation of international law. The CARICOM nations in the Caribbean believe that we are violating the law. The World Trade Organization certainly cannot support what we are doing. In many areas it is considered an act of war to surround a nation and not allow ships to go in or to penalize a country.

Most importantly, however, this is an un-American concept. We should not be afraid that any small island nation can take away from the strong deep-seated principles of democracy that we enjoy here.

Mr. Chairman, I yield 1 minute to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Chairman, I rise in support of the Rangel amendment. The current policy of trying to starve Castro out of Cuba by imposing travel bans and embargoes was put in place in 1960. Since then, Castro has outlasted nine Presidents, from Eisenhower to Clinton, and he may outlast a 10th.

It does not seem like this policy has been very successful. It has not driven Castro from power. It has not caused him to improve his human rights' record. It has not prevented him from oppressing his people. In the meantime, the power of American economy and culture has brought about changes in terrible and despotic regimes in various corners of the world.

This amendment, and others like it, simply recognizes the truth about the situation; that our current policy is a failure and needs to be replaced by something that has demonstrated success. By easing travel restrictions and the economic embargo we have a chance to overwhelm Castro with America's culture of freedom, democracy, and free markets. I urge a ''yes'' vote on the Rangel amendment.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I claim time in opposition, and I yield myself such time as I may consume.

Mr. Chairman, just 2 years ago three young men, three young black Cubans, tried to leave Cuba to come to the United States for a better life; obviously fleeing the oppression of the totalitarian regime. They were captured by the dictatorship and, under orders of the dictator, they were summarily executed.

The distinguished gentleman from New York at that time stated, and I saw his quote in a New York newspaper, La Prenza, ''I am shocked,'' he said. ''There is nothing that the Cuban government could tell me that would interest me. It is totally incredible that a government would justify this type of action. The execution of these people puts an end to any possible discussion there could have been.''

Now, that was 2 years ago. What we have seen in the interim, further repression, further torture of political prisoners, and, just in the last 2 months, more than 500 young men, over 90 percent of them black, have been rounded up by the dictatorship in Cuba and thrown in prison under what is known as preventive, preventive detention. And they are thrown in the most brutal of gulags under the concept of preventive detention.

That is what is new since the author stated that he was shocked. Also what is new, what is current, is that there are indictments at this time against the head of the Air Force of the Cuban dictatorship for murder of American citizens, indictments at this time for drug trafficking against the head of the navy of the Cuban dictatorship; that 15 spies of the dictatorship have been sent to prison in the United States in the last year alone for spying against American interests. That is what is new. What would be rewarded, in effect, Mr. Chairman, by the amendment if it were to pass.

This is a normalization of relations amendment that would reward the most brutal conduct by the only dictatorship in the Western Hemisphere. I ask our colleagues to reject it.

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

□ 1215

Mr. RANGEL. Mr. Chairman, I yield 30 seconds to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Chairman, in the Committee on Ways and Means we are debating CAFTA, and market analysts estimate the U.S. economy is losing up to $1.24 billion annually in agricultural exports alone because of the Cuban embargo.

According to the USTR, CAFTA would bring $1.5 billion in agricultural trade. Six countries, $1.5 billion; one country, $1.24 billion in trade.

The administration says CAFTA is a way for America to support freedom and democracy and economic reform in our hemisphere, yet the Cuban embargo they say is also a way to support freedom, democracy and economic reform to developing Cuba.

The consistency in your trade policy would bring a smile to George Orwell's face.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. MACK).

Mr. MACK. Mr. Chairman, I rise today in opposition to this amendment and would start off with the simple question: Do we want to reward the most notorious human rights abuser in our hemisphere with American trade, American travel, and American currency? Does this House want to appease the only state sponsor of terrorism in this hemisphere? I think the answer to that is no.

This is a call to conscience in this body. Do we stand for freedom, or do we stand with tyrants? The choice today could not be more black and white. Either you stand for freedom, or you stand with Fidel.

I urge all of my colleagues to vote ''no'' on this amendment. There have been many examples where Fidel Castro has abused any kind of trade, any kind of currency that is brought to his country, where he has done so only for himself, always looking to oppress and to hold down the wishes and hopes of others.

I today stand with the Cuban people, not with a dictator who only seeks harm.

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

Mr. RANGEL. Mr. Chairman, I yield the balance of my time to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I thank the gentleman from New York (Mr. RANGEL) for his leadership and for helping us correct a failed 40-year policy which does not work.

This is about the right of American businesses, the right of Americans to travel, to create jobs, to create a level playing field for our country and the world economy.

Let me just respond to the gentleman from Florida. I think what the gentleman just talked about in terms of Cuba's black population, I need to remind the gentleman of the prison population here in America of African Americans. Look at the health disparities and look at the unemployment rates.

I think we need to understand that we who are supporting this amendment are talking about the right of Americans to travel, to create businesses, to create business opportunities and jobs. This is about giving Americans the opportunity to develop their own perspectives and own opinions. It has nothing to do with incarceration rates, and it has nothing to do with our own incarceration rates in America.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. RANGEL. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from New York.

Mr. RANGEL. Mr. Chairman, I appreciate what was pointed out by the gentlewoman from California (Ms. LEE). I have no idea why the gentleman from Florida would refer to the victim of this atrocity that was committed in Cuba as being black. I do not see what that adds to the discussion as to whether or not as a free country we should not continue to respect international trade. I think that is what we are trying to do.

We are trying to say the best way to get after dictators is to make certain that we have communication between nations. The best way to have people to understand what democracy is all about is to demonstrate what democracy is about by allowing Americans to

go where they want to go when they want to go, to allow Americans to send money to whomever they want to send money to in Cuba.

I truly believe all of the things that have been said, we would all agree. I believe that Saddam Hussein was a terrible man; but I do not believe we had a right to have a preemptive strike against a country. What we are trying to talk about is the value of trade, the value of countries communicating with each other.

Who is being penalized? No embargo works when only one country is perpetrating the embargo. If all of the countries in the world are trading with Cuba, the best we do is lose money and restrict ourselves from showing that when it comes to competition, quality goods, farm goods, that America is the best. But when people say they do not want to offend a handful of people in Cuba, and therefore we put an embargo against an independent country, it is not the democratic, American thing to do.

Mr. OBEY. Mr. Chairman, I simply add to the gentleman's thoughts this point. I find it quaint, indeed, that this House would appear to want to try to promote the freedom of Cubans by denying freedom to Americans. That makes no sense to me.

The last time I looked at it, we are supposed to be representing Americans; and the people I represent ought to have a right to travel anywhere they choose so long as they are citizens of what is supposed to be the greatest, freest democracy in the world. I wish everyone in this Chamber would have a better understanding of that than they seem to have. I thank the gentleman for his efforts.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, the previous speaker asked as to the relevance of the fact that the dictator had summarily executed three young black Cubans 2 years ago. It is quite relevant and it is quite consistent with the fact that the dictator has consistently embarked on policies of hatred against the Cuban people, especially the black people of Cuba, which should not surprise anyone, because at the end of the 19th century, his father was sent to Cuba as a member of the Spanish Army that was fighting against Cuba. He is, in effect, the historical revenge of Spanish colonialism.

And, yes, the prisons are full of young men and women, especially young black men, that he summarily rounds up and puts under preventive detention. This is a very relevant issue, Mr. Chairman. It is very relevant. The oppression of the Cuban people and the hatred of the dictator against the Cuban people, especially the black people, it is very relevant.

Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Chairman, we have had sanctions in different parts of the world: Jackson-Vanik with Soviet Jewry, disinvestment in South Africa. There are those who would seek disinvestment and sanctions in the Sudan and many other parts of the world, so we understand that these are ways that we can ultimately bring the end of totalitarian regimes and democracies to those people, yet we hear no voices in opposition to that.

After 2 million people visit Cuba every year, spending $2.3 billion, this regime has become more repressive, not less repressive. Let us not add to that repression.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. RANGEL).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. RANGEL. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York (Mr. RANGEL) will be postponed.

AMENDMENT OFFERED BY MR. SOUDER

Mr. SOUDER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SOUDER:
Page 224, insert after line 8 the following:

TITLE X—LIMITATION

SEC. 1001. None of the funds contained in this Act may be used to enforce section 702 of the Firearms Control Regulations Act of 1975 (sec. 7—2507.02, D.C. Official Code).

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Indiana (Mr. SOUDER) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise today to offer an extremely simple, commonsense amendment that is a first step towards restoring the rights of self-protection, a right guaranteed under the second amendment to the citizens of the District of Columbia.

My amendment would restrict funds from being used to enforce section 703 of the D.C. Firearms Control Act. This section requires that every registered gun owner ''shall keep any firearm in his possession unloaded and disassembled or bound by a trigger lock or similar device unless such firearm is kept at his place of business or while being used for lawful recreational purposes within the District of Columbia.''

This amendment does not legalize anything that cannot be legally owned now: No machine gun, sawed-off shotguns, AK–47s, or Uzis. All it does is let people keep the handguns purchased before 1976, shotguns, or rifles unlocked or loaded that they already have registered in their homes.

My amendment gives D.C. citizens the same rights at home as they have at work. Under the current law, a legal gun owner who owns a business in the District of Columbia can register a gun at their place of business to defend their business against criminals. The same person cannot use a legally registered gun to protect his or her life or family at home.

Over the past 30 years, there have been too many times where staffers or residents who live and work right here on the Hill have been at home and have come under attack from dangerous criminals. The way the current law is set up, these law-abiding citizens are forbidden from using a legally registered gun in defense of his or her home or family. I believe the good people of D.C. deserve the recognition of this basic civil right.

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

Ms. NORTON. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I appreciate that the gentleman from Indiana (Mr. SOUDER) has pulled back from total repeal of our gun safety laws. I wish I could thank him, but I do not think Mayor Williams or Chief Ramsey would yet be ready to do so. Our moderate, even-tempered Mayor, who has worked so well with this Congress and the administration, is much praised in this Congress, is really beside himself when at a time crime is at a 20-year low, here comes the Congress to do what he and the police chief say will surely increase crime.

Disassembled weapons, yes, citizens may have them in their house. Look what this does: loaded shotguns, loaded handguns, as long as citizens had them before 1976, in your home or in your place of business. Let me say that the Board of Trade does not want them in our places of business. They came to testify in total support of the laws as they are. The businesses of the District of Columbia have petitioned the Congress to keep our laws exactly as they are. Businesses say the last thing they want is the kind of liability and responsibility they would have for keeping a gun in the place of business, so they do not do it.

Post-9/11, do Members really want to legalize shotguns, handguns grandfathered in the District of Columbia at a time when we are still stopping people at checkpoints to see whether they are terrorists? Do Members know what can happen here? Someone can take one of these rifles or shotguns to the roof of an apartment or office building, aim it at foreign visitors, tourists, Members of Congress or their families, not to mention residents of the District of Columbia. I am particularly worried about children, teens.

Imagine big long guns, now loaded. Some people would call that an attractive nuisance. That is a term of art in the law. Parents, I think, would call it an unattractive, deadly, very lethal weapon. That is who is most likely to be attracted by this new set of gear that you can have loaded in your home.

There must be countless handguns that have been disassembled that were held before 1976. Now just load them up. So the same kids who knew they were unloaded before, do not know perhaps that now the guns are loaded, and here we have kids among the thousands who die every year in play from guns.

□ 1230

Mr. Chairman, no Member of Congress has the right to usurp our right to protect ourselves and our kids as we see fit. That is a basic right of self-defense of every jurisdiction.

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

Mr. SOUDER. Mr. Chairman, I yield myself 1½ minutes.

I thank the gentlewoman from the District of Columbia. She serves on my subcommittee. We work together on many issues and we have a deep disagreement on this one. I believe a constitutional right to bear arms supersedes local authority.

A couple of facts here are very stubborn things: One is that as far as accidents, the total rate of firearm accidents from 1981 to 2002 in the District of Columbia was 2.5 times higher than across the border in Maryland which does not have a storage law. The fact is that it has not reduced accidents. It is a nice thought to talk about that, but the facts don't bear that out. Secondly, this has nothing to do with businesses. This is about self-protection in your home. If a rapist is breaking into your house or a murderer is coming after you and your children and you are struggling to find the key to the lock and then have to get your gun out and put it together, odds are pretty good you are not going to make it. And under current D.C. law, if you find the lock and get your gun out and get your gun put back together and defend yourself, you can be prosecuted. What in the world is going on?

We heard that the crime rate has dropped in the District of Columbia. For 15 of the last 16 years, the District of Columbia has been the murder capital of the United States. In the last statistics, they were again for the fourth year in a row. How can it get worse than that? Former Mayor Barry has one of my favorite quotes: Outside of the killings, Washington has one of the lowest crime rates in America.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I do not believe in gun control laws. I think in most instances they don't work and I think lots of times they are designed by people who would not know one end of a gun from the other. But having said that, there is something that bugs me about this amendment, and that is that I did not come here to be a city councilman for the District of Columbia. I represent the people of my congressional district. The other thing that bugs me is that the citizens of the District of Columbia have no vote in this body, and in my view, as long as the citizens of the District of Columbia have no vote in this body, this body has no business telling the District of Columbia what their municipal laws ought to be.

Now, I have an amendment that I am going to offer if this amendment passes and that amendment reads as follows: ''The salary for individual Members of Congress shall be paid out of the funds provided in this bill for the District of Columbia and shall be limited to $92,500.'' That is the salary of a District of Columbia city councilman. If the people of this House want to act like you are a D.C. city councilman, then you ought to get paid like you are a D.C. city councilman, which means you can take about a $70,000 pay cut and I think that would be fitting.

I do not have the slightest idea what kind of laws the District of Columbia ought to have with respect to guns, but I do know one thing. I very often simply vote ''present'' whenever any matter affecting the District of Columbia comes up on this floor, because I think we have no business trying to interfere with what the city does on any subject so long as that city and its citizens do not have a vote in this Chamber. The gentlewoman from the District can speak, but when it comes to voting, she is out in the hall, just like anybody else who is not a Member of Congress.

So what you are saying is that you are going to take advantage of the fact that she has no ability to defend her district by voting in this place and you are going to say, ''Well, that's tough, but we're going to impose our judgment.'' If you want to tell the District of Columbia what their laws ought to be, run for the city council. This is not the city council. We look ridiculous and abusive when we try to act as though we are.

Ms. NORTON. Mr. Chairman, I yield myself 1 minute.

The gentleman talked about somebody breaking into your house. What his amendment does is to legalize shotguns, rifles. Already it seems to us insane that you would have a handgun at the ready when somebody broke in. And, remember, handguns grandfathered before 1976 would be legal. But imagine somebody breaks in and you go get a long rifle or a shotgun. This isn't about self-defense. This is about pressing forward the gentleman's preferences on the District of Columbia where unanimously every mayor of the city of D.C., every city council member overwhelmingly, all the residents have voted ''no.''

Mr. SOUDER. Mr. Chairman, I reserve the right to close.

Ms. NORTON. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN (Mr. BASS). The gentlewoman from the District of Columbia has 1 minute remaining.

Ms. NORTON. Mr. Chairman, I yield myself the balance of my time. No Member of Congress has the right to encourage guns in homes where the overwhelming evidence is that they are mostly used for suicides and in domestic quarrels, and please do not do that here in the District of Columbia because that is the most likely use of such guns in homes. The most bankrupt rationale offered for this outrageous interference in a local jurisdiction is that we already have gun violence in the District of Columbia. Let me hear the cosponsors argue with a straight face that allowing guns in people's homes will reduce rather than increase the gun violence in the District of Columbia.

The most deeply held principle of the Founders was local control. First local from England, and then because they were so deeply principled, they denied to the national government that they themselves created any control of the local jurisdiction. The Congress gave us this control in the Home Rule Act. I ask the Congress of the United States to respect the mayor, the council and the residents of the District of Columbia by in fact defeating this amendment.

PARLIAMENTARY INQUIRY

Mr. SOUDER. Mr. Chairman, I have a parliamentary inquiry.

The Acting CHAIRMAN. The gentleman will state it.

Mr. SOUDER. Do I have the right to close at this point?

The Acting CHAIRMAN. The gentleman does have the right to close, and the time of the gentlewoman from the District of Columbia has expired.

Mr. OLVER. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank my friend, the ranking member from Massachusetts, and I also want to associate myself with the distinguished gentleman from Wisconsin and his remarks. We have no right to overturn a law that has been on the books for three decades. The gentleman from Indiana, I know, believes in democratic governance. But he wasn't elected by D.C. residents. He was elected by his constituents in Indiana. What right does he have to overturn D.C.'s law particularly in this situation that puts D.C. residents at such serious risk? If the Souder amendment were made law, it would allow anyone who owns a firearm to carry it loaded and without a trigger lock on city streets throughout the District of Columbia. How does that make sense from a homeland security perspective? We have spent hundreds of millions of dollars to secure our Nation's Capital from terrorists and now we are going to turn around and make it okay to carry a loaded AK–47 or a .50-caliber sniper rifle down Independence Avenue? Are we serious? That is perhaps the unintended effect, but it is clearly the effect of this legislation.

In 2003, the police confiscated 1,982 firearms from criminal suspects. They would not be able to do that if this amendment passes. They confiscated almost 2,000 last year. This overturns their ability to do that. This amendment is an affront to the concept of

home rule, my colleagues, a slap in the face to the people of the District of Columbia. It gives a new meaning to hypocrisy when we talk about fighting so hard to achieve democracy in Iraq. We have an insurgency raging in another part of the world. We are committing lives and billions of dollars to achieving that objective of a democracy, of giving people the right to represent their own interests, to have the people they elect making the laws that govern them. Yet we would consider an amendment that opens another front on the city streets of our Nation's Capital? This is unbelievable that we would even be considering such an amendment.

I strongly urge a negative vote against this outrageous amendment.

Mr. OLVER. Mr. Chairman, I yield to the gentlewoman from Indiana (Ms. CARSON).

Ms. CARSON. Mr. Chairman, certainly no disrespect is intended to my colleague from Indiana (Mr. SOUDER). I have come to this microphone before this year criticizing Congress for meddling. I think this is another clear example of how Congress meddles in areas in which he or she has no business. I was reminded of a story in my district where a lady came home with her baby from the hospital, her 2-year-old was playing at her feet, went on the couch and got a gun, shot it, a 2-year-old, mind you, and killed the mother and the newborn baby. If the gun had been protected, that tragedy would have never existed.

Homicides remain unabated, especially among kids from 14 to 18. A lot of those guns are stolen from people's homes. If we had a mechanism that would prevent those kind of incidents, perhaps all of society would be better. I would encourage you to vote down this amendment with no deference to the author.

Mr. OLVER. Mr. Chairman, I yield to the gentleman from Virginia (Mr. TOM DAVIS), the chairman of the Committee on Government Reform which is the committee of jurisdiction for our Capital City.

(Mr. TOM DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

Mr. TOM DAVIS of Virginia. Mr. Chairman, let me just make a couple of points. My friend from Indiana with whom I have worked on so many issues, I tend to agree with him on the substance of the issue, an individual being able to keep a weapon in their own home to defend themselves, but the issue here is larger than that. It really goes to the question of respecting the rights of the District of Columbia to make their own laws and the mayor and the council have spoken on this innumerable times. They seem to have the support of the vast majority of the city.

Our committee held a lengthy hearing on this, hearing from all sides just 2 days ago. It was an illuminating hearing that I think highlighted both sides very, very well. But to me the issue comes down to one of home rule. Are we going to allow cities and States to make these jurisdictions or are we going to try to federalize everything out of Washington? I would just caution my colleagues that once we start doing everything out of Washington, it may be on your side, but tomorrow it could go the other way. We have to respect the Federal system that was set up.

This does not affect the workings of government, so in my judgment, Congress really should not be intervening in this matter although we have the legal right to do so.

I also want to note that there is pending the case of Parker v. District of Columbia that offers the opportunity for second amendment advocates to answer with finality the question of does this violate the second amendment. Passing this amendment today could possibly moot that decision which is currently on appeal to the D.C. Court of Appeals. This is one opportunity because the court has looked for ways out of deciding this decision. This is a way we may be able to speak with clarity and finality. If this amendment passes, we won't have that. It is a very two-edged sword, and I urge opposition to this amendment.

Mr. Chairman, I rise today in strong opposition to the D.C. Personal Protection Amendment. Let me say that I respect my colleague from Indiana's perspective on this issue. There is room in the Congress for debate on the merits of some of our nation's gun laws. My opposition is based on the legislation's blatant and potentially dangerous assault on home rule in the District of Columbia.

The Committee on Government Reform held a hearing this week on this very issue. We heard compelling stories from Mayor Tony Williams, Chief Charles Ramsey, and an array of witnesses, including residents of the District of Columbia and representatives from national think tanks and community organizations on both sides of the debate. I was disappointed that my friend from Indiana, the author of this amendment, was not able to attend the hearing to hear these views himself.

I am a strong supporter of Home Rule. For our system of federalism and democracy to work, states and localities need to be able to make their own decisions on these sorts of matters—even if some of us think they're bad ones.

There is an appropriate place for a debate on D.C.'s gun laws—and that place is the chambers of the District of Columbia Council, not the floor of the House of Representatives.

Proponents of this bill want to frame this debate in terms of the Constitutionality of the District's law. Various lawsuits have been filed in recent years questioning the constitutionality of the D.C. gun law under the Second Amendment. There's a case pending on appeal right now, Parker v. District of Columbia, that offers the opportunity for the Second Amendment challenge to be answered with finality. Proponents of this amendment have the opportunity for the courts to declare that the D.C. ban violates the Second Amendment. So what's the rush? What are they afraid of? We (and for that matter, the City Council) can consider the gun ban in light of the result of that case. In fact, if this Amendment becomes law, it could moot the ability of the Court of Appeals to address this critical 2d Amendment with finality. We are only here today because of Congress' plenary power over the District. This is a constitutional authority that is, unfortunately, occasionally abused, as is the case with this legislation. D.C. leaders have enacted gun laws that reflect their constituents' view that any increase in the number of guns in the District increases the odds that crimes will be committed with those guns. That's their view, and it should be respected.

I'm not saying I agree with the District's gun ban. Frankly, I don't. But I strongly oppose this amendment because I have a profound respect for Home Rule, for the right of local jurisdictions to craft their own local laws—even laws some of us don't agree with. This District law has no bearing on Congress and no bearing on the ability of the federal government to conduct its business. That should be the litmus test for federal involvement in the District.

□ 1245

Mr. SOUDER. Mr. Chairman, I yield myself the balance of my time.

First, I want to say again for the record this only applies to one's home. It does not also apply to Uzis. It applies to already registered legal guns that one is forced to put under lock and key and separate; and if a criminal breaks into their house, unlike a business, they have to find their key, unlock the box, put the gun together to defend themselves, and if they defend themselves, they can be prosecuted.

This is a straight second amendment vote. If Members believe in the right to bear arms, if Members believe in the second amendment, it is not a question of home rule. Home rule does not cover the right to abrogate constitutional rights. It does not give the right to abolish free speech. It does not give the right to abolish freedom of religion, and it does not give the right to abolish the right to bear arms.

Last year on a broader vote, we had 250 votes in this House. We had 230 cosponsors of this bill. We have 210 this year. This is a much narrower amendment. But I would urge my colleagues who support the second amendment, who believe that the Constitution overrides local laws, to vote ''yes'' on this amendment.

Mr. CUMMINGS. Mr. Chairman, I rise today to express my opposition to the Souder Amendment that would prevent the use of funds in the bill to enforce the District of Columbia's laws prohibiting the possession of a firearm or ammunition, as well as laws relating to keeping a firearm or a pistol. It is the apex of hypocrisy to defend the right of local communities to govern themselves free from the burden of needless federal interference, but deny that very right to the citizens of our Nation's capital. I encourage members of this body to agree that we need not agree on the merits of the District's gun safety laws to respect home rule for the District of Columbia.

Since the passage of the District of Columbia Self-Government and Governmental Reorganization Act or Home Rule Act in 1973, the District has utilized its authority to not only

elect a Mayor and a City Council, but also to regulate firearms. In 1976, the District of Columbia Council passed the Firearms Control Regulations Act, establishing one of the most robust limitations on gun ownership in the nation with the intention of and protecting public safety.

Specifically, this gun safety law required all firearms in the District be registered, restricted the classes of individuals who can register a firearm, and generally banned the registration of all handguns. Despite the suggestion by my colleagues on the other side that all firearms are banned in the District, it must be noted, however, that since 1976, 100,000 firearms have been lawfully registered.

Although Mayor Williams and Metropolitan Police Department Chief Ramsey testified just yesterday before the Committee on Government Reform that they passionately support the District's gun safety laws, this amendment would undermine their efforts to safeguard their city from the ravaging effects of gun violence.

In evaluating the District's limitations on firearm possession, one is compelled to ask two central questions: one, are the District's gun safety laws effective; and two, are they constitutional? In short, the answers to both those questions seem to be yes. The District's gun safety laws are effective at discouraging gun violence by making firearms less widespread throughout the city and assisting law enforcement efforts in recovering unlawful firearms that endanger the lives of police officers and law-abiding citizens. What is most tragic is the fact that some in Congress would seek to undermine or repeal the District's gun safety laws at a time when the District's homicide rate is the lowest it has been since 1986.

Secondly, the two lawsuits challenging that the District's gun laws are a violation of the Second Amendment rights, failed to overturn these laws on constitutional grounds. Specifically, the judges in both cases ruled that the District's gun safety laws were constitutional declaring that the Second Amendment does not confer a protected right of private gun ownership, rather the Second Amendment applies solely to State militias.

Mr. Chairman, it seems wise to move forward guided by the principle that democracy often functions best when those closest to an issue are empowered to address it. The residents of the District of Columbia speak through their elected Mayor and City Council that their existing approach to gun safety is best for their community.

If the residents of the District want to repeal their gun safety laws, then we should let democracy work and permit them to elect those leaders who will ease the existing restrictions on firearms within the city. Until then, let us embrace the constitutional principle from whence our great Nation was born—the right of self-determination—and let the District of Columbia manage this matter how best it sees fit. When the sun rises tomorrow, let it rise upon a city where the right of self-determination is not subject to the interest of the NRA or a congressional veto.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. BASS). The question is on the amendment offered by the gentleman from Indiana (Mr. SOUDER).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. SOUDER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana (Mr. SOUDER) will be postponed.

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OBEY:

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

SEC. . The salary for individual Members of Congress shall be paid out of funds provided in this bill for the District of Columbia and shall be limited to $92,500.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I reserve a point of order against the amendment.

The Acting CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Wisconsin (Mr. OBEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I ask unanimous consent that the Clerk read the amendment.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read the amendment.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the purpose of this amendment is simple. I happen to agree with the gentleman from Indiana that I think that the provision in D.C. law that he referred to on guns is a dumb law, and I would hope that it would be overturned by the city council. But what I resent is year after year after year having to vote on issues that belong in the backyard of the D.C. City Council, not the House of Representatives.

I have taken this position for a good long time. The second term I was here, I organized the effort that eventually freed up the money for the D.C. subway, when our distinguished friend Bill Natcher decided to hold up that money until the District of Columbia was forced to proceed with building the Three Sisters Bridge. Thankfully, that bridge was never built, and the Congress did not dictate to the District that they do so.

But the purpose of this amendment is simply to illustrate the fact that the Congress is acting like it is the city council for the District of Columbia; and as long as it is acting that way, that is the way it ought to be paid.

I do not object to any Member of Congress having any view he wants with respect to the District of Columbia, but I feel strongly that it is wrong for this Congress to dictate to the District what any of their local laws are so long as their representative does not have a vote. That is the point that I am trying to make to the gentleman from Indiana. The problem is not that Congress has opinions about the District. The problem is that the District of Columbia has no way to express their own views on their own issues through their own elected representative because their elected representative does not have a vote in this Chamber. Until she does, I think the Congress ought to stay out of these issues.

Much though I agree with the gentleman from Indiana on the substance, in this case it seems to me that democratic processes are much more important than my individual opinion on any subject matter.

Mr. Chairman, I yield back the balance of my time.

POINT OF ORDER

Mr. LEWIS of California. Mr. Chairman, a point of order has been reserved, and I make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. LEWIS of California. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. OBEY. Mr. Chairman, the gentleman from California has made a point of order. I am simply offering the amendment to make a point.

I concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GARRETT of New Jersey:

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

SEC. ____. None of the funds made available in this Act may be used to enforce the judgment of the United States Supreme Court in the case of Kelo v. New London, decided June 23, 2005.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. Mr. Chairman, I yield myself 2 minutes.

I rise today to offer an amendment to help protect one of America's most cherished rights of an American, to own their own home, to own their own property.

Last week the U.S. Supreme Court, by the slimmest of margins, ruled that

a local government can come in and seize people's homes, seize their small businesses against their will for other private economic development. This decision now will allow cities to come in and bulldoze their house, bulldoze their business, tear it all down just so that they can build a shopping center owned by somebody else.

The Garrett-Kennedy amendment seeks to prohibit any funds made available under this act from being used to enforce the judgment of the U.S. Supreme Court in the case of Kelo v. New London.

The practical effect of this will mean that we will prohibit Federal dollars from going out to be used for support purposes, infrastructure and the like, so that a private developer will benefit from the loss of these people's homes. It will mean that a bus stop will not be able to be built on what was once their home in order that a commercial building can be built there instead. It will prohibit Federal dollars from building a new entrance ramp or an exit ramp in partnership with that developer so that that developer can build a strip mall there instead.

I believe that if a private developer is going to push someone off their land, out of their house, and destroy that house or small business, then he should foot the bill for any infrastructure that he is going to build. I want to ensure that the Federal Government does not contribute in any way financially to this terrible Supreme Court decision.

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

Mr. OLVER. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Massachusetts (Mr. OLVER) is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, America has enjoyed the oldest and the most successful democracy in the history of the world. I think this amendment puts us on a very slippery slope. This amendment places our greatest document, the Constitution of this country, which gives us three co-equal branches with a separation of powers among those branches and a whole host of checks and balances set up within that Constitution, it puts the whole Constitution under attack. When the Supreme Court of the U.S. gives final adjudication, that is the law of the land, whether it is a 9–0 or a 7–2 or a 5–4 decision.

Let me just mention a few of the 5–4 decisions that I believe I am correct on: one of them was Chief Justice Marshall's 5–4 decision against a government policy to remove American Indians west of the Mississippi River. Then President Andrew Jackson was quoted roughly, and I am perhaps not being precise in this quote: Judge Marshall has spoken, or has ruled, I guess was probably the word he used, now let them enforce it. And there resulted the complete removal of American Indians west of the Mississippi River, which was one of the blackest blots on our history.

Brown v. Board of Education, if I remember correctly, was a 5–4 vote. With an amendment of this nature, we would still have segregated schools. And then there was a 5–4 vote that assured one person, one vote. It was called ''one man, one vote'' at that time, which has assured each and every citizen that their vote would be of about the same value. That decision was not enjoyed by a sizable number of people.

I think this amendment leaves us with serious problems, and I urge the Members to oppose this amendment.

Mr. Chairman, I yield 1½ minutes to the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise in opposition to the amendment as well. The Supreme Court has ruled on the matter of eminent domain and its constitutionality. Yesterday, we debated for quite some time the issue of eminent domain, for 45 minutes I would suggest. We voted and we overwhelmingly rejected, by a margin of 42 to 374, the 374 opposing, obviously, the amendment, which I thought was a very punitive amendment, to cut funds from the Court because of its ruling.

This amendment, I am afraid to say, sets a more dangerous precedent. It would allow the legislative branch to override the independent decisions of the Court. If this passes, then what will be the next Supreme Court decision that will be effectively overturned? While we may not agree with the Court's ruling, and I understand the gentleman has a right to believe what he wants, if we do not agree on the Court's ruling, we must respect it.

For this reason and for those that have already been mentioned, I ask all Members to vote ''no'' against the Garrett amendment.

Mr. OLVER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I have been reminded that the Brown v. Board of Education was actually a unanimous vote, and I just want to say that regardless of whether it was unanimous or a 5–4, it is the Court's decision to make, not ours, and one where the separation of powers and the checks and balances should be upheld.

I urge a ''no'' vote on the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. GARRETT of New Jersey. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota (Mr. KENNEDY).

Mr. KENNEDY of Minnesota. Mr. Chairman, I rise today to stand with the gentleman from New Jersey (Mr. GARRETT) because I am deeply concerned about the potential effects of the recent Supreme Court decision in Kelo v. The City of New London.

The fifth amendment of the Constitution provides that private property shall not be taken for public use without just compensation. The language is meant to prohibit government, not give a grant of power to government. However, on June 23, the Supreme Court handed down this decision under which any private property may now be taken from its owner for the benefit of another private property.

□ 1300

The Court held in this decision that even the possibility of positive economic effects to the city was sufficient public purpose to justify the taking of one's properties. Under this standard, the seizure of virtually any private property for almost any purpose would be allowable.

Mr. Chairman, I am deeply concerned about the grave effects this decision will have on property owners. Because of this decision, State and local governments now have the power to determine that a property owner is not sufficiently using his or her own property. I urge my colleagues to think about how this decision will disproportionately affect the poor, the elderly, and minorities. Cities may choose to take a person's property for anything they believe will increase their tax base. Certainly, those with less political power and less resources will make for the easiest targets.

As Sandra Day O'Connor said in her dissenting opinion: ''Nothing is to prevent the State from replacing a Motel 6 with a Ritz Carlton, any home with a shopping mall, or a farm with a factory.''

The fifth amendment was supposed to stop that, Mr. Chairman. That is why this decision was opposed by such groups as the NAACP, the AARP, in addition to the National Taxpayers Union, the Americans for Tax Reform, the Institute for Justice, the NFIB, the National Association of Homebuilders, and the list goes on.

Mr. Chairman, property rights are fundamental freedom. There is an opportunity for every American to control their own destiny. They serve as our fundamental protection from the utter destruction of government. Congress must take action to protect property owners in the aftermath of this flawed decision.

I encourage all Members to stand with the gentleman from New Jersey (Mr. GARRETT) and me on this important amendment.

Mr. GARRETT of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

I will just close by addressing the comment by the chairman, and I appreciate the chairman's remarks.

This decision of the Supreme Court will continue to be respected by this House and by the people of New London, Connecticut and the State of Connecticut as well. This legislation simply sees to it that the taxpayers of that community and the taxpayers and the citizens of the United States of America will not subsidize those private developers in that instance.

Mr. Chairman, I yield back the balance of my time.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, if this amendment passes, you might as well tear up the Constitution and toss it in the ash basket. That is what this amendment does.

I happen to think that the Supreme Court decision that came down last week was nutty, and I agree with the gentleman on the substance. But if we disagree with court decisions, folks who are a heck of a lot smarter than we are, the Founding Fathers, spelled out a way to deal with that. It is called passing a law.

All we have to do if we do not like the Supreme Court decision is to bring legislation into this House, take it before the proper committee, have the committee have sensible hearings so that all points of view can be heard, and then bring to the floor either a piece of legislation or a constitutional amendment, whichever you want.

But the idea that this House, every time we do not like a court decision, should decide that we are not going to allow Federal money to be used to enforce that court decision is as nutty as the original court decision in the first place.

So I would hope that we would recognize that the Founding Fathers created the system of separation of powers; they created three independent branches of government for a purpose.

I would not ordinarily rise to oppose an amendment like this, because it is so ridiculous on its face, but it follows in a long line of actions that I have seen coming from that side of the aisle since the beginning of the year.

First, you called the Congress back in order to try to pass legislation saying that you knew better than the Florida courts in the Schiavo case. Then we had another attack launched on independent judges in the form of speeches given by your majority leader and others, and then we have seen various other activities; in fact, I listened to the majority leader himself in a conversation the other day tell some Supreme Court Justices that they were way out of line, and that if they wanted to understand American public opinion, they needed to go through the United States Congress.

Well, God help us if the Supreme Court ever starts going through the United States Congress for its advice on every subject under the sun. They are supposed to use their own independent judgment and, once in a while, they may make a screwy decision, and I think they did last week. But that does not mean that we ought to act in a way which is just as screwy as the original Court decision.

I would urge that we vote down this ridiculous amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. GARRETT of New Jersey. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT OFFERED BY MS. DELAURO

Ms. DELAURO. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. DELAURO:

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

SEC. ____. None of the funds made available in this Act may be used to enter into any contract with an incorporated entity where such entity's sealed bid or competitive proposal shows that such entity is incorporated or chartered in Bermuda, Barbados, the Cayman Islands, Antigua, or Panama.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentlewoman from Connecticut (Ms. DELAURO) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 7½ minutes.

The Chair recognizes the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I yield myself 2½ minutes.

This amendment would prevent the Departments and agencies under this bill from using any funds to contract with American companies which have created shell corporations in tax-haven countries in order to reduce their U.S. taxes. The Department of Homeland Security is operating under a similar contracting ban.

Recent data shows that despite costing our government $5 billion in lost revenue, corporate expatriates reaped $1.4 billion in Federal contracts in 2002 alone. This in the middle of a budget crisis. In every appropriations bill we have considered this year, we have heard the same refrain: we have done the best we could under the circumstances. But this budget crisis did not create itself; it is a direct result of the budget and tax choices of this Congress; and as a result, this bill lacks sufficient funding for public transit, Amtrak, housing. Perhaps if we did more to discourage companies from setting up post offices overseas to reduce their tax burden here, we would have more funding available for these critical investments.

Four of our top 100 Federal contractors have incorporated in tax-haven countries. One of them actually holds a contract with the IRS. The agency charged with collecting taxes willingly contracted with a company that is determined to avoid paying them.

These companies are not overtaxed. In fact, effective corporate tax rates have fallen by 20 percent since 2001, even as pretax profits jumped 26 percent. Between 2001 and 2003, our 275 largest companies paid taxes totaling about half of the 35 percent corporate tax rate.

I should emphasize that this amendment will not affect existing contracts. It will not affect existing contracts. It simply ensures that in the future, we will favor good corporate citizens with government contracts, rather than rewarding companies for moving overseas and putting tax-paying American companies at a permanent competitive disadvantage. Corporate expatriate companies have made a clear choice: leave the country and not pay their taxes. It is up to us to make the choice and set a standard. If they are going to manipulate loopholes in our Tax Code, they should no longer be able to reap the benefit of current government contracts.

I urge my colleagues to support this amendment.

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

Mr. KNOLLENBERG. Mr. Chairman, I rise to oppose this amendment and also to manage the time on this side of the issue, and I yield myself such time as I may consume.

Mr. Chairman, Congress addressed the issue of corporate inversions in the JOBS Act, the Jobs Creation Act of 2004. The JOBS Act added a new section to the Tax Code, section 7874, which treats U.S. companies that complete a corporate inversion transaction after March 4, 2003, as domestic U.S. corporations for tax purposes.

Congress also addressed the issue of corporate inversions by enacting a contracting ban. Section 835 of the Homeland Security Act of 2002 does prohibit the Secretary of the Department of Homeland Security from entering into contracts with companies that have completed corporate inversions as defined by the act. Congress revisited the issue in the 2005 Department of Homeland Security Appropriations Act where Congress expanded the scope of section 835.

Critics may argue that companies that have engaged in corporate inversions prior to March 4, 2003, should be covered by the JOBS Act. However, Congress should not bar companies from competing for government contracts because of legal transactions that they performed more than 2 years ago. Companies that qualify for government contracts and successfully fulfill their responsibilities should not be barred from future contracts because of retroactive legislation.

The rules for competing for Federal contracting should not be changed in midstream.

Retroactively imposing a contracting ban on companies would be severely punitive, particularly if a company's incorporation was conducted in compliance with existing law.

I strongly urge the defeat of this amendment.

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

Ms. DELAURO. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Chairman, I thank the gentlewoman from Connecticut for yielding me this time. She has provided great leadership on this matter, and I think it is the right thing to do.

This amendment very simply would prohibit companies that have renounced their American citizenship in an effort to avoid their responsibilities as American citizens from taking part in getting contracts where they would be paid with taxpayers' dollars.

At a time when we have men and women on the battlefield and they have to pay taxes on the monies that they receive for their families; at the time when they are on the battlefield to protect this country in the most unselfish way you can imagine, we are going to say, if you renounce your American citizenship and avoid taxes and get an advantage, then come and bid on our contracts and take taxpayers' dollars. That makes me want a dip of snuff.

I cannot imagine why anybody would do anything like that. I cannot imagine why this government would do it. I know the gentleman that opposes this. I know several of them. They are good people. They have good sense. I do not understand why we cannot as a body deal with this issue and stop people from getting good hard-earned taxpayers' dollars when they have renounced their United States citizenship. If they do not want to be citizens of the United States, as far as I am concerned, good riddance. Let them go. Excenture can go to Bermuda or wherever in the Sam Hill they want to go. And I say, good, let us be rid of them, but do not give them U.S. contracts in the government. Do not give them government contracts. That is all we are talking about doing here.

Mr. Chairman, it is time to hold these people accountable, and it is time for us to be responsible to our men and women on the battlefield.

Mr. KNOLLENBERG. Mr. Chairman, I am delighted to yield 2 minutes to the gentleman from Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. First of all, we should understand that the companies that are at issue here pay American taxes. They pay taxes on all of the income that is derived from Federal contracts that they are performing and on work done in the United States. Many of these companies are multinational corporations, and they may be headquartered in Panama or Bermuda for other reasons, and maybe how they treat their global income, but their American income is all fully taxed.

We should not force companies to reincorporate in the United States; and, in the case of a company just mentioned here, it was never incorporated in the United States. They just happened, as a multinational partnership, when they decided to go as a corporation, to locate their headquarters outside the United States, but they employ tens of thousands of Americans who are paying taxes every day. Why do you want to put them out of business, particularly if they are providing a service to the American Government that is the best value for the American taxpayers?

Why, if a company provides the best body armor or provides the best mechanics or the best service, are we excluding them and making the American taxpayer pay a higher rate for the same service that may be inferior? That is what this does.

□ 1315

Our procurement system should be based on getting the best value for the American taxpayer. If you do not like the tax system, let us go back to the Tax Code. And as the chairman said, Congress addressed this issue of corporate inversion in the JOBS Act. The JOBS Act added a new section to the Tax Code which treats U.S. companies that complete inversion transactions as domestic, U.S. corporations for tax purposes.

This amendment is not going to produce any more jobs, but it will produce higher costs for American taxpayers that buy goods and services. It will produce less of a marketplace that we can go out and shop and get the best value for our troops in the field and for government services. And for that reason it ought to be voted down. This is outdated in a global economy.

I urge my colleagues to vote against this amendment.

Ms. DELAURO. Mr. Chairman, I yield myself such time as I may consume.

This amendment does not affect existing contracts. That is something people would like to portend to our colleagues, but it is not the fact. And later in the conversation, I will talk about dispelling some of the inaccuracies that have been talked about this afternoon.

Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Mr. Chairman, I thank the gentlewoman for yielding time to me. And frankly, if this business had been taken care of in the JOBS Act we would not be here today trying to pass this amendment.

And no corporation just happens to go to Bermuda to incorporate. They go so that they can avoid paying taxes. You know, let us be realistic about it.

I want to support this amendment because new contracts would have to go to companies that pay taxes and operate in America. Corporations who set up the offshore tax havens cost us approximately $5 billion a year in tax revenue. And of course, as you say, the employees that they have here pay taxes. But all of us pay more taxes when corporations get out from under their tax liability. These companies received $1.4 billion in Federal contracts in 2002 alone.

Now, corporations located in the United States that conduct their business in the United States and employ most of their workforce in the United States should not skirt their tax obligations by opening a Post Office box in Bermuda. And it is unconscionable that we would reward these corporate tax cheats with millions of dollars in taxpayer funded Federal contracts. The corporate expatriates hurt the other U.S. taxpayers by shifting more of the tax burden on to their shoulders. This is a point that somehow we fail to grasp here. When other people get out of the burden of paying taxes the taxes do not go away. They are simply shifted to the rest of us. They drain funds from this budget that are desperately needed here in America for essential services, Medicaid, Social Security, health care for veterans from Iraq. You have heard already that that is underfunded by $2 billion. For education, housing, child care, transportation programs, that just names a few.

This government needs a stronger safeguard to ensure that we are not pumping hardened American tax dollars into the coffers of the same corporations that maneuver and scheme to exploit tax loopholes. This is a pro business amendment that ensures that only the responsible U.S. companies can benefit from Federal contracts.

I urge my colleagues to support this amendment.

Mr. KNOLLENBERG. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank the gentleman, the chairman of the appropriation subcommittee for yielding me the time.

Notwithstanding what my good friend, the gentlewoman from Connecticut (Ms. DELAURO) said, this really goes back to a contract that was issued more than a couple of years ago. It was as a result of very competitive bidding and the winning contractor is required to pay U.S. taxes on every dollar earned in the United States. Every employee employed has to pay U.S. income taxes on the revenue they earn.

Now, if the gentlewoman wants to suggest that there are any contracts where money is not being paid in taxes for revenue earned in the United States, I would agree with her, or if there are employees working in the United States not paying taxes I wholly agree we should collect from them.

But also bear in mind when we do these things, they often come back to haunt us. Trying to change the Tax Code in an appropriations committee is generally not the most effective or appropriate place to make tax law. It can come back to haunt us because we have got so many other corporations that are doing business in other parts of the world and we do not want to be suggesting to them that they ought to shut off that business. What goes around, though, generally comes around. The revenue earned overseas does generate tax revenue into our government here. But it won't if foreign countries decide to punish American

corporations who might win bids on European or Asian or Latin American government contracts.

Like it or not we must compete in a global economy. We have got to be very careful with the precedent that we set. The contract that was issued was competitive. It is a Homeland Security contract. And from everything I understand, they are doing good work and paying 100 percent of the taxes due.

Ms. DELAURO. Mr. Chairman, I yield myself 1 minute.

Let me just try to correct some inaccuracies. First of all, once again, this amendment does not deal with existing contracts. It is contracts in the future. We are not discussing the Homeland Security bill. We are discussing the Transportation Treasury bill, so this does not affect what happened with Homeland Security.

I might also add under the Homeland Security bill, this ban is in place and we voted on it in this institution.

Secondly, my colleagues have talked about the JOBS Act. Very quickly, the JOBS Act does not solve the existing problem that we have here today. Corporations who are paying their taxes in the U.S. to the full amount. Let us take a look at what Accenture is doing. Accenture earned $503 million in the United States in 2004, up from $243 million in 2002. They reduced their tax liability to $135.5 million from $241 million. Their tax burden is going down because they have set up very intricate and elaborate structures in order to reduce the amount of taxes owed in the United States. That is what this is about. They are free to go to tax haven. They should not get any contracts because they are lowering their tax obligation to the United States at a time of a budget crisis and a time of war.

Mr. KNOLLENBERG. Mr. Chairman, I yield 1½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, it is rare that I find myself in opposition to my good friend, the gentlewoman from Connecticut. But I thought that we had settled this the last time around. And this is an example of why it is so difficult to legislate tax matters on an appropriations bill.

The company in question did not flee the United States and create an elaborate tax structure. I went back and checked this because it came up prior. And the fact is, my research indicated this company had never been incorporated in the United States. It is international in scope, although it employs tens of thousands of Americans, and the information I put in the record last time indicated that their tax rate was actually above the effective corporate tax rate at that time. And I looked at more recent information. But the point is, they are paying taxes. They have never been incorporated in the United States. We want to make sure that we are sending the right signals at the right time. And I could not agree with the gentleman from Virginia more.

I am going back at the break to Oregon. I am setting up meetings with Oregon companies that are practiced in sustainable development, in land use planning, in environmental technology. I am working with them so that they can be more effective marketing their goods around the world, in China, in India, in Japan, in Singapore.

And for us to sit here and say we are not going to permit opportunities for people who are incorporated in targeted companies is undercutting a message I am taking back home. But as I say, I really think we have solved this before and I have not heard anything new that makes me think that this amendment is good policy.

Mr. KNOLLENBERG. Mr. Chairman, I will be very brief.

I think the points that have been made by the several individuals who have spoken out against this amendment pretty much says it all. I just would follow by saying I urge strongly a no vote on this amendment.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Chairman, I thank the gentleman for yielding.

You know, of all the many, many injustices for which this House Republican leadership is responsible, surely there are few that are less defensible than their defense of corporations that flee America. And how appropriate that we bring to the House this amendment at this time as we approach our Nation's Independence Day on July the 4th, because a few corporations have declared their independence from America when it comes to paying their taxes. They formally fled our shores. They dodge their taxes by reincorporating in some tax haven, buying a mailbox and having a beach-side board meeting.

To add insult to injury, the same corporations that renounce America stretch their hand out to all of us who are paying our fair share, businesses and individuals, and say ''can we have some of your tax money?'' They ask to be given the opportunity to bid on government contracts that they are not contributing to pay for. That is right. An outrage that exists that has been defended by this Republican leadership. Why do we do this in an appropriations bill? Because the House Ways and Means Committee, on which I serve, has, under the Republican leadership, as its primary responsibility to protect corporations just like those that flee and then ask to do government business.

What about this argument that these corporations are paying taxes on their government business? Well, frankly, it is a half truth. Let me tell you, these corporations do not go to Bermuda for the shorts. They do not go there for the suntan. They go there to dodge taxes. And the way they do that, as in the case of Accenture, one company that has been mentioned, is to strip away earnings and have them taxed there—at non tax rates really—in Bermuda. For example, the name Accenture did not exist a few years ago.

And so Accenture used its American presence to advertise and build up the value of the name. And so when they come to their name being owned by a foreign corporation, when they come to calculate any taxes they owe in the United States, they deduct all the royalties that they pay to that foreign corporation. So they may be paying a certain tax rate on their income, but they do not include all their income because they have stripped it and sent it abroad.

What of the argument that we will lose the opportunity for the best contract? We are not saying that Accenture or any other company cannot contract for business. Just pay your fair share of taxes like every other American is all that we say through this amendment.

And what makes the opposition to this amendment particularly shameful at this time is that wealthy tax-dodging corporations are not sacrificing at all, while we call on some young Americans to give their all and sacrifice for America. Middle-class Americans are paying hundreds of billions of dollars for this adventure abroad, while tax dodgers and tax cheats avoid paying their fair share. It is wrong. We ought to correct it with approval of this amendment.

Mr. OLVER. Mr. Chairman, I yield to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I thank the gentleman for yielding.

Let me just first say once again, and I will say it as many times as we have to. This does not affect existing contracts. It does not affect existing contracts.

Second, the Department of Homeland Security is operating under a similar contracting ban now. We are not talking solely about one company. There are some 25 or 26 companies who, in fact, have reincorporated in tax haven countries in order to be able to diminish their tax obligation to the United States. Accenture, in fact, has its roots back to 1953, as part of the Illinois-based Arthur Andersen Company. It incorporated in Bermuda in 2001. Their CEO was based in Dallas. And the fact of the matter is that they are now having it both ways.

□ 1330

I would make the point that this comes down to a question of values. Do you stand with corporations who have abandoned our country in a time of war, who have gone through these elaborate contortions to reduce their U.S. tax burdens, or do you stand with the companies who, in fact, have been good corporate citizens? They are paying their taxes, they are employing Americans, and they are living up to their obligations of their country.

Now, as it has been said by my colleagues, these companies can go and do

what it is that they would like. And if they want to diminish their tax burden here, we should not allow it, but we do at the moment. But the fact is, should we then add insult to injury to other American corporations and to American citizens by allowing these companies to get billions of dollars in Federal contracts? Again, it does not affect existing contracts.

We have a historic low in Federal corporate income taxes. The fact is these folks set up these mailboxes overseas. That they are overtaxed is not, in fact, the case. It is time we tell these corporate expatriates the free ride is over. I urge my colleagues to vote in favor of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. DELAURO. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO) will be postponed.

AMENDMENT OFFERED BY MR. MARKEY

Mr. MARKEY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN (Mr. SHIMKUS). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MARKEY:

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

SEC. 948. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act) or of section 552.224 of title 48 of the Code of Federal Regulations.

The Acting CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Massachusetts (Mr. MARKEY) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would just briefly explain the intent of this amendment.

Mr. KNOLLENBERG. Mr. Chairman, will the gentleman yield?

Mr. MARKEY. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I would be happy to accept the gentleman's amendment.

Mr. MARKEY. If I may explain what the amendment is before the gentleman accepts it?

Mr. KNOLLENBERG. We know what it is; but if the gentleman wants to take a moment or two, yes.

Mr. MARKEY. Reclaiming my time, I will take just a moment.

There has been a recent wave of massive privacy breaches that has highlighted the need to reaffirm the principles of the Privacy Act. This week the IRS announced that they are going to have a $20 million contract with ChoicePoint, the same company involved in a massive privacy breach in its operations in February of 2005. This reminder of the potential compromise of information is, of course, very necessary if the IRS is going to contract with ChoicePoint, with the very sensitive information of Americans.

So this amendment restates the importance of the Privacy Act being implemented. I ask the House to adopt this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: amendment No. 4 by the gentleman from Florida (Mr. DAVIS), amendment by the gentlewoman from California (Ms. LEE), amendment by the gentleman from Vermont (Mr. SANDERS), amendment by the gentleman from New York (Mr. RANGEL), amendment by the gentleman from Indiana (Mr. SOUDER), amendment by the gentleman from New Jersey (Mr. GARRETT), amendment by the gentlewoman from Connecticut (Ms. DELAURO).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 4 OFFERED BY MR. DAVIS OF FLORIDA

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. DAVIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 208, noes 211, not voting 14, as follows:

[Roll No. 345]

AYES—208

Abercrombie
Allen
Andrews
Baca
Baird
Baldwin
Bass
Bean
Becerra
Berman
Berry
Biggert
Bishop (NY)
Blumenauer
Boehlert
Bono
Boozman
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Castle
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Cox
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Duncan
Edwards
Ehlers
Emanuel
Emerson
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Flake
Ford
Frank (MA)
Garrett (NJ)
Gilchrest
Gonzalez
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Herger
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kolbe
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Oberstar
Obey
Olver
Osborne
Otter
Owens
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (VA)
Serrano
Shays
Sherman
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wynn

NOES—211

Ackerman
Aderholt
Akin
Alexander
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Beauprez
Berkley
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carter
Case
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Engel
English (PA)
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kuhl (NY)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo

Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Melancon
Menendez
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Murphy
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Ortiz
Oxley
Pallone
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ryun (KS)
Salazar
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Turner
Upton
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—14

Bachus
Bishop (GA)
Cooper
Cramer
Everett
Kingston
Moore (WI)
Peterson (PA)
Reyes
Rogers (AL)
Ross
Schiff
Scott (GA)
Westmoreland

□ 1357

Messrs. BARRETT of South Carolina, JONES of North Carolina, UPTON, DANIEL E. LUNGREN of California, and BAKER changed their vote from ''aye'' to ''no.''

Mr. HIGGINS changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. MOORE of Wisconsin. I was unavoidably detained and missed the vote on this amendment. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. COX. Mr. Chairman, on rollcall No. 345 I am recorded as having voted "aye." I intended to vote "no," and ask that the RECORD reflect this.

AMENDMENT OFFERED BY MS. LEE

The Acting CHAIRMAN (Mr. SHIMKUS). The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 187, noes 233, not voting 13, as follows:

[Roll No. 346]

AYES—187

Abercrombie
Allen
Baca
Baird
Baldwin
Bass
Bean
Becerra
Berman
Berry
Biggert
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Brady (PA)
Brown (OH)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carson
Castle
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Emerson
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gilchrest
Gonzalez
Gordon
Graves
Green, Al
Grijalva
Gutierrez
Harman
Herger
Herseth
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kolbe
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Osborne
Otter
Owens
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (VA)
Serrano
Shays
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Woolsey
Wynn

NOES—233

Ackerman
Aderholt
Akin
Alexander
Andrews
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Beauprez
Berkley
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boren
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carnahan
Carter
Case
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Engel
English (PA)
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Green (WI)
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Higgins
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Melancon
Menendez
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Oxley
Pallone
Pascrell
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ryun (KS)
Salazar
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Turner
Upton
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—13

Bachus
Bishop (GA)
Boozman
Cooper
Cramer
Everett
Kingston
Peterson (PA)
Rogers (AL)
Ross
Schiff
Scott (GA)
Westmoreland

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. SHIMKUS) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1405

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. FLAKE. Mr. Chairman, I inadvertently voted ''no'' on rollcall No. 346. I intended to vote ''aye'' on rollcall No. 346.

AMENDMENT OFFERED BY MR. SANDERS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont (Mr. SANDERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 177, not voting 18, as follows:

[Roll No. 347]

AYES—238

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bass
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (NY)
Blumenauer
Boehlert
Bonner
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Butterfield
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conaway
Conyers
Costa
Costello
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fitzpatrick (PA)
Foley
Ford
Fortenberry
Fossella
Frank (MA)
Gerlach
Gibbons
Gonzalez
Gordon
Green (WI)
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Jones (OH)
Kanjorski
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Nussle
Oberstar
Obey
Olver
Osborne
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Rogers (MI)
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Schwarz (MI)
Scott (VA)
Serrano
Shays
Sherman
Shuster
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Sodrel
Solis
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn
Young (FL)

NOES—177

Aderholt
Akin
Alexander
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Biggert
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Cox
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Feeney
Ferguson
Flake
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCrery
McHenry
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Moran (VA)
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Otter
Oxley
Paul
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Reichert
Renzi
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Simpson
Smith (TX)
Souder
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Upton
Walden (OR)
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)

NOT VOTING—18

Bachus
Barrow
Bishop (GA)
Brown, Corrine
Cooper
Cramer
Everett
Johnson, E. B.
Kaptur
Kingston
Ortiz
Peterson (PA)
Rogers (AL)
Ross
Schiff
Scott (GA)
Stearns
Westmoreland

□ 1412

Mr. NUSSLE changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. STEARNS. Mr. Chairman, on rollcall No. 347, I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. RANGEL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. RANGEL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 169, noes 250, not voting 14, as follows:

[Roll No. 348]

AYES—169

Abercrombie
Allen
Baca
Baird
Baldwin
Bean
Becerra
Berry
Biggert
Bishop (NY)
Blumenauer
Bono
Boozman
Boren
Boswell
Boucher
Brady (PA)
Brown (OH)
Capps
Capuano
Carson
Clay
Cleaver
Clyburn
Conyers
Costello
Crowley
Cummings
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Emerson
Eshoo
Farr
Fattah
Filner
Flake
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Grijalva
Harman
Herger
Herseth
Hinchey
Hinojosa
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kolbe
Kucinich
LaHood
Langevin
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Lynch
Maloney
Manzullo
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Osborne
Otter
Owens
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (VA)
Serrano
Slaughter
Smith (WA)
Snyder
Solis
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Woolsey
Wynn

NOES—250

Ackerman
Aderholt
Akin
Alexander
Andrews
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berkley
Berman
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Costa
Cox
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Engel
English (PA)
Etheridge
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Gene
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)

Hayes
Hayworth
Hefley
Hensarling
Higgins
Hobson
Hoekstra
Holden
Holt
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kuhl (NY)
Lantos
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Meek (FL)
Melancon
Menendez
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Oxley
Pallone
Pascrell
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ryun (KS)
Salazar
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Spratt
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Turner
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—14

Bachus
Bishop (GA)
Cooper
Cramer
Evans
Everett
Kingston
Peterson (PA)
Rogers (AL)
Ross
Schiff
Scott (GA)
Shadegg
Westmoreland

□ 1421

Mr. DICKS changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SOUDER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. SOUDER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 259, noes 161, answered ''present'' 1, not voting 12, as follows:

[Roll No. 349]

AYES—259

Aderholt
Akin
Alexander
Baca
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berry
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carter
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Costa
Costello
Cox
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Feeney
Fitzpatrick (PA)
Flake
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jefferson
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kind
King (IA)
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wu
Young (AK)

NOES—161

Abercrombie
Ackerman
Allen
Andrews
Baldwin
Bean
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Bono
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brown (OH)
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Case
Castle
Clay
Cleaver
Clyburn
Conyers
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeGette
Delahunt
DeLauro
Dicks
Doggett
Doyle
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Frank (MA)
Frelinghuysen
Gilchrest
Gonzalez
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
King (NY)
Kirk
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Ramstad
Rangel
Rothman
Roybal-Allard
Ruppersberger
Rush
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (VA)
Serrano
Shays
Sherman
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wolf
Woolsey
Wynn
Young (FL)

ANSWERED ''PRESENT''—1

Obey

NOT VOTING—12

Bachus
Bishop (GA)
Cooper
Cramer
Everett
Kingston
Peterson (PA)
Rogers (AL)
Ross
Schiff
Scott (GA)
Westmoreland

□ 1430

Mr. MEEK of Florida and Mr. SMITH of Texas changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 231, noes 189, not voting 13, as follows:

[Roll No. 350]

AYES—231

Abercrombie
Aderholt
Akin
Alexander
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berry
Biggert
Bilirakis
Bishop (UT)

Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Chabot
Chandler
Chocola
Clay
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Costello
Cox
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hoekstra
Hooley
Hostettler
Hulshof
Hunter
Hyde
Issa
Istook
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
Kline
Kuhl (NY)
LaHood
Leach
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Pallone
Paul
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rehberg
Renzi
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Salazar
Sanchez, Loretta
Saxton
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Simmons
Slaughter
Smith (NJ)
Smith (TX)
Sodrel
Souder
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thompson (MS)
Thornberry
Tiberi
Upton
Walden (OR)
Wamp
Waters
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Woolsey
Young (AK)
Young (FL)

NOES—189

Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Cleaver
Costa
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hinojosa
Hobson
Holden
Holt
Honda
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Knollenberg
Kolbe
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Rahall
Rangel
Regula
Reichert
Reyes
Reynolds
Rothman
Roybal-Allard
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanders
Schakowsky
Schwartz (PA)
Schwarz (MI)
Scott (VA)
Serrano
Shays
Sherman
Sherwood
Simpson
Skelton
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Thomas
Thompson (CA)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Wexler
Wolf
Wu
Wynn

NOT VOTING—13

Bachus
Bishop (GA)
Cooper
Cramer
Everett
Kingston
Peterson (PA)
Rogers (AL)
Ross
Schiff
Scott (GA)
Tiahrt
Westmoreland

□ 1438

Ms. DeLAURO and Mr. RYAN of Ohio changed their vote from ''aye'' to ''no.''

Messrs. BOREN, LINDER, and CONYERS, and Mrs. MUSGRAVE and Ms. LORETTA SANCHEZ of California changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. TIAHRT. Mr. Chairman, on rollcall No. 350 I was unavoidably detained. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MS. DELAURO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 231, not voting 12, as follows:

[Roll No. 351]

AYES—190

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Boucher
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Doggett
Doyle
Duncan
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Filner
Fitzpatrick (PA)
Ford
Frank (MA)
Gonzalez
Gordon
Green (WI)
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lowey
Lynch
Maloney
Markey
Marshall
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore (WI)
Moran (KS)
Nadler
Napolitano
Neal (MA)
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Platts
Rahall
Rangel
Reyes
Rohrabacher
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanders
Schakowsky
Schwartz (PA)
Serrano
Shays
Sherman
Sherwood
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Solis
Stark
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Wamp
Wasserman Schultz
Watson
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—231

Aderholt
Akin
Alexander
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Drake
Dreier
Ehlers
Emanuel
Emerson
English (PA)
Etheridge
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hooley
Hostettler
Hulshof

Hyde	Miller (FL)	Sanchez, Loretta
Inglis (SC)	Miller (MI)	Saxton
Issa	Miller (NC)	Schwarz (MI)
Istook	Miller, Gary	Scott (VA)
Jefferson	Moore (KS)	Sensenbrenner
Jindal	Moran (VA)	Sessions
Johnson (CT)	Murphy	Shadegg
Johnson (IL)	Murtha	Shaw
Johnson, Sam	Musgrave	Shimkus
Keller	Myrick	Shuster
Kelly	Neugebauer	Simpson
Kennedy (MN)	Ney	Smith (TX)
King (IA)	Norwood	Snyder
King (NY)	Nunes	Sodrel
Kirk	Nussle	Souder
Kline	Osborne	Spratt
Knollenberg	Otter	Stearns
Kolbe	Oxley	Sullivan
Kuhl (NY)	Pearce	Sweeney
LaHood	Pence	Tancredo
Latham	Petri	Tanner
LaTourette	Pickering	Taylor (NC)
Leach	Pitts	Terry
Lewis (CA)	Poe	Thomas
Lewis (KY)	Pombo	Thompson (CA)
Linder	Pomeroy	Thornberry
LoBiondo	Porter	Tiahrt
Lofgren, Zoe	Price (GA)	Tiberi
Lucas	Price (NC)	Turner
Lungren, Daniel E.	Pryce (OH)	Walden (OR)
	Putnam	Walsh
Mack	Radanovich	Waters
Manzullo	Ramstad	Watt
Marchant	Regula	Weldon (FL)
Matheson	Rehberg	Weldon (PA)
McCaul (TX)	Reichert	Weller
McCotter	Renzi	Whitfield
McCrery	Reynolds	Wicker
McHenry	Rogers (KY)	Wilson (NM)
McHugh	Rogers (MI)	Wilson (SC)
McKeon	Ros-Lehtinen	Wolf
McMorris	Royce	Young (AK)
Melancon	Ryan (WI)	Young (FL)
Mica	Ryun (KS)	

NOT VOTING—12

Bachus	Gillmor	Ross
Cooper	Kingston	Schiff
Cramer	Peterson (PA)	Scott (GA)
Everett	Rogers (AL)	Westmoreland

□ 1448

Mr. JEFFERSON changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. PETRI) assumed the chair.

ENROLLED BILLS SIGNED

The Speaker pro tempore, Mr. PETRI, announced the signature of the Speaker to enrolled bills of the following titles:

H.R. 289. An act to designate the facility of the United States Postal Service located at 8200 South Vermont Avenue in Los Angeles, California, as the ''Sergeant First Class John Marshall Post Office Building''.

H.R. 504. An act to designate the facility of the United States Postal Service located at 4960 West Washington Boulevard in Los Angeles, California, as the ''Ray Charles Post Office Building''.

H.R. 627. An act to designate the facility of the United States Postal Service located at 40 Putman Avenue in Hamden, Connecticut, as the ''Linda White-Epps Post Office''.

H.R. 1072. An act to designate the facility of the United States Postal Service located at 151 West End Street in Goliad, Texas, as the ''Judge Emilio Vargas Post Office Building''.

H.R. 1082. An act to designate the facility of the United States Postal Service located at 120 East Illinois Avenue in Vinita, Oklahoma, as the ''Francis C. Goodpaster Post Office Building''.

H.R. 1236. An act to designate the facility of the United States Postal Service located at 750 4th Street in Sparks, Nevada, as the ''Mayor Tony Armstrong Memorial Post Office''.

H.R. 1460. An act to designate the facility of the United States Postal Service located at 6200 Rolling Road in Springfield, Virginia, as the ''Captain Mark Stubenhofer Post Office Building''.

H.R. 1524. An act to designate the facility of the United States Postal Service located at 12433 Antioch Road in Overland Park, Kansas, as the ''Ed Eilert Post Office Building''.

H.R. 1542. An act to designate the facility of the United States Postal Service located at 695 Pleasant Street in New Bedford, Massachusetts, as the ''Honorable Judge George N. Leighton Post Office Building''.

The SPEAKER pro tempore. The Committee will resume its sitting.

TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2006

The Committee resumed its sitting.

AMENDMENT NO. 7 OFFERED BY MR. HEFLEY

Mr. HEFLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. HEFLEY:

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

SEC. ____. Appropriations made in this Act are hereby reduced in the amount of $669,350,000.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Colorado (Mr. HEFLEY) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. HEFLEY).

Mr. HEFLEY. Mr. Chairman, I yield myself such time as I may consume. I have learned to do these pretty fast, and I do not think there is anyone here in doubt as to what it is.

I rise today to cut the level of funding in this appropriation bill by approximately 1 percent. This equals approximately $670 million. The bill is 6 percent over last year.

It seems to me that when we do not have the money, we do not spend over last year, or should not. I will emphasize again this is not an across-the-board cut; this is an off-the-bottom-line. They can make a choice of where it comes from.

This is the seventh time that I have offered an amendment of this type this year; and had those amendments been adopted, we would have saved $3.3 billion out of our spending for this year. Now, $3.3 billion sounds like a lot of money to most of us, but it is not in comparison with the overall budget we have for the United States Government; but, still, it is a tremendous step in the right way.

It is important to remember that we do not have this money. This money is debt we are burdening our children and grandchildren with to pay back someday.

I would like to congratulate the chairman and the ranking member and the committee on addressing an issue I followed in the spending bill for years. While I would have preferred not to spend a dime on Amtrak, the committee has dramatically reduced the spending in the bill, and that would go a long way towards forcing Amtrak to change its ways. Now, I know there was a vote to reverse that last night, but I trust that this battle is not over, and I hope it is not over.

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

Mr. KNOLLENBERG. Mr. Chairman, I rise in opposition to the amendment, and I yield myself such time as I may consume.

Mr. Chairman, my good friend, the gentleman from Colorado, has offered this any number of times; and I am not counting, but I know he has done this before. He is getting very good at it.

With all due respect to the gentleman from Colorado, I believe this to be an unnecessary amendment. The Congress cannot and should not abdicate its responsibility to review individual programs and make individual recommendations based on that review. The desire to hold spending in check should be based on congressional oversight of specific programs. We should not take a meat-ax approach, and we should not yield our power to the executive.

I ask, therefore, that this amendment be defeated.

Mr. Chairman, I yield back the balance of my time.

Mr. HEFLEY. Mr. Chairman, I yield myself such time as I may consume.

I would just say to the gentleman, who is a dear friend and for whom I have the highest respect, we should not, he is absolutely right, we should not abdicate our responsibility to the executive branch; but sometimes around here what should be done and what is reality are two different things. I know what it is to get bills out of committee. The gentleman and I worked on the subcommittee on military construction for years together, the gentleman on appropriations and me on the authorizing, and we know what it takes to get bills out of committee sometimes. Sometimes this may be the only way to do it to get a hold on spending.

But anyway, Mr. Chairman, I encourage an ''aye'' vote.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HEFLEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) will be postponed.

AMENDMENT OFFERED BY MS. KILPATRICK OF MICHIGAN

Ms. KILPATRICK of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. KILPATRICK of Michigan:

Page 224, insert the following after line 8:

SEC. 948. None of the funds made available in this Act to the Department of the Treasury may be used to recommend approval of the sale of Unocal Corporation to CNOOC Ltd. of China.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentlewoman from Michigan (Ms. KILPATRICK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan (Ms. KILPATRICK).

Ms. KILPATRICK of Michigan. Mr. Chairman, I yield myself such time as I may consume.

I rise to prohibit the sale of an American oil company to the Chinese National Offshore Oil Corporation, recommending in this bill that Treasury not be allowed to make a favorable recommendation that our ninth largest oil company should be sold to the Chinese.

Some people say, why is the gentlewoman from Michigan interested in this amendment? We are interested because we believe that Americans ought to be able to have and hold and own American companies. Did my colleagues know that 53 percent of the privately held debt of this country is held by private investors, private countries? Japan being first, China being second. This is not the time to now sell our ninth largest oil refinery to a Chinese company.

Our trade deficit with China is $160 billion. We buy $160 billion more from China that they buy from the United States. This is not the time, if there ever is. Our national security, which is what the CFIUS committee will look at, that is the Committee on Federal Investments in the United States chaired by Secretary of the Treasury Snow, also on that panel is the Defense Secretary as well as the Secretary of State; we believe that this is not right for our country, it is not right for our economic security.

We must also look at, and CFIUS right now only looks at national security, and probably that ought to be amended. CFIUS was established in 1988, a 12-member committee. They should probably also look at economic security, and we are looking at offering an amendment to amend that legislation as well.

China is an economic and military power. They are one of our largest competitors. In my own district, General Motors put $2 billion into China last year and just 2 months ago said that they closed 30 plants, they closed 30 General Motors plants in America and laid off thousands of workers.

Should we work with China? Yes, we should. Should we turn over our government business to China? No, we should not. This amendment that I am offering would not allow the Treasury Department to issue a favorable recommendation to the President of a China company, Chinese National Offshore Oil, to sell our own, very own Unocal company.

So I am hoping that as we go through this debate and as we come to talk about this issue, we take care of Americans first.

I was just in a meeting this morning where we talked about the loss of our American jobs. We hope, Mr. Chairman, that as we have this debate, we will continue and make sure that we maintain American ownership of American corporations. Fifty-three percent of the privately held debt in America today, the bulk of it is held by Japan first, as I mentioned, and also then China. Intellectual property rights, the Chinese have no respect for our intellectual property rights. In the auto industry right now, China also abuses our parts and uses our technology.

So, Mr. Chairman, I am asking that this amendment be accepted by our entire body, that we make sure that American companies stay in America, and that we continue to employ, that we continue to train and educate our children so that your grandchildren and mine will have an America that is strong.

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

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to first yield to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I rise in opposition to this amendment.

We have done this to ourselves. We are $9 trillion in debt. We cannot purchase all this debt. We rely upon other countries throughout the world, whoever is willing to, to purchase our debt. The highest proportionate increase is attributable to China. China is buying up our debt faster than anyone else.

Now, what do we think they are going to do with it? If they choose to dump it on the world financial markets, we go into a depression, I say to my colleagues. It is a financial guillotine they are holding over our neck. Far better that they use these financial assets to purchase American corporate assets in the same way that Japan did several years ago. If you do not want China purchasing our assets, then do not put us into the kind of deficit situation that we have created.

It is far better that China diversify their holdings. If they do not buy American oil companies or Western oil companies, since they desperately are in need of energy to sustain their economy, where are they going to go? They are going to go to Iran, they are going to go to other countries that are not in our interests, and we are going to start contributing to a bipolar world again. We just got through a Cold War with the Soviet Union. If we act in this way, and I know the domestic politics of it, but if we start doing things like this, we are going to contribute to another bipolarity, another Cold War here, which is not in our interest We have American oil companies who own drilling rights and oil resources off China's shore.

□ 1500

It is in our interest to start balancing the budget and issue less debt. But it is not in our interest to forbid China from purchasing assets, even within the United States with that cash and U.S. debt securities that they own. They need to do that. We need to be serious about this and levelheaded. And so I would oppose the amendment.

Ms. KILPATRICK of Michigan. Mr. Chairman, I yield the balance of my time to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the gentlewoman for yielding and for her leadership on this important subject. As a distinguished member of the Appropriations Committee, she has been a voice for strong national security in our country, including this initiative today.

Mr. Chairman, I believe that the comments of the previous speaker speak eloquently to the need for us to get our fiscal House in order because we are seeing the consequences of going so deeply in debt to other countries where we are really held hostage in terms of our own decision making because they own our debt.

Mr. Chairman, the Chinese National Overseas Oil Company's bid to acquire UNOCAL Corporation is a graphic example of America's energy vulnerability. President Bush should refuse to prove the acquisition and Congress should indicate its disapproval as well.

I urge my colleagues to support the gentlewoman from Michigan's amendment. And again I thank her for her leadership on this issue.

The Chinese bid for UNOCAL is compelling evidence of America's strategic energy vulnerability. China has clearly decided to meet its growing demand by obtaining control of energy assets around the world.

I would say to the gentleman from Virginia (Mr. MORAN), it is true, China will turn to Iran and Sudan and other countries. In fact, they already have. Arrangements have been made in Iran, Sudan, Venezuela and other places that illustrate their strategy. With the UNOCAL bill the Chinese plan reaches our doorstep. The Chinese government's control of CNOOC made the bid possible, not the free market.

My Republican colleagues and Democratic colleagues who are all dedicated

to the free market system should understand that this is not a free market transaction. Government-provided low interest loans allow the company to bid at rates not otherwise available. And if acquisition of UNOCAL is critical to the Chinese, they would probably allow the bid to be increased to any level needed to seal the deal.

Control of energy assets by China means China controls where those assets go and when. That raises serious national security concerns for the United States. Among those other serious national security concerns are the transfer of technology associated with the UNOCAL acquisition. It is reported that China could assume ownership of the cavitation technology with applications. Cavitation is a process which UNOCAL uses to go into deep water drilling for oil. That same technology can be used by the Chinese to do nuclear tests underground and to mask them so we would not ever be able to detect them. It would also have applications again for locating matter in deep water.

Given China's commitment to improving its military capabilities, why would the United States permit the sale of this kind of technology? Left on its own, we probably would not. But as part of the UNOCAL deal, it is being pulled through with this Trojan horse.

The reason the Chinese believed a bid for UNOCAL could succeed, as the gentleman from Virginia (Mr. MORAN) mentioned in his support, no, his opposition to our position, the reason the Chinese believe a bid for UNOCAL could succeed lies in our dependence on them to finance a significant portion of our massive budget deficit. Our reliance on the Chinese to finance our debt gives them far too much leverage over our decision making process.

I go back, you know, 15 years now, our arguments that expanded trade with China would result in increased freedom for the Chinese people. We were proved wrong long ago. At that time just before Tiananmen Square, our trade deficit with China was $3.5 billion a year. And we thought, with that huge trade deficit that it would give us leverage for improving China's human rights record, for improving their behavior in terms of fair trade and for stopping China's proliferation of weapons of mass destruction. We failed in persuading Congress to do that, and today the trade deficit with China, not $3.5 billion a year, has grown to $3.5 billion a week. $3.5 billion a week. With all that capital China is able to purchase our debt, have leverage over us so that now we have to, hopefully not, but some believe, agree to their buying a strategic asset which UNOCAL represents. Our reliance on China to finance our debt weakens our ability to influence China on human rights, proliferation of weapons of mass destruction, North Korea, you name it.

This is the price we pay for failing to live within our means, and it is long past time we recognize that danger and addressed it. On that, the gentleman from Virginia (Mr. MORAN) and I agree. Let us heed the wake up call provided by the Chinese bid for UNOCAL. Let us get serious on both issues, reducing risk in energy by adopting an innovative energy policy for the 21st century and getting our fiscal House in order.

And again, I caution our colleagues that a serious transfer of technology that would be contained in this purchase of UNOCAL and urge our colleagues to support the Kilpatrick amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Michigan (Ms. KILPATRICK).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. FRANK of Massachusetts. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Michigan (Ms. KILPATRICK) will be postponed.

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OBEY:

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

SEC. ____. None of the funds made available in this Act may be used in contravention of that portion of OMB Circular No. A–11, section 22.2, entitled ''Congressional testimony and communications'' that states that in testimony before Congressional committees and communication with Members of Congress, witnesses will give frank and complete answers to all questions.

Mr. OBEY. Mr. Chairman, I ask unanimous content that the Clerk read the amendment in its entirety.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read the amendment.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Wisconsin (Mr. OBEY) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

The OMB circular which was just read reads, or which was just referred to in the amendment reads as follows: ''When testifying before any congressional committee or communicating with Members of Congress, witnesses will give frank and complete answers to all questions.'' The purpose of this amendment is simply to make certain that none of the funds in this bill may be used to, in any way, assist in any communication from the Executive Branch of government, which is not frank and complete and truthful.

Now, that may seem like an odd thing to ask, but let me point out recent years are replete with examples of how the executive branch, including this administration, have grossly misled Congress on matters of national importance. Example, the Department of Veterans Affairs deliberately withheld information related to the cost of veterans medical care that was needed during consideration of the fiscal year 2005 supplemental, which they now admit has resulted in a $1 billion shortfall in veterans health care. In fact, they have stonewalled us over the past 3 years in terms of being frank about the needs of veterans health care.

This administration has consistently and repeatedly declined to provide a full accounting of anticipated cost for the Iraq war. Previous OMB Director Mitch Daniels once said that because of oil revenues, the war would be ''affordable,'' and probably would only cost the U.S. 50 to $60 billion.

Instead, the President continues to request funding for the war, and yet when you ask everyone from the Secretary of Defense on down, they are steadily refusing to give us real figures about the anticipated cost of that war.

We will all recall that just a year ago a Federal Medicare actuary was threatened with dismissal by a high administration official for disclosing the exact cost of the Medicare prescription drug benefit before Congress voted on the measure. And we will all remember, no doubt, former economic advisor Larry Lindsey, who was criticized by his colleagues and eventually fired for correctly predicting an Iraq war that would cost the U.S. at least $200 billion. At the time his prediction was termed outlandish by higher officials in the government.

The former Chief of Police at the National Park Service was fired for publicly discussing budget shortfalls that she argued threatened the safety of her police force and hindered their ability to protect national park lands.

And former Member of Congress, Mike Parker, who once served in this very institution was fired for speaking candidly about the budget request of the Army Corps of Engineers.

And I must say that I had the unpleasant experience in the 10 years that I chaired the Foreign Operations Appropriations Subcommittee of having well-known administration witnesses purposely mislead our subcommittee about the Iran-Contra issue. And several of those officials who were much less than candid at the time are now serving in this administration. So unfortunately, I think there is a long track record, not just with this administration, but with many, of misleading the Congress, of telling us half truths, of telling us no truths at all. And I do not know how you can change human nature to insist that the persons testifying before our committees be more forthcoming. But at least you can have the Congress spell out, through a vote, the fact that each and every Member of this Congress expects the administration to allow its witnesses to tell the truth.

We should not have to, as Senator SPECTER was forced to do last year, we should not have to change the law to require that officials from the National Institute of Health or anyone else can answer Members' questions without referring to higher-ups in the administration to get a politically correct answer.

So that is the purpose of this amendment. And I would hope it would be adopted by this House.

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

Mr. KNOLLENBERG. Mr. Chairman, I am prepared to accept this amendment.

The CHAIRMAN. The gentleman will suspend. Does the gentleman move to strike the last word?

Mr. KNOLLENBERG. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from Michigan is recognized for 20 minutes and reserves the balance of his time.

Mr. OBEY. Mr. Chairman, I yield 5 minutes to the gentlewoman from California (Ms. PELOSI), the distinguished minority leader.

Ms. PELOSI. Mr. Chairman, I thank the distinguished gentleman for yielding me this time, and I acknowledge the great leadership of the gentleman from Michigan (Mr. KNOLLENBERG) as the chair of the Appropriations Subcommittee.

I say to the gentleman from Wisconsin (Mr. OBEY), every chance I get I want to salute his leadership, his championing the rights of America's families and now today something that should be very clear and obvious, but having to make the point that we should have truth and honesty in our dealings with the American people.

Mr. Chairman, I rise in strong support of the Obey amendment.

□ 1515

It is ridiculous that we are debating on the floor of the people's House the need for truth. The need for truths is self-evident.

The truth and trust are fundamental to a democracy. We owe every American the truth in our dealings here. All Americans, as I say, deserve the truth. But our veterans deserve it even more. They are willing to make the supreme sacrifice for us. They are courageous, they are patriotic. They have given us the opportunity to have peace on Earth, good will to men over generations, and now they are not being dealt with honestly.

The need for truth is made painfully clear in the current crisis we are facing on veterans health care funding shortfalls. On April 5, Department of Veterans Affairs Secretary Jim Nicholson said, ''I can assure you the VA does not need emergency supplemental funds in FY 2005 to continue to provide timely quality service.''

Last week, less than 3 months later, Secretary Nicholson and the Bush administration finally acknowledged their failed budgetary policies and misplaced priorities and owned up to the shortfall in veterans funding. In the meantime, the supplemental bill passed the Congress, went to the President's desk without covering that shortfall because of the misrepresentations that were made by the Secretary to the Congress.

This should come as no surprise to anyone. Over the past 2 years, Democrats have stood shoulder to shoulder with veteran service organizations calling for adequate funding for the VA. Time after time, Democrats have put forward proposals to increase funding for our veterans, and time after time Republicans have voted them down. We have had straight party line votes. There have been some moments of clarity and truth from Republicans in this fight.

In February 2004, Veterans Affairs Secretary Anthony Principi acknowledged the inadequacy of President Bush's FY 2005 budget for the VA. He said, ''I asked OMB for $1.2 billion more than I received.'' It was his professional judgment that that $1.2 billion was needed a year and a half ago for fiscal year 2005 and here we are today still without it. Secretary Principi knew then that the Bush budget was inadequate.

The Committee on Veterans' Affairs chairman, the gentleman from New Jersey (Mr. SMITH), knew that the Bush budget was inadequate. That is why he joined the ranking Democrat on the Committee on Veterans' Affairs, the gentleman from Illinois (Mr. EVANS), a champion for veterans, in calling for additional funds for the VA.

The result? Not increasing funding for veterans but ousting the chairman, the gentleman from New Jersey (Mr. SMITH), for daring to stand up to the Republican leadership and a new VA Secretary who hides the truth so that he can be in lockstep with the failed budgetary policies and misplaced priorities of this administration.

How can we even face our veterans when we as a Congress say to them, and as a country, including the President, it is more important to us, we place a higher value in giving the people who make over a million dollars a year, $140,000 in tax cuts, but we are not giving you the health benefits that you earned, that you deserve, and that you were promised.

Democrats are united on this issue. Every single Democrat joined me yesterday in writing to President Bush calling for an emergency supplemental to fund veterans health care. This should not be partisan and I hope that later today we will right this wrong. But even if we pass a bill on the floor today, we will go into the Fourth of July weekend without correcting the situation, because it would have to come back after the recess, go into conference, et cetera, pass the Senate with which there is no guarantee.

Our veterans deserve nothing less than our honoring our commitment to them.

Mr. Chairman, in time of war, the military says we will leave no soldier behind on the battlefield. When they come home we must leave no veteran behind when it comes to delivering our promises to them.

Our Founding Fathers, over 200 years ago, declared independence with their wisdom, their enlightenment, their courage, and their willingness to sacrifice, they launched what would become the United States of America, a free and independent country. Our veterans have kept us that way. We honor our Founding Fathers' vision and we honor the sacrifice of our veterans, our men and women in uniform, when we keep our promises to them. We owe them nothing less. I support the Obey amendment.

Mr. KNOLLENBERG. Mr. Chairman, I yield 4 minutes to the gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Chairman, I thank the distinguished chairman for yielding me time.

I rise in opposition to this amendment. But first on the merits of this discussion about the veterans budget, we held a subcommittee hearing, an oversight hearing on Tuesday with the Secretary of Veterans' Affairs. The gentleman from Indiana (Chairman BUYER) held a hearing this morning with the Secretary of Veterans' Affairs to try to sort this shortfall out and that is exactly what it is. It is a shortfall.

I do not believe that there is any intent to mislead or deceive the Congress. And if this amendment is an attempt to belie the confidence of the American public in the process that we have, I think it is a mistake.

The Secretary of Veterans Affairs and his administration made a mistake. They made an estimate as to what the costs would be for 2005. Now we have 3 months left in 2005. They have completed their mid-year review and they have found that there was an error in their assumptions. Now, this is a 30-plus billion dollar budget. So a 3 percent mistake, which is what this was, they were off by 3 percent, that is a billion dollars.

Now, I cannot speak for any other Member of Congress, but I suspect there have been times when my office budget has been either overestimated or underestimated by 3 percent. It is a small percentage, but when you are talking huge amounts of money like we are talking about here, it comes out to be a very large number, a billion dollars. But I believe that they made an error. They made a mistake. I do not think they tried to deceive us or mislead us.

Let us be honest. The appropriations process moved very quickly this year. Their mid-year review came after we completed most of the deliberations in our hearings on this bill. So we are going to fix that. I mean, if the idea here is to get at the problem we have, we found the problem. By the way, it was oversight by the Committee on

Veterans' Affairs that discovered this in consultation with the Veterans Affairs Administration. So we are sorting it out. And I think we have done the responsible thing.

We have identified what that shortfall is. Somewhere in the neighborhood, plus or minus $5 million, of about $975 million. It is a lot of money, but we fortunately will be able to remedy that today. The last bill, I believe, that we work on tonight will be a supplemental bill to provide those funds to make sure that we keep the Veterans Health Administration whole.

They planned to work around the solution. They were going to use capital funds. They were going to take from their own hide, basically the capital account of $600 million and they had a reserve plan for $375 million. We want them to have that reserve. We want them to have those capital expenditures. We do not want them to defer maintenance and repair and purchases of computers and MRIs and other medical equipment. We want no diminution, no reduction in the quality of service our veterans have, especially in this time of war.

So we are moving. We are moving at a pace, and we will have this resolved at least on the House side this evening.

Mr. KNOLLENBERG. Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, how much time is remaining on both sides?

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) has 10 minutes remaining. The gentleman from Michigan (Mr. KNOLLENBERG) has 16 minutes remaining.

Mr. OBEY. Does the gentleman have any other speakers besides himself?

Mr. KNOLLENBERG. I do.

Mr. OBEY. Mr. Chairman, I reserve the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. LEWIS), the chairman of the Committee on Appropriations.

Mr. LEWIS of California. Mr. Chairman, I do not find myself always happy with what witnesses before our committees have to say. Just because I disagree with them does not mean they are not being as complete as they would choose to be.

I do not always have witnesses provide me with the answers that are my answers. But I do remember early on in my career here, it was my second term, I was a new member of the Committee on Appropriations. In those days the issues swirled around what was going on in Central America. There was a divide in the House it seemed. Most of the people on that side were very much concerned about changes in Central America. I remember the debates about the Sandinistas and there was discussion that maybe the witnesses were not being totally open and fair and straightforward.

It is convenient to point a finger and suggest one administration's witnesses is not being straight, another one is answering questions fully. The fact is that it is pretty obvious we expect people to be straightforward with us.

I would suggest if the gentleman really has a problem in some of his committees, he might want to urge that people take the oath everywhere. I do not tend to follow that pattern in my own committees. But indeed it is important to recognize that people in public service, whether they are working for the administration, maybe working for the State Department or otherwise, do come to us generally and try to do as full a service as they possibly can.

I must say that I sense a pattern here where issues are being raised in this fashion because perhaps some people have ambitions to do something else with their life besides just sitting in a committee. But indeed, it is important that we not distort our process to the point where public affairs becomes a political battle, a partisan confrontation at every turn.

If there have been partisan votes on the floor, let me submit the vast percentage of those have come that way because there was a direction from the Democratic side that we are going to be together and be opposed to whatever those Republicans are doing.

That is not a healthy way to carry forward public affairs. I am very concerned about the pattern. I do not believe I will carry my discussion about this much further than I am today but I may because it is very disturbing to this Member of Congress.

Mr. KNOLLENBERG. Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield 3½ minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, if I understood the chronology correctly, the gentleman from California (Mr. LEWIS) was pointing out that there were Reagan administration witnesses, of which people had similar complaints. And I would stipulate to that. But this is not a question of just one administration or another. It is a disturbing failure of this House to carry out its constitutional responsibilities for independence.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from California.

Mr. LEWIS of California. I appreciate the gentleman yielding because, indeed, that was the Reagan administration. And during that time the Democrats were supporting the Sandinistas and we were fighting for freedom.

Mr. FRANK of Massachusetts. Reclaiming my time, first of all, the gentleman from California (Mr. LEWIS) got here and I do not think most people understood that he was talking about the Reagan administration. He talked somewhat vaguely about a previous administration, as if we were somehow being partisan, and he cited the Reagan administration did the same thing.

Then he follows that up with this outrageous comment that we were supporting the Sandinistas and they were supporting freedom. If that is the gentleman's example of how not to be partisan, than I do not think the gentleman is going to be finding many people follow his example.

The problem we have here is a failure of this House to fulfill its constitutional responsibilities.

□ 1530

You say, oh, nobody was trying to be dishonest. Have people forgotten so soon the prescription drug issue? When the Department of Health and Human Services responsible officials refused to let one of their officials tell the truth, threatened their officials with retaliation, that was not an honest error. That was a deliberate pattern of suppression.

I mean, what we have here is a degree of submissiveness on the part of the Republican majority and the executive branch that I believe is unprecedented in American history.

You want an example of it? I believe the Republican membership has over the years become more afraid of its own leadership than of anything else, including terrorism. And you want the proof?

We had a very prolonged rollcall yesterday which had to be interrupted because we had a potential terrorist problem. The rollcall that was extended, because we had to evacuate and deal with the terrorist threat, took a lot less time than the rollcall that you used to pass the prescription drug bill. You were more afraid on your side of retribution from your leadership if you did not get that bill passed than you were of a terrorist threat.

I remember when the Clinton administration was new and the Democrats were in power. I served on the Committee on the Judiciary that had a very tough oversight hearing on Waco, called Janet Reno up and was very tough on her. I served on the Committee on Banking that had hearings on Whitewater.

Oversight has disappeared; and when we do have conscious and deliberate lies and we know the Health and Human Services misrepresented the cost of the prescription drug bill, they knew one thing and they threatened with retribution somebody who might have told the truth, and there was not any complaint from the Republican side.

As to the veterans budget, I do not think it is accidental that the underestimate came. It was not an overestimate, and it was not just an arithmetic error. There were people saying you do not have enough, you do not have enough. We remember. The gentleman from Wisconsin reminded me when the veterans affairs people sent out a notice telling their own people not to try to do outreach, do not bring us more people, and the gentleman from New York said it is going to be fixed. Well, at the cause of some disruption. Having the heads of the Department have to

stop and say, well, we will take some capital funds, that is not a useful way to run things.

So there has been a deliberate pattern here of a failure to oversee, and that is what the gentleman from Wisconsin's amendment seeks to remedy.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. HUNTER), chairman of the defense authorizing committee.

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding me time.

I think most of my colleagues know that we had a hearing 2 days ago on something that is not an easy subject, that is, Guantanamo, the treatment of the detainees, many of whom were picked up on terrorist battlefields around the world, including the 20th hijacker, the bodyguard for Osama bin Laden and an institution which is at the focal point of a great deal of public discussion.

We had Brigadier General Hood, the commander of Guantanamo; Sergeant Major Menendez; and Lieutenant Commander Ostergaard, who runs the medical facilities. They gave us straight ahead, candid, absolutely truthful answers, and every member of the committee, Democrat and Republican, had a chance to ask them questions, cross-examine them. I would just ask my colleagues to look at the statements that came from Democrats and Republicans regarding the quality of the testimony.

Now, each year, we put together a $400 billion-plus defense budget. That requires candid, up-front testimony from the people that wear the uniform of the United States and the civilian officials that oversee the Pentagon.

In addition to that budget, we bolt on and bolted on this year a $50 billion bridge appropriations; and to do that, we had to ask of the services and of our military leadership, and we drilled down right to the platoon level; we had to ask them for unfunded requirements, that is, we said what did you need that was not in the budget but in your estimation, in your candid opinion, General, Captain, Lieutenant, Sergeant, what do you think we need for the Armed Forces of the United States.

They answered us candidly; and because of that, we were able to put together a complete and robust statement of the requirements that we had, and we were able to meet those with the $50 billion bridge fund that we then bolted on to the defense authorization bill.

Our process has been one that has been marked by candor, by truthful testimony, and I think by respect from Republicans and Democrats for the process.

Mr. OBEY. Mr. Chairman, how much time do we have remaining on both sides?

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) has 6½ minutes remaining. The gentleman from Michigan (Mr. KNOLLENBERG) has 11 minutes remaining.

Mr. OBEY. Mr. Chairman, I reserve my time.

Mr. KNOLLENBERG. Mr. Chairman, I yield 6 minutes to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Chairman, in 13 years I have seen a lot of amendments in subcommittee and in full committee and on the House floor. This one is a bit peculiar. I do not even, frankly, know what the gentleman from Wisconsin (Mr. OBEY) is trying to say. I think it is perhaps being used just so he can come to the floor and speak, I suppose.

No moneys can be used in contravention of the OMB circular that states that in testimony before congressional committee and committee before Members of Congress the witnesses give frank and complete answers to all questions. Man, blow me away today.

I want to share with my colleagues with regard to the Veterans Administration. Let me give a record as I understand it from testimony and actions that have occurred with reference to the 2005 budget.

On April 5 of 2005, a letter to Senator HUTCHISON, the chairman of the Senate Appropriations Subcommittee on Military Construction and Veterans Affairs, stating that the VA, as part of good management, prudently uses reserve funding whenever trends indicate the need to refocus priorities, and the Secretary before the full committee on the House Veterans Affairs testified about that today.

On April 7 of 2005, Dr. Perlin testified to the Senate Veterans' Affairs Committee at his confirmation hearing that reserve funds were being used to meet operational needs in 2005.

On April 12 of 2005, Dr. Perlin sent a letter to the Senate VA Committee stating that projected carryover of fiscal year 2006 might be diminished to address current operational demands, including care in OIF and OEF returning combat veterans noting that ''we do feel confident that VHA has sufficient resources for the remainder of 2005.''

On April 19 of 2005, VA staff met with both majority and minority Members of the House appropriations subcommittee. During the meeting, management decisions to reallocate capital funds for direct patient care in 2005 was discussed.

On June 3 of 2005, a meeting with the House and Senate majority staff at the request of the staff detailing the modeling differences between the independent budget and the VA's annual budget process.

On June 9, a meeting with Secretary Nicholson and the general counsel regarding the budget shortfall and the extent to which reprogramming had already taken place.

On June 21, a meeting with Secretary Nicholson regarding the upcoming hearing on budget modeling.

On June 22, a meeting with Dr. Perlin, Under Secretary for Health, regarding the mid-year review and the reprogramming of capital assets and rollover accounts into medical services.

I am going down this entire list. I should have opened with a March 24 letter that Secretary Nicholson had sent to the appropriators, in particular to the gentleman from New York (Mr. WALSH), chairman of the Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies, along with the very same letter that I have here in hand that was sent to the gentleman from Texas (Mr. EDWARDS), the ranking member of that subcommittee, regarding the reprogramming and redirection of funds.

I do not want to have to repeat that, but I just want to let my colleagues know that notice was given with regard to this reprogramming. So with regard to this question about hide the ball, there was no hiding the ball.

On June 22, 2005, there is a meeting with Dr. Perlin, the Under Secretary for Health, regarding the mid-year review and reprogramming of capital asset and rollover accounts into medical services.

On June 23, there is a hearing before the House Committee on Veterans' Affairs investigating the budget modeling process at the VA and the independent budget and the private sector, and at this hearing is where Dr. Perlin testified with regard to his shortfall of $975 million. That is when the public became fully aware.

On June 28, Secretary Nicholson testified before the House Committee on Appropriations, Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies, regarding the newly identified budget shortfalls for 2005 and 2006.

June 28, 2005, Secretary Nicholson then testified before the Senate Veterans' Affairs Committee regarding newly identified budget shortfalls for 2005 and 2006.

June 29, Senator Nicholson joined the House Committee on Veterans' Affairs at a press conference to alert everyone that he was going to come up with an exact number yesterday and then give testimony before the House Committee on Veterans' Affairs regarding that number.

Today, he came before the House Committee on Veterans' Affairs. He testified with regard to an actual shortfall, made an oral request for a supplemental appropriation in the amount of $975 million to cover the shortfall.

I would say everybody's been pretty up front. I am pretty impressed on how things have moved in a bipartisan fashion. I want to compliment the veterans service organizations. I want to compliment the gentleman from Texas (Mr. EDWARDS). I want to compliment the gentleman from Illinois (Mr. EVANS), because what we have here is we want to move in regular order.

What happened over in the Senate is that they make it as an amendment on a 2005 supplemental on an 2006 Interior

bill. What I am really pleased about is the leadership of the gentleman from California (Chairman LEWIS) and the gentleman from New York (Chairman Walsh) that they are going to take appropriate action; they are going to act on the Secretary's request for the shortfall.

Why? Because all of us believe and understand in the fabric of the common bond of why we call ourselves American is to care for the men and women who wear the uniform; and when they take off the uniform, we care for them when they are veterans. If they fall in the service of their country, we pick them up and attempt to make them whole. If they fall and die, then we make sure that we give them an honorable burial, and we take care of their widows and their orphans.

That is what this is going to do. We are going to take this measure up tonight. I applaud the chairman for his immediate action. I want to thank the gentleman from Wisconsin (Mr. OBEY) for his cooperation in making sure this happened tonight; and I know the gentleman from Wisconsin (Mr. OBEY) has been equally impatient, but we are going to make this happen, and we are going to come together to make this happen, and I thank the gentleman.

Mr. OBEY. Mr. Chairman, I yield 3½ minutes to the gentleman from Maryland (Mr. HOYER), the distinguished minority whip.

Mr. HOYER. Mr. Chairman, I thank the gentleman for the time.

Mr. Chairman, the amendment offered by the ranking member ought to win the support of every single Member of this House.

Truth should be our expectation. In fact, that proposition is a legally binding directive of the Office of Management and Budget.

I tell my friend from Indiana, the amendment that he seems to feel is peculiar simply says to the administration, tell the truth. Is that peculiar?

Yet on one of the most important pieces of legislation that this Congress has considered in recent memory, the Medicare prescription drug bill, officials in the current administration purposely, deliberately, and cynically suppressed the real costs of that bill because it did not further their political agenda.

When that legislation was under consideration in November of 2003, the Congress was told that it would cost $395 billion between fiscal year 2004 and 2013. Yet just 3 months later, in February 2004, it was disclosed that the office of the Medicare actuary actually estimated that bill would cost $534 billion. In other words, it was not a 1 or 2 percent misrepresentation; it was a 95 percent misrepresentation. Then we now hear it may cost up to $1.2 trillion.

So on the prescription drug bill, I tell my friend from New York in particular, it was not a 1 or 2 percent mistake. It was a 300 percent mistake that was made on the prescription drug bill. That is a misrepresentation.

The truth is, Mr. Chairman, the Members of this Congress, Republicans and Democrats alike, purposely had the cost hidden because the Republican leadership, in my opinion, knew that the bill would not pass if the truth were told.

□ 1545

That is what this amendment says: tell the truth.

The chief Medicare actuary, in fact, Richard Foster, told Congress in March 2004, that he had consistently estimated that the legislation would cost more than $400 billion, and he had prepared dozens of analyses that said it would be over $500 billion. But Mr. Foster told Congress that he had been ordered by Tom Scully, the head of the Centers for Medicare and Medicaid Services in this administration, to withhold his cost estimates from Congress.

The failure to tell the truth is a lie. In fact, the Government Accountability Office has found that Mr. Scully violated Federal law when he threatened Mr. Foster's job. Now, luckily for him, he was not working for the Federal Government then so no sanctions can be taken.

The gentleman from Wisconsin (Mr. OBEY) simply says, tell the truth, administration, when you talk to Congress. Mr. Chairman, this sorry episode ought to trouble, indeed infuriate, every Member of this House and, indeed, every American.

Mr. Chairman, I urge my colleagues to vote for truthfulness. That is all this amendment says. Do not be so defensive on your mistake on the veterans' funding. The Democratic budget told you the truth on the funding necessary and you simply ignored it. Vote for the truth.

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the gentleman from Indiana (Mr. BUYER) said he found this amendment ''peculiar.'' I do not know what is peculiar about simply saying that any witness who appears before Congress ought to tell the truth. I find it peculiar that someone thinks that that is peculiar.

Let me also make the point that he is chairman of that committee today, the Committee on Veterans' Affairs, because the previous committee chairman, Republican chairman, was removed by his party's leadership because the previous committee chairman agreed with Democrats that the veterans' budget was inadequate. He told the truth and he paid a high price for it.

There is no question that this administration has hidden the cost of the Iraqi war. They have revealed the cost on the installment plan, a little bit at a time. There is no question that the administration threatened the firing of the man who was charged with telling Congress what the cost of the new Medicare prescription drug program would be. And there is no question that they did fire the National Park Service Chief of Police for telling the truth about the safety of her forces. And there is no question they did fire former Congressman Mike Parker for telling the truth with respect to the Corps of Engineers.

With respect to the ridiculous contention on the part of the gentleman from California that during the Nicaraguan war, Democrats were ''for the Sandinistas,'' I would remind the gentleman that we signed a letter to the Sandinistas demanding that they listen to the Reagan administration's demands for free elections in Nicaragua. I would also remind the gentleman that what we were opposed to was the illegal arms-for-hostages trade with the Iranians. And I would remind him that we were against an illegal, and I emphasize ''illegal,'' war in Nicaragua. So so much for the gentleman's ridiculous contention.

I have a simple suggestion, Mr. Chairman. If the gentlemen on the other side of the aisle think that witnesses should not tell the truth when they are before the Congress, then, by all means, vote against this amendment.

I remember Lyndon Johnson lied to this country about the war in Vietnam, and we paid a high price for it for years. And when he did that, I vowed, every day I served in this Congress, that I would see to it that whoever testified before us, and whoever talked to us, whether it was President or the most lowly administration official, would be held to a high standard of truth. Because when they are not, people die.

Mr. KNOLLENBERG. Mr. Chairman, I yield the balance of my time to the gentleman from Texas (Mr. DELAY), the majority leader.

Mr. DELAY. Mr. Chairman, frankly, I support the words in this amendment, but I reject the politics that brings it here. I think this House has sunk to a very new low, using veterans and trying to scare veterans for political gain.

It is absolutely amazing to me that because you disagree with policies of the administration, you try to lead the Nation to think that people are lying. There is no lying here. Questioning the motives of military heroes that come to testify before this House and before the Senate is a new low. Questioning people's honest, forthright presentation of the facts as they know them at the time that they testify as lies is a new low. And that is what we have come to. It has come to politicizing everything. It does not matter what it is.

And not only politicizing it, but trying to scare people into supporting your position. I remember very distinctly when this issue came to us, because the Veterans Administration had done a mid-year review and found the problem with the shortfall in veterans health. They properly informed the people that should be informed, both Democrat as well as Republican. Instead of doing what the responsible

thing is, which is what our chairmen of the relevant committees did, that is, start looking at the problem, making sure we understand the problem, and then finding a solution for the problem, what did the other side of the aisle do; they immediately ran down here and tried to pass an amendment to a bill and throw over $1 billion at a problem they did not even understand.

Why? Why would you do that? Why would you do such an irresponsible thing? The only reason you would do it is for politics. They had no idea what was required. As mentioned earlier, the Veterans Administration had suggested that they just move money around to get us through this fiscal year so that we could appropriate the next year. That was not a good solution. And the gentleman from Indiana (Mr. BUYER) and the gentleman from New York (Mr. WALSH) understood that and worked with the administration, and we are going to pass the solution tonight, understanding that we need not only to replace this money that is in the shortfall, but to make sure that there is enough money forward.

I mean, in the bill that most of this House voted for that funds Veterans' Affairs, this House and our committees knew that there was a shortfall in what was presented by the administration, in our opinion. Not because we were lied to, but in our opinion. And we put $1.64 billion more than what was requested by the President, thinking that would take care of the problem. And it still may take care of the problem next year. And that is what these bills are all about, funding next year. We will take care of the problem now.

And I say to the veterans in this country, you will not miss one day of health care that is coming to you. Do not listen to the politics and be afraid that you may lose your health care. That is not going to happen. We will take care of it, just as we have always taken care of it.

Since the Republicans became the majority in 1995 funding for veterans has increased 77 percent. When the Democrats controlled this House from 1984 to 1994, spending per veteran rose from $923 to $1,300. Yet in the next 10 years, in the years that we have had the majority, it rose to $2,773. From $1,300 to $2,700. Funding for the Montgomery GI bill rose 35 percent when they were in charge. But since we have been in charge the last 10 years, the GI bill funding rose 147 percent. And yet we are constantly trying to play politics and cover up the facts.

The bill that we passed for next year will take care of this. From 2001 to 2005, the percentage increase in the VA health care funding, 40 percent, was larger than the Defense Department's increase; 33 percent. And this is a time of war. We are providing for the needs of our veterans. We are taking care of our veterans.

Do not let the political rhetoric and the political posturing and the demagoguery say otherwise. Because the facts, if you really want the truth, the facts say that we are not only taking care of our veterans, not only do we understand our responsibilities to our veterans, not only do we understand what veterans have contributed to this Nation and our welfare and our freedom, we are doing more than talking about it. We are taking the responsible way of taking care of our veterans and not playing irresponsible politics.

Mr. Chairman, I ask my colleagues to vote ''no'' against this cynical, political amendment.

Mr. HAYES. Mr. Chairman, I would like to submit the following article in regard to the Obey amendment alleging that the Bush Administration and Congress are deliberately mislead on a variety of issues.

[From the Weekly Standard, Jun. 30, 2005]

A CNN ANCHOR GETS IRAQ AND AL QAEDA WRONG. BUT WILL THE NETWORK ISSUE A CORRECTION?

(By Stephen F. Hayes)

''There is no evidence that Saddam Hussein was connected in any way to al Qaeda.''

So declared CNN Anchor Carol Costello in an interview yesterday with Representative Robin Hayes (no relation) from North Carolina.

Hayes politely challenged her claim. ''Ma'am, I'm sorry, but you're mistaken. There's evidence everywhere. We get access to it. Unfortunately, others don't.''

CNN played the exchange throughout the day. At one point, anchor Daryn Kagan even seemed to correct Rep. Hayes after replaying the clip. ''And according to the record, the 9/11 Commission in its final report found no connection between al Qaeda and Saddam Hussein.''

The CNN claims are wrong. Not a matter of nuance. Not a matter of interpretation. Just plain incorrect. They are so mistaken, in fact, that viewers should demand an on-air correction.

But such claims are, sadly, representative of the broad media misunderstanding of the relationship between Iraq and al Qaeda. Richard Cohen, columnist for the Washington Post, regularly chides the Bush administration for presenting what he calls fabricated or ''fictive'' links between Iraq and al Qaeda. The editor of the Los Angeles Times scolded the Bush administration for perpetuating the ''myth'' of such links. ''Sixty Minutes'' anchor Lesley Stahl put it bluntly: ''There was no connection.''

Conveniently, such analyses ignore statements like this one from Thomas Kean, chairman of the 9/11 Commission. ''There was no question in our minds that there was a relationship between Iraq and al Qaeda.'' Hard to believe reporters just missed it—he made the comments at the press conference held to release the commission's final report. And that report detailed several ''friendly contacts'' between Iraq and al Qaeda, and concluded only that there was no proof of Iraqi involvement in al Qaeda terrorist attacks against American interests. Details, details.

There have been several recent developments. One month ago, Jordan's King Abdullah explained to the Arabic-language newspaper al Hayat that his government had tried before the Iraq war to extradite Abu Musab al Zarqawi from Iraq. ''We had information that he entered Iraq from a neighboring country, where he lived and what he was doing. We informed the Iraqi authorities about all this detailed information we had, but they didn't respond.'' He added:

''Since Zarqawi entered Iraq before the fall of the former regime we have been trying to have him deported back to Jordan for trial, but our efforts were in vain.''

One week later, former Iraqi Prime Minister Iyad Allawi told the same newspaper that the new Iraqi government is in possession of documents showing that Ayman al Zawahiri, bin Laden's top deputy, and Zarqawi both entered Iraq in September 1999. (If the documents are authentic, they suggest that Zarqawi may have plotted the Jordanian Millennium attacks from Iraq.)

Beyond what people are saying about the Iraq-al Qaeda connection, there is the evidence. In 1992 the Iraqi Intelligence services compiled a list of its assets. On page 14 of the document, marked ''Top Secret'' and dated March 28, 1992, is the name of Osama bin Laden, who is reported to have a ''good relationship'' with the Iraqi intelligence section in Syria. The Defense Intelligence Agency has possession of the document and has assessed that it is accurate. In 1993, Saddam Hussein and bin Laden reached an ''understanding'' that Islamic radicals would refrain from attacking the Iraqi regime in exchange for unspecified assistance, including weapons development. This understanding, which was included in the Clinton administration's indictment of bin Laden in the spring of 1998, has been corroborated by numerous Iraqis and al Qaeda terrorists now in U.S. custody. In 1994, Faruq Hijazi, then deputy director of Iraqi Intelligence, met face-to-face with bin Laden. Bin Laden requested anti-ship limpet mines and training camps in Iraq. Hijazi has detailed the meeting in a custodial interview with U.S. interrogators. In 1995, according to internal Iraqi intelligence documents first reported by the New York Times on June 25, 2004, a ''former director of operations for Iraqi Intelligence Directorate 4 met with Mr. bin Laden on Feb. 19.'' When bin Laden left Sudan in 1996, the document states, Iraqi intelligence sough ''other channels through which to handle the relationship, in light of his current location.'' That same year, Hussein agreed to a request from bin Laden to broadcast anti-Saudi propaganda on Iraqi state television. In 1997, al Qaeda sent an emissary with the nom de guerre Abdullah al Iraqi to Iraq for training on weapons of mass destruction. Colin Powell cited this evidence in his presentation at the UN on February 5, 2003. The Senate Intelligence Committee has concluded that Powell's presentation on Iraq and terrorism was ''reasonable.''

In 1998, according to documents unearthed in Iraq's Intelligence headquarters in April 2003, al Qaeda sent a ''trusted confidante'' of bin Laden to Baghdad for 16 days of meetings beginning March 5. Iraqi intelligence paid for his stay in Room 414 of the Mansur al Melia hotel and expressed hope that the envoy would serve as the liaison between Iraqi intelligence and bin Laden. The DIA has assessed those documents as authentic. In 1999, a CIA Counterterrorism Center analysis reported on April 13 that four intelligence reports indicate Saddam Hussein has given bin Laden a standing offer of safe haven in Iraq. The CTC report is included in the Senate Intelligence Committee's review on prewar intelligence.

In 2000, Saudi Arabia went on kingdomwide alert after learning that Iraq had agreed to help al Qaeda attack U.S. and British interests on the peninsula. In 2001, satellite images show large numbers of al Qaeda terrorists displaced after the war in Afghanistan relocating to camps in northern Iraq financed, in part, by the Hussein regime. In 2002, a report from the National Security Agency in October reveals that Iraq agreed to provide safe haven, financing and weapons to al Qaeda members relocating in northern Iraq. In 2003, on February 14, the Philippine

government ousted Hisham Hussein, the second secretary of the Iraqi embassy in Manila, for his involvement in al Qaeda-related terrorist activities. Andrea Domingo, head of Immigration for the Philippine government, told reporters that ''studying the movements and activities'' of Iraqi intelligence assets in the country, including radical Islamists, revealed an ''established network'' of terrorists headed by Hussein.

Can CNN stand by its claim that ''there is no evidence that Saddam Hussein was connected in any way to al Qaeda?''

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin (Mr. OBEY) will be postponed.

AMENDMENT OFFERED BY MR. TIAHRT

Mr. TIAHRT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TIAHRT:

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

SEC. ____. None of the funds made available in this Act may be used to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Kansas (Mr. TIAHRT) and a Member opposed each will control 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. A point of order is reserved against the amendment.

The Chair recognizes the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, I yield myself such time as I may consume, and I want to thank the gentleman from Michigan (Mr. KNOLLENBERG) for this opportunity to talk about some issues that I think are very important to America and to our current economic and future economic environment.

My amendment is very simple. It says ''none of the funds made available in this Act may be used to promulgate regulations without consideration of the effect such regulations have on the competitiveness of American business.''

Recently, just about an hour ago, we had an amendment on the floor here from the gentlewoman from Michigan expressing her concern about the sale of Unocal, an American company, to a Chinese company. Now, I too am concerned. But perhaps we should ask the question: How did this company get in the situation where they are so susceptible to a hostile takeover by a Chinese company?

Perhaps we can learn a lesson from this situation, with this threat of a hostile takeover. The problem that has occurred with many businesses, including Unocal, is that they have to face barriers and overcome barriers that have been created by Congress over the last generation. The barriers have made American companies less competitive and more vulnerable.

The less competitive American companies always will have to struggle against having some outside business, especially if it is subsidized by a foreign government, taking them over. The barriers that have been created by Congress include unbridled rising health care costs. The costs have been driven up by Medicaid and Medicare and the government bureaucracies that control them.

It is also litigation abuse that has driven up the cost of insurance. In the average settlement, Mr. Chairman, 60 percent of the cost now goes to lawyers instead of those who have been taken advantage of.

Also, we have the regulation costs to comply with, which drive up costs for companies complying with confusing red tape.

We have a tax policy that punishes success. We have an energy policy that we have passed five times in the House of Representatives, and yet we have not been able to get it into law. And we could be creating 700,000 jobs and bringing down the cost of energy for our companies.

□ 1600

We have a trade policy that fails to open up new markets like Central America and the Dominican Republic. We have research and development that we need to focus on the future economy, and we have lifelong learning issues and barriers created by Congress that have failed to address the needs of a future economy and provide the engineers and scientists and those in math and other areas of technology that will be needed in the future economy.

These policies are preventing the creation of jobs, and the result has been the loss of high-quality, high-paying jobs here in America.

The amendment I have focuses on regulations because regulatory costs are killing jobs. Less government regulations will mean granting the freedom to allow Americans to pursue their dreams, and it also means providing the space for business to thrive and create opportunities.

Instead, our Federal Government has become a creeping ivy of regulations that strangle enterprise. Unrealistic, impractical, unnecessary environmental prohibitions, OSHA mandates and the like are literally driving our industries and small businesses and our health care system to a grinding halt.

How can we expect our economy to develop and grow when bureaucracy prevents business from starting and expanding jobs; when doctors cannot even keep up with the ever-changing regulations and codes; when teachers are forced to spend more time filling out paperwork than they do in the classroom. It is estimated that the total regulatory burden as of the year 2000 was $843 billion. That is $8,000 per manufacturing worker. The regulatory compliance burden on U.S. manufacturers is equivalent to a 12 percent excise tax. It is no wonder we are having trouble competing worldwide. It is no wonder our companies are more vulnerable to hostile takeovers by foreign companies.

As we approve spending allocations by the Departments of Transportation, Treasury, HUD, and related agencies, including the OMB, we need to remind them of the importance of their actions with that funding.

Each and every Federal agency should take into consideration the effects of proposed policies on competitiveness of U.S. businesses, and they should be held accountable for those effects.

We should be concerned when a U.S. company is threatened by a hostile takeover by a foreign company. We need to change the economic environment today so we can look forward and create jobs.

I intend to withdraw this amendment, but I want to thank the gentleman from Michigan (Mr. KNOLLENBERG) for looking out for American jobs. I am confident we can work together to make this possible to bring jobs back into America and to keep and create more jobs by changing the economic environment.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

AMENDMENT OFFERED BY MR. BROWN OF OHIO

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BROWN of Ohio:

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

Sec. ____. None of the funds made available in this Act may be used by the Council of Economic Advisers to produce an Economic Report of the President regarding the average cost of developing and introducing a new prescription drug to the market at $800 million or more.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Ohio (Mr. BROWN) and the gentleman from New Jersey (Mr. FERGUSON) each will control 5 minutes.

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

Mr. BROWN of Ohio. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this amendment is coauthored with the gentleman from Minnesota (Mr. GUTKNECHT).

The Economic Report of the President is supposed to be an educational

tool, not a drug industry PR piece. On page 167, it asserts: ''On average, a new drug takes 12 years to develop and costs $800 million to introduce to the market.''

That cost estimate, by drug industry-backed researcher Dr. Joseph DiMasi, is used widely by drug companies to justify the high and rapidly rising prices they charge American consumers. But the DiMasi estimate is based on a widely disputed methodology that dramatically inflates actual R&D costs. The most blatant shortcoming is that the DiMasi estimate generalizes from the cost of developing a breakthrough product to the cost of developing any new drug. Most new drugs on the market are me-too drugs, or second generation products. They are by their very nature far less expensive to develop than the original.

Even more troubling is the accounting gimmick unearthed by Professor Donald Light and Associate Professor Joel Lexchin. They write, ''About half of the $800 million figure consists of 'opportunity costs,' the money that would have been made if R&D funds had been invested in equities.''

Treating opportunity costs as actual costs is a good way to inflate the R&D estimate, but a bad way to give the public honest data on actual R&D spending.

By such an accounting, the cost of producing a stick of bubble gum could include the box office revenue foregone by the manufacturer's decision to make gum instead of motion pictures.

As Light and Lexchin write: ''Minus the built-in profits, R&D costs would average about $108 million 93 percent of the time, and $400 million 7 percent of the time.''

By that reckoning, the industry estimate overstates the cost of developing a new drug by 740 percent. But in his economic report, President Bush uses the drug industry's estimate without question, without qualification, without even attribution.

Put simply the Brown-Gutknecht amendment would fix that. It prevents the Council of Economic Advisers, which works with the President to produce his economic report, from using that bogus estimate next year.

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

Mr. FERGUSON. Mr. Chairman, I do not understand the purpose of this amendment. It is designed to restrict information used by the President's Council of Economic Advisers.

Just because a Member does not like the findings of an independent study does not mean we should be trying to prevent the White House from using that information. What kind of precedent would this set? Where can Congress stop in restricting the President's Council of Economic Advisers and the executive branch from discussing the findings of independent studies? What other type of economic data will Members try to restrict then?

The $800 million figure that the gentleman from Ohio cites is from a 2003 Tufts University study. Is Tufts University no longer able to provide information to this government with studies? Which university will be next? Harvard University? Are they good enough? Princeton? It seems to me Tufts University is a good source of independent information.

This information was put together independently. It was not created out of thin air. It was not created by the White House. The fact is this amount of money that pharmaceutical companies spend on R&D is considerable. They spend enormous resources on research and development. In 2003, pharmaceutical companies spent an estimated $33.2 billion on research and development. In the same year, the budget for the entire NIH, the entire budget for the National Institutes of Health, their operating budget was $27 billion, less than what the industry had spent on R&D alone.

Over the past 10 years, pharmaceutical research companies, scientists and researchers have earned an average of 32 new drug approvals a year. In 2003, a total of 35 new drugs, including 21 new molecular entities and 14 new biologics, were approved by the Food and Drug Administration.

These were important products. These are products used to prevent or treat conditions like Alzheimer's, cancer, HIV infection, asthma, pneumonia, psoriasis, and other infectious diseases. The President's advisers should not be censored while talking about this world-leading American industry and the amount of money that they spend on research and development.

I urge opposition to this amendment.

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

Mr. BROWN of Ohio. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. GUTKNECHT), the cosponsor of the amendment.

(Mr. GUTKNECHT asked and was given permission to revise and extend his remarks.)

Mr. GUTKNECHT. Mr. Chairman, I do not think anyone should be censored, but I think having no information can sometimes be better than having bad information. And what the Council of Economic Advisers did was they took lock, stock, and barrel failed research. Then it gets repeated and repeated and repeated, this $800 million figure.

According to the pharmaceutical company themselves, that $800 million figure includes $400 million of opportunity costs. That means they could have taken that money and bought Microsoft shares and made more money. That is ridiculous.

Mr. Chairman, just read this report that I will include for the RECORD by Dr. Donald Light. He is from New Jersey. He teaches at a little school called Princeton. He also teaches at the Princeton medical school. He is the one who went through this. More importantly, in this 2-page report there are almost a page of footnotes. They document what they do.

The problem with the Council of Economic Advisers is they just took this number and they repeated it. They do not document it. They do not ask questions, and so now everyone is running around saying it cost $800 million to develop a new drug. That is not true, and it is worse than having no information at all.

This is one way to send a message to the Council of Economic Advisers, that if they are going to put out information so policymakers at the White House or here on Capitol Hill make decisions based on that information, you better make sure you check the numbers and document them first because bad information is worse than no information at all.

[From the American Journal of Bioethics, Jan. 2004]

WILL LOWER DRUG PRICES JEOPARDIZE DRUG RESEARCH? A POLICY FACT SHEET

(By Donald Light and Joel Lexchin)

This documented fact sheet provides evidence that all drug research by large firms, net of taxpayers' subsidies, is paid for out of domestic sales in each country, with profits to spare. Prices can be lower without jeopardizing basic research for new drugs. More exposure to global price competition would encourage more innovative research and less of the derivative me-too research that now dominates.

In the U.S., the FDA Commissioner, Mark McClellan, and the drug industry are responding to pressures for lower costs by mounting a large campaign to pressure all other affluent countries to raise their prices to U.S. levels. They claim that lower prices do not pay for drug research costs, but we provide evidence that this is untrue. Ultimately, however, such nationalistic arguments are based on regarding basic research and new discoveries, which can happen anywhere, and the cost of trials, which are carried out in the countries deemed most commercially advantageous, as part of national companies and national accounts, when in fact they are part of a global economy for pharmaceutical products.

FDA MYTHS

1. FDA Commissioner, Mark McClellan, holds that other affluent countries like Canada and the UK set their prices for patented drugs so low that they do not pay for research and development (R&D) (McClellan 2003). We can find no evidence to support that claim.

On the contrary, audited financial reports of major drug firms in the UK, show that all research costs are paid, with substantial profits left over, based solely on domestic sales at British prices (Pharmaceutical Price Regulation Scheme 2002). Likewise, 79 research drug companies in Canada submitted reports showing their R&D expenditures have risen more than 50% since 1995, all paid for by domestic sales at Canadian prices (Patented Medicine Prices Review Board 2002). Sales to the U.S. and elsewhere are in addition to the positive, domestic balance sheets.

2. FDA Commissioner McClellan says that European or Canadian prices are ''slowing the process of drug development worldwide'' (McClellan 2003). There is no known verifiable evidence to support this claim. In fact, drug research has been increasing steadily in Europe as well as in the U.S., with some countries having a more rapid increase than the U.S. (Patented Medicine Prices Review Board 2002).

3. FDA Commissioner McClellan says that ''price controls discourage the R&D needed

to develop new products'' (McClellan 2003). But there is no known verifiable evidence to support this claim.

R&D expenditures have been growing rapidly, though it is becoming more and more difficult to discover breakthrough drugs on targets not already hit (Harris 2003). The truth kept from Americans is that first-line treatment for 96% of all medical problems requires only 320 drugs (Laing et al. 2003). In wealthy countries, more drugs might be appropriate to treat people who do not respond to first-line agents.

4. FDA Commissioner McClellan charges that efforts to negotiate lower prices for patented drugs by other countries (and by major employers, unions and governors in the U.S.) are ''no different than violating the patent directly'' to make cheap copies (McClellan 2003). This charge echoes the drug industry and implies that large buyers seeking better value should be considered a criminal act.

5. FDA Commissioner McClellan paints a picture of other wealthy countries driving down their prices to marginal costs, but the widening gap between prices for patented drugs in the U.S. and other countries is due to drug companies raising U.S. prices, not other countries lowering theirs (Sager and Socolar 2003; Families USA 2003).

6. The ''free-rider'' problem that McClellan emphasizes can be solved by U.S. prices coming down to European levels, where they will cover all R&D costs, plus profits that are higher than those in most industries.

7. Drug company profits, after all R&D costs, have long been more than double the profits of Fortune 500 corporations. In recent years they have jumped to triple and even quadruple the profits of other major companies (National Institute for Health Care Management 2000). The global firms spend two and a half to three times more for marketing and administration than for research (Families USA 2001).

8. Americans pay for more R&D than any other country because the United States accounts for more sales than any other country. But while the U.S. accounts for 51% of world sales, it took 58% of global R&D expenditures invested in the US to discover only 43% of the more important new drugs (NCEs) (European Federation of Pharmaceutical Industries and Associations 2003). This means that other countries are helping to pay for the large, inefficient U.S. R&D enterprise, the opposite of what the editors of Business Week claimed (Business Week editors 2003). William Safire's claim of a ''foreign rip-off'' as Americans pay for the world's R&D is contradicted by the facts above (Safire 2003).

RESEARCH IS MISDIRECTED BY THE INDUSTRY, AGAINST PATIENTS' INTERESTS

9. Most drug innovation provides little or no therapeutic advantage over existing * * *

Independent review panels plus a major industry review conclude that only 10–15% of ''new'' drugs provide a significant therapeutic breakthrough over existing drugs and involve a new chemical or molecule (Barral 1996; Prescrire International 2003; National Institute for Health Care Management Research and Education Foundation 2002). Other industry-sponsored figures are much higher but not reliable.

10. The FDA approves drugs that are better than nothing (placebo) but does not test them against the best existing drugs for the same problem. Most research is for ''new'' drugs to treat problems already treated by other drugs.

11. About 18% ofthe drug industry's research budget goes to basic research for breakthrough drugs. About 82% goes to derivative innovations on existing drugs and to testing.

The long-standing survey of basic research by the National Science Foundation estimates that basic research has increased to 18% of the total research and development (R&D) budget for the pharmaceutical industry. It used to be less (National Science Foundation 2003). Industry-sponsored figures based on secret unverifiable data are much higher but not reliable (DiMasi, Hansen, and Grabowski 2003). The 85–90% of ''new'' drugs that have little therapeutic gain reflects equal protection from competition for much less investment and risk.

12. Congress has repeatedly extended patent protection for drugs beyond what other industries enjoy, despite much higher profits year in and year out. Government protection from normal competition is now more than 50% greater for the drug industry than a decade ago (National Institute for Health Care Management 2000). These incentives reward research into derivative large markets, rather than to finding effective treatments for diseases that have none.

13. These facts constitute the Blockbuster Syndrome: the lure of monopoly pricing and windfall profits for years spurs the relentless pursuit for drugs that might sell more than $1 billion a year, regardless of therapeutic need or benefit. Research projects for the disorders of affluent nations proliferate, as do clinical trials. Doctors are paid like bounty hunters to recruit patients for thousands of dollars each. Most patients get the misimpression that the experimental drug will be better than existing ones (Wolpe 2003). The corruption of professional judgment, ethics and even medical science follow (Williams 2003; Wazana 2000; Barnett 2003; Lexchin, Bero, Djulbegovic et al. 2003; Bekelman, Mphil, and Gross 2003; Villanueva, Peiro, Librero et al. 2003; Fletcher 2003).

DRUG RESEARCH COSTS MUCH LESS THAN CLAIMED

14. Drug companies claim to spend 17% of domestic sales on R&D, but more objective data reports they spend only 10% (National Science Foundation 2003). Thus, only 1.8% of sales goes to research for breakthrough new drugs (18% x 10%) (Love 2003).

15. Taxpayers pay for most research costs, and many clinical trials as well.

In 2000, for example, industry spent 18% of its $13 billion for R&D on basic research, or $2.3 billion in gross costs (National Science Foundation 2003). All of that money was subsidized by taxpayers through deductions and tax credits. Taxpayers also paid for all $18 billion in NIH funds, as well as for R&D funds in the Department of Defense and other public budgets. Most of that money went for basic research to discover breakthrough drugs, and public money also supports more than 5000 clinical trials (Bassand, Martin, Ryden et al. 2002). Taxpayer contributions are similar in more recent years, only larger.

16. The average amount of research funds the drug industry needs to recover appears to be much less than the industry's figure of $800 million per new drug approved (NDA).

The $800 million figure is based on the small unrepresentative subsample of all new drugs. It excludes the majority of ''new'' drugs that are extensions or new administrations of existing drugs, as well as all drugs developed by NIH, universities, foundations, foreign teams, or others that have been licensed in or bought. Variations on existing drugs probably cost much less because so much of the work has already been done and trials are simpler.

About half of the $800 million figure consists of ''opportunity costs'', the money that would have been made if the R&D funds had been invested in equities, in effect a presumed profit built in and compounded every year and then called a ''cost.'' Drug companies then expect to make a profit on this compounded profit, as well as on their actual costs. Minus the built-in profits, R&D costs would average about $108 million 93% of the time and $400 million 7% of the time.

The $800 million estimate also does not include taxpayers' subsidies via deductions and credits and untaxed profits (DiMasi, Hansen, and Grabowski 2003; DiMasi, Hansen, Grabowski et al. 1991). Net R&D costs are then still lower.

Contrary to some press reports from the industry, screening for new compounds is becoming faster and more efficient and the time from initial testing to approval has shortened substantially (Kaitin and Healy 2000). The large size of trials seems more due to signing up specialists to lock in substantial market share. Advertising firms are now running clinical trials (Bassand, Martin, Ryden et al. 2002; Peterson 2002; Moyers 2002).

17. Because clinical trials have become a high-profit sub-industry, trial ''costs'' appear to be much more than is necessary.

An international team of experts estimates that clinical trials could be done for about $500 per patient rather than $10,000 per patient, a 95% reduction (Bassand, Martin, Ryden et al. 2002). The most detailed empirical study of trial costs also concludes that costs can be much less than reported (The Global Alliance for TB Drug Development 2001).

U.S. DRUG PRICES VERY HIGH

18. Americans seem unaware how much more they are paying for drugs than other countries, in the name of the ''free market'' where prices are controlled by corporations. So-called ''price controls'' abroad are negotiated wholesale prices. Corporate price controls in the U.S. are un-negotiated monopoly prices, which then large buyers negotiate down.

According to a detailed analysis, American employers and health plans pay at wholesale 2.5–3.5 times the prices in Australia and other countries with comparable prices for patented drugs (Productivity Commission of Australia 2001). There is no evidence that these prices do not cover research costs. U.S. generic prices shadow patent drug prices and are also 2.5–3.5 times more.

19. High American prices are essentially monopoly rents charged to employers in every other industry. They shift profits from other industries to the drug industry.

20. If American prices were cut in half, research budgets would not have to suffer unless executives decided to cut them in favor of marketing, luxurious managerial allowances or high profits. They probably would not, because R&D gets such favorable tax treatment compared to other expenses. Lower prices would save other Fortune 500 companies billions in drug benefit costs, and drug company profits could come into line with the profits of the companies who pay for their drugs.

REALIGN INCENTIVES TO REWARD TRUE INNOVATION

21. Current incentives strongly reward derivative innovation. We get what we reward.

22. Because the U.S. is by far the biggest spender, it has by far the most R&D and new drugs. Four other industrialized countries, however, devote more of their GDP to R&D for new drugs than the U.S. (Patented Medicine Prices Review Board 2002).

23. Officials of drug companies commonly claim that nearly all new drugs are discovered in the U.S. However, the industry's own studies (and others) show that over the past quarter century, the U.S. has accounted for less than or about the same as its proportionate share of international new drugs, not more and certainly not nearly all (Barral

1996; European Federation of Pharmaceutical Industries and Associations 2000). Until 2002, even the U.S. pharmaceutical industry was investing an increasing percent of its R&D budget in highly productive research teams abroad (Pharmaceutical Research and Manufacturers of America 2002).

24. Americans are getting less innovation and paying a lot more. Competing countries profit from these American self-delusions by covering their R&D and keeping their own drug prices reasonable, while leaving drug companies to make bonanza profits from the monopoly American market.

25. Price competition has been the greatest spur to innovation for over 200 years. Price protections reward derivative and me-too innovation as well as excessive costs and a focus on blockbuster marketing. If we want lower prices and more breakthrough innovations, we need to change the incentives to reward those goals (Baker and Chatani 2002).

Mr. FERGUSON. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in strong opposition to the amendment. The Brown amendment seeks to prevent the President's Council of Economic Advisers, a highly reputable group, from referencing an independent study that concluded the average new drug or medicine takes $800 million to develop in its future economic reports.

This $800 million figure comes from a 2003 Tufts University study, not from the PhRMA, pharmaceutical industry, and not from the administration. There is nothing partisan or slanted about its findings. To try to block information just because you disagree with it is not the way to serve the American people who deserve and expect debate on the real costs of researching and developing pharmaceuticals. This amendment amounts, basically, to censorship and deserves to be defeated.

Mr. BROWN of Ohio. Mr. Chairman, I yield 1 minute to the gentleman from Cleveland, Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, is the administration manipulating information to benefit the pharmaceutical industry? Is the economic report of the President? And in that economic report, the administration parrots Big Pharmaceuticals' claims that drug prices need to be so high because of the costs of continuing to develop innovative life-saving drugs.

But this assumption is directly at odds with the assumption the administration made in its cost estimate of the new Medicare drug benefit. CMS assumed that escalating drug costs would slow because drug companies will be churning out fewer innovative drugs. Which is it?

If the drug industry is spending big on the next generation of innovative drugs, then projected costs of the Medicare drug benefit will be higher than the administration estimates. Then again, if the drug industry is not, in fact, spending big on innovative research, then the high prices charged by Big PhRMA amount to price gouging, plain and simple. I urge support for the Brown amendment.

Mr. FERGUSON. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Chairman, I will take just a few moments to rise in opposition to this amendment which attempts to use the appropriations process to control the content of information about our economy, which I think is a wrong thing to do. I believe the committee is about learning facts, not ignoring them or being denied them.

Moreover, the proposed amendment does not change the 2005 economic report of the President which discusses the average cost of developing and introducing a new prescription drug, as has been mentioned, a new drug to the market at $800 million or more. I have been informed that the administration strongly objects to the proposed Brown amendment. Preventing any discussion on the factors that contribute to pharmaceutical pricing or in fact any other topic that might be controversial would compromise the credibility of the future economic reports of the President.

So I join my colleagues in opposing the Brown amendment and urge that it be defeated.

Mr. FERGUSON. Mr. Chairman, I reserve the balance of my time.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. OLVER. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Chairman, I hear my friend from New Jersey, well, all of my friends from New Jersey. They are arguing on behalf of the drug industry. Here is what this is all about, as the gentleman from Minnesota (Mr. GUTKNECHT) said.

The drug industry funds a study. They do it through Tufts University. They find a professor at Tufts. This Dr. DiMasi has been doing these studies for the drug industry for several years. This is, I believe, his third study. After the study is done saying it costs $800 million, numbers just pulled from all over the place as the gentleman from Minnesota (Mr. GUTKNECHT) proved in his comments, they get that study in a government report, and then that number gets all over the place to try to justify continued high drug prices, the kind of prices that the gentleman from Minnesota (Mr. GUTKNECHT) and others on this floor have tried to do something about for several years.

So when the industry does a study, then you put it in a government report, it simply does not make sense to do that for the public interest.

□ 1615

There is a lot at stake here. The industry uses that fabricated cost estimate to justify charging our constituents the highest prices in the world. Two, three, four times Americans pay what Canadians or French or Germans or Israelis or Japanese pay; prices that force way too many American seniors to choose between their medicine and food; prices that drive up employer-sponsored health care costs, making American companies less competitive. Look at the problems at GM that my State faces. Prices that drive up tax bills by exploding the cost of Medicaid and Medicare and other public health programs.

With that much at stake, the very least we should do is make sure we get the numbers right. This will be the first step in debunking this $800 million myth. This will be the first step in getting the numbers right so that we can get on in dealing with real prescription drug legislation in the future.

I ask support for the Brown-Gutknecht amendment.

Mr. GUTKNECHT. Mr. Chairman, will the gentleman yield?

Mr. OLVER. I yield to the gentleman from Minnesota.

Mr. GUTKNECHT. Mr. Chairman, I just want to come back to one point because I think a lot of people may not have been paying attention. This study that we are talking about where we got the $800 million figure originally started with a study that was funded by pharmaceutical companies. That number then gets repeated by the President's Council of Economic Advisers, and we all believe that it is true. We have an independent research that was not financed by PhRMA. That was done by a professor who was at Princeton from New Jersey. More importantly, he was an adviser to this President on health policy. Let me add one other thing: He is a Republican.

Now, this is, I think, far more credible than that number that keeps getting bantered around and bantered around. Bad numbers are worse than no numbers at all. This is the one way to say to the Council of Economic Advisers to the President of the United States they ought to be ashamed.

Whether or not this amendment passes, the point, I think, is made: that if they are going to put information out to the President, out to the public, out to policymakers about important issues like this, they had better make sure that the facts are correct.

Mr. FERGUSON. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, it seems that the sponsors of this amendment are intent on impugning the integrity of Tufts University, and that is unfortunate. And they are also intent on censoring the White House and the Council of Economic Advisers of what they can say. Does the gentleman believe that we should apply this message to a President from his party as well? Should the President be unable to reference independent studies on global warming or international labor issues or the minimum wage, or is this really just partisan censorship?

The gentleman uses rhetoric and figures that I may not agree with, but I certainly do not disagree with his right to say it.

This is a bad amendment. I urge its defeat.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Ohio (Mr. BROWN).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. BROWN of Ohio. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio (Mr. BROWN) will be postponed.

AMENDMENT OFFERED BY MR. KNOLLENBERG

Mr. KNOLLENBERG. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KNOLLENBERG:

Sec. ____. The amount otherwise provided under the heading ''Management and Administration—Working Capital Fund'', in title III is hereby increased by $22,000,000.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Michigan (Mr. KNOLLENBERG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume.

This is a very simple amendment. It would simply partially restore funds to HUD's Working Capital Fund that were cut by an amendment adopted yesterday. This amendment has been cleared with the minority, and I urge its adoption.

If I were to just briefly talk about it, this is not just a random pot of money. The Working Capital Fund pays the cost of all computers and phones at HUD, which is a huge expenditure. So, briefly, that is the essence of it.

Mr. OLVER. Mr. Chairman, will the gentleman yield?

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

Mr. OLVER. Mr. Chairman, I have no objection to this amendment.

I just want to point out that we had quite a number of different places from which money was taken as a result of the amendments. During the course of the debate yesterday, very sizable money was taken from the GSA accounts, the building account, that is to say, the building fund in the GSA; and also from the Secretary of Transportation's budget; as well from, as the amendment here suggests, the Working Capital Fund within HUD. There is also money taken from the Air Transportation Stabilization Fund.

And if I could remember off the top of my head, I would probably be able to come up with about six other places where money was taken from from last year's. But I think what the chairman has proposed is to put this back in the Management and Administration Working Capital Fund of the Department of Housing and Urban Development, and this one is as difficult a spot. So I have no objection to having that done in that place.

Mr. KNOLLENBERG. Mr. Chairman, reclaiming my time, I thank the gentleman for his comments.

Briefly, we have had, what is it, over the last 15 hours, some interesting conversations about money, and we have drawn money from a number of sources and, frankly, not too many sources, and some of that does create pain. In the case of this particular situation, these moneys are needed now. So I very much appreciate the gentleman's agreeing with me that this money should go to that particular source.

So I am content to accept his approval and move forward.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. KNOLLENBERG).

The amendment was agreed to.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as we are coming now close to the very end of this bill and as it would appear there are about three or four other people from, in fact, both sides of the aisle who have indicated that they wish to propose amendments, I want to take a couple of minutes to allow for the possibility that they may, in fact, come in defense of their positions and the amendments that they had, and to again commend the staff for the great work that they have done on this committee.

The people on both the minority and majority side, the majority clerk, Dena Baron, and the other members of her staff; and on the minority side, Mike Malone and Michelle Burkett, who are seated next to me and have done a yeoman's service in providing assistance to the minority and the minority members, the minority members of the subcommittee and the general minority members in the preparation of this legislation.

The gentleman from Michigan (Chairman KNOLLENBERG) has been an entirely fair chairman for this subcommittee. It is the first time that he is dealing with this newly expanded subcommittee. It is actually, of course, the first time that I have served as ranking member of the expanded Transportation, Treasury, HUD, The Judiciary, District of Columbia, and Independent Agencies Subcommittee, now covering a good many more agencies than it did before. And I found that it is very easy to work with the chairman. I appreciate very much the kind of relationship that we have been able to have. He has been very accessible and very kind in his consideration of all of the amendments and positions that I have brought forward to end on my own part and on the part of members of the subcommittee and, at the same time, for members of the minority that are not on the subcommittee that may be on the full committee or not on the Committee on Appropriations at all.

And I know that he has listened very carefully to the concerns of people from all of those categories within the House of Representatives, those that I have mentioned.

In particular, I want to thank him at this time for having listened, at a late stage in the preparation of the legislation, to the concerns that I had about the funding for the accounts for tax law compliance in the IRS, for the development and the funding for YouthBuild, which we actually chose a very creative way to allow for the funding of YouthBuild by giving some additional money which was needed back to the account for the Community Development Block Grant and then speaking here on the floor about the use of that money for the continuation of YouthBuild.

I would hope that, in fact, by the time we get to a conference committee, we may have well have had a reauthorization of YouthBuild in a different place. And if that is the case, then that money will be available for Community Development Block Grant purposes without the consideration of use for YouthBuild, but it then serves as a possibility of dealing in either place of working in either location, and I am very grateful for him to do that.

Earlier in the process, the chairman was very responsive to the request to provide funds for the Community Development Financial Institutions Fund in the Department of the Treasury and funded that well for the coming year, the 2006 fiscal year.

So there were those and a whole number of other occasions when we were able to work together well.

AMENDMENT OFFERED BY MR. CLAY

Mr. CLAY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CLAY:

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

SEC. 948. None of the funds made available in this Act may be used to provide mortgage insurance under the National Housing Act (12 U.S.C. 1701 et seq.) for any mortgage or loan made by a lender that has been determined, by the Secretary of Housing and Urban Development, under the Home Mortgage Disclosure Act of 1975 (12 U.S.C. 2801 et seq.) to have engaged in lending practices that are not prudent.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Missouri (Mr. CLAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. Mr. Chairman, I yield myself such time as I may consume.

The amendment seeks to prohibit funds available in this Act for the provision of mortgage insurance under the National Housing Act to lenders who engage in lending practices that are not prudent as referenced in the Home Mortgage Disclosure Act and the FDIC Improvement Act.

□ 1630

Given the chairman's willingness and commitment to collaborate with the ranking member from Massachusetts, the gentlewoman from Texas (Ms. JACKSON-LEE) and I seek to engage the conferees to include language that speaks to the issue referenced in this amendment.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise as a cosponsor of this amendment.

Specifically, the amendment seeks to prohibit funds in this act for the provision of mortgage insurance under the National Housing Act to lenders who engage in lending practices that are not prudent, as referenced in the Home Mortgage Disclosure Act and FDIC Improvement Act.

The gist of this amendment is to stop predatory lending. I want to pay tribute to the National Community Reinvestment Coalition and the hearing that was just held with the members of the Committee on Financial Services, including the gentlewoman from California (Ms. WATERS), the gentleman from North Carolina (Mr. WATT), and the gentleman from Missouri (Mr. CLAY), that presented this report from the National Community Reinvestment Coalition that indicated minorities, women, and low- and moderate-income borrowers across the United States of America receive a disproportionate amount of high-cost loans.

It also says that the Community Reinvestment Act has been unsuccessful, for example, in examining subprime lenders. So they have not been able to weed out those who might raise the interest rates so high that minorities and women and others are impacted negatively.

In order to improve the housing market and to give access to better interest loans, we believe that there should be greater oversight. So this amendment was constructed to provide greater oversight.

I am delighted to be able to join the gentleman from Missouri (Mr. CLAY) on this amendment, but I hope that we will have the opportunity to work with our colleagues and really be able to provide an answer to this report, the ''2004 Fair Lending Disparities: Stubborn and Persistent.''

Mr. CLAY. Mr. Chairman, reclaiming my time, I thank the gentlewoman for her willingness to cosponsor the amendment. I also thank the chairman for his willingness to talk to us about this amendment, and I appreciate this opportunity.

Mr. KNOLLENBERG. Mr. Chairman, will the gentleman yield?

Mr. CLAY. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I do appreciate and share the concern that my colleagues have about abusive lending practices and the need to eliminate predatory lending by financial institutions. I also recognize that HUD has been working on a regulation for more than 3 years to address the problem, the very problem my colleague mentioned.

I commit to my colleagues that, as this bill moves forward, I will work with my colleagues to include report language which helps to evaluate and accelerate a solution to what is a national problem.

Mr. CLAY. Mr. Chairman, reclaiming my time, I thank the chairman. I also wanted to make him aware that there is legislation being crafted by our colleagues, the gentleman from Ohio (Mr. NEY) and the gentleman from Pennsylvania (Mr. KANJORSKI), as well as the gentleman from California (Mr. GEORGE MILLER) and the gentleman from North Carolina (Mr. WATT), to address this issue and it is winding its way through the Committee on Financial Services.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. CLAY. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I want to make sure that we acknowledge and yield to the ranking member and thank him for his interest in this area and, of course, to be able to work with him during conference on this very important issue of trying to stop predatory lending.

Mr. OLVER. Mr. Chairman, will the gentleman yield?

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

Mr. OLVER. Mr. Chairman, I appreciate my colleagues for bringing this matter before the House, as I agree that predatory lending is a well-recognized problem in many jurisdictions around the Nation. I will be happy to work with the chairman, as he has already indicated, to work with our colleagues as we go on through this process to conference in bringing this legislation to fruition, which will be some months from now.

Ms. JACKSON-LEE of Texas. Mr. Chairman, if the gentleman from Missouri will continue to yield, I want to thank the chairman very much. I did not hear the conclusion; I do not know if the gentleman from Michigan concludes after we conclude, with respect to report language, but I assume that is what we might be able to work with the chairman on.

Mr. CLAY. Mr. Chairman, reclaiming my time, I appreciate the cooperation of all sides on this issue. The chairman has given a commitment to work with us, and at this point I thank also the gentlewoman for her willingness to cosponsor the amendment.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AMENDMENT OFFERED BY MS. VELÁZQUEZ

Ms. VELÁZQUEZ. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. VELÁZQUEZ:

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

SEC. _____. None of the funds made available in this Act may be used by the General Services Administration to carry out the eTravel Service program.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentlewoman from New York (Ms. VELÁZQUEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, small businesses still struggle to participate in the Federal marketplace. For the past 4 years, the Federal Government has not met its small business contracting goal, costing entrepreneurs billions of dollars in lost opportunities.

By failing to take advantage of their exceptional quality and reasonable prices, the Federal Government is losing out on the best value for taxpayers' dollars.

One of the primary reasons the Federal Government has failed is because of contract bundling. These megacontracts have been responsible for a 56 percent drop in available contracts to small businesses in 9 years. After all this time, we have yet to see one dime in savings of taxpayers' dollars.

The latest chapter in small business lost opportunity comes from the General Services Administration. GSA is moving forward with an ill-conceived megacontract called e-travel. With this contract, GSA is poised to eliminate a whole sector of the small business community, travel agents, from working with the government. This is an industry small businesses dominate, as 99 percent of its firms have 30 employees or less.

This move is despite the President's small business agenda and his repeated statements that contracts should be broken into smaller pieces. Completely ignoring this, GSA is cutting small businesses out, all in the name of streamlining, which they cannot even prove.

It is not a new issue. In fact, recognizing the potential harmful impact that this contract will have for small businesses and local economies, the conference report for the fiscal year 2004 omnibus appropriation took the

extraordinary step of telling GSA it needs to preserve these contracts for small businesses.

Despite this mandate, GSA did just the opposite, and made the e-travel project mandatory barely 1 month after the conference report. This means that no local or Federal office can use their neighborhood travel agency, even if they already have for years.

The results of GSA's actions are massive losses which industry estimates project costing small travel agencies at least $100 million in contracting opportunities, and possibly more. With only 78,000 jobs being created last month, can we afford to lose out on more opportunity in areas of the country that so desperately need jobs?

GSA is ignoring the President's small business agenda designed to increase contracting opportunities. They are ignoring the will of Congress. They care nothing about saving taxpayers' dollars. The amendment I am offering today will make sure they listen and stop pushing small businesses out of the Federal marketplace.

Let us not forget the important role small travel agencies have played. On September 11, when thousands of people were stranded in airports, they took as long as was necessary to figure out ways to get people home. When people stopped traveling out of fear, they got them going again. The thanks they got from the airline industry was a loss of booking fees and direct competition. The airline industry decided it could do their job.

Now the Federal Government is telling them that their services are no longer needed. This is not only shortsighted, but it fails to recognize the value that these companies add.

My amendment will balance contracting opportunities in the travel industry, much like the previous system. It would allow large providers to perform on the national contracts, but it would not prevent a Federal agency from using a local travel agent if that is what they prefer to do.

Let me make one thing clear. If this amendment is not adopted, not one single small business travel agent will be able to do business with Federal agencies, and this is outrageous. These megacontracts have clearly gone too far; and it is time that we say enough is enough.

This amendment has received the support of the Society of Government Travel Professionals, as well as the U.S. Women's Chamber of Commerce. I am urging my colleagues today to protect small business contracting by supporting this amendment.

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

The CHAIRMAN. The time of the gentlewoman from New York (Ms. VELÁZQUEZ) has expired.

Does any Member seek to claim time in opposition?

Mr. KNOLLENBERG. Mr. Chairman, I seek the time in opposition, and I yield myself such time as I may consume.

I oppose this amendment because it will shut down the GSA e-travel program.

In 1996, GAO recommended that travel management should be consolidated government-wide; and in 2001, they found that decentralized travel operations at the agency level resulted in the following: inconsistent and/or duplicative travel processes and procedures. It is costly to maintain these multiple, redundant systems on a stand-alone basis and with an inability to effectively monitor and manage the travel function at the agency level.

Further, many agencies were developing expensive in-house custom systems. These ''boutique'' systems, if you will, were not connected, causing a heavy burden on the traveler. OMB recommended that a common government-wide travel management service would significantly improve the traveler's experience and save the government money. Government-wide e-travel is projected to save approximately $450 million over the 10-year cycle. It is expected to achieve a 15 percent savings in transactional costs over status quo in the base period of the contract, and 20 percent in outlying years.

So I do not believe that this is the answer that the gentlewoman is seeking, which brings forward the shutdown, entire shutdown of the e-travel program. So I would suggest that we all unite and vote against this amendment.

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

Mr. OLVER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am going to support the amendment that has been offered by the ranking member of the Committee on Small Business; and for the reason, I will just cover it simply, for the reason that in the conference report for the fiscal year 2004 omnibus appropriation covering GSA, concern was expressed about the mandatory nature of the e-travel service.

In fact, the report states, and I am quoting from the report: ''The conferees agree that GSA has been responsive to the House's concerns that e-travel initiatives should not involve mandatory participation by Federal agencies. Furthermore, the conferees agree that in its management of e-travel prime contractors, GSA should seek to preserve that portion of the Federal travel agent business that is currently served by small businesses and local entrepreneurs.''

Now, not to demand that there be a particular portion or whatever that goes to those Federal travel agent businesses that are currently served by small businesses and local entrepreneurs but, rather, to point out that the vast majority, probably over 90 percent of travel agencies have fewer than 30 employees, and are, therefore, categorized as small businesses.

While I recognize what the chairman has said, that sometimes by a very large economy-of-scale kind of contract you give everything to one, you can then wipe out the small businesses from being able to compete in that process, I think that, as I have quoted from the conference report for the 2004 appropriations act concerning GSA, there was the sense of the Congress that we did not want that to happen, that we wanted some of this business to remain with the local and small business entrepreneurs.

So I support the amendment.

Ms. VELÁZQUEZ. Mr. Chairman, will the gentleman yield?

Mr. OLVER. I yield to the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Chairman, I just would like to respond for the record to a statement made by the chairman that the e-travel will save taxpayers' money. Let me just say that an industry review of the booking fees listed on the Federal Supply Schedule, it appears that GSA's figures on travel booking fees may have been estimated too high by as much as $20 per transaction, and these are the big industries, the big travel agencies, not the small businesses.

□ 1645

Mr. KNOLLENBERG. Mr. Chairman, I yield myself the balance of my time.

Let me say this about the amendment. What the amendment would do, it would shut down E-travel, just shut it down. The E-travel system saves money, saves taxpayers money and is easier to navigate for travel. The answer to the question that she has does not involve shutting down E-travel.

I would simply urge a no vote on this amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ).

The question was taken; and the chairman announced that the noes appeared to have it.

Ms. VELÁZQUEZ. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ) will be postponed.

AMENDMENT OFFERED BY MR. WYNN

Mr. WYNN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WYNN:

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

SEC. 948. None of the funds made available by this Act may be used to pay a Federal contractor with respect to a contract if the contractor—

(1) fails to enter into a subcontract with a small business in accordance with the contractor's subcontracting plan (under section 8(d) of the Small Business Act (15 U.S.C. 637(d)) for the contract, unless the contractor provides written justification; or

(2) was not in compliance under a previous Federal contract with the contract clause required by section 8(d)(2) of the Small Business Act (15 U.S.C 637(d)(2)) with respect to timely payment, as found by the awarding agency, and is the subject of litigation or an administrative claim relating to a late payment to a subcontractor by the contractor.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of June 29, 2005, the gentleman from Maryland (Mr. WYNN) and a member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Chairman, I yield myself such time as I may consume.

In this House, we frequently proclaim the importance of helping small businesses. Consider, in fact, that the Small Business Act states, in part, it is the policy of the United States that small business concerns shall have the maximum practical opportunity to participate in the performance of contracts let by any Federal agency, including subcontracts.

Mr. Chairman, my amendment addresses two issues that are, in fact, already part of the Small Business Act but continue to be problems for the small business community. First, under current law, proclaimed by the Small Business Act, it is required that the successful bidder shall have a subcontracting plan included in the contract, and that prior compliance of the bidder with other subcontracting plans shall be considered by the Federal agency to determine if the bidder is responsible in the award of the contract.

However, the fact is that, in far too many cases, the subcontractors that are listed on the subcontracting plan of the bidder that wins the contract are never used to perform the contract work. As a result, small businesses, women-owned businesses, African American businesses, other ethnic minority businesses who, we are told, are being included in Federal contracting are, in fact, often excluded. They are not allowed to perform the work. This practice constitutes fraud and undermines small businesses, and we need to put a stop to it.

My amendment penalizes Federal contractors that fail to subcontract with small businesses as submitted in their subcontracting plan. Should the contractor not use the subcontractor laid out in their plan, the amendment requires that the contractor provide written justification or lose the award. Small business contractors deserve adequate protection from dishonest contractors.

The second issue raised in this amendment is a problem that, in many cases, after a subcontractor successfully performs the work they are not being paid in a timely manner to allow them to meet their obligations. Again, the Small Business Act currently addresses this issue. It says that the policy of the United States is that prime contractors establish procedures to ensure the timely payment of amounts due pursuant to the terms of their contracts with small businesses.

Unfortunately, all too often this does not happen. It is hard enough to survive in business without the added burden of late payments affecting cash flow and growth potential. Small businesses cannot afford to wait long periods of time to be paid after completing a job, especially a small business contracting on a government contract.

A growing number of small businesses have complained to me about the threat to their survival as a result of having late payments or having to pursue claims through litigation or administrative procedures in order to get paid. This problem has caused me to introduce prompt payment legislation in the last few Congresses. This amendment addresses the problem by providing that when a prime contractor has been found to be out of compliance with prompt payment provisions, or are the subject of administrative claims or litigation, they should be denied the ability to be awarded Federal contracts.

My amendment addresses the problem of subcontractors not receiving payment for services to a prime contract in a timely manner. We need to stop paying lip service to the small business community and roll up our sleeves and address the specific problems they confront. They confront the problem of being listed in Federal contracts but never used, and they confront the problem of not being paid on time and having to pursue litigation remedies. This amendment will address both of these issues. I believe it is, in fact, germane to the bill that no money shall be used to pay contractors who violate these two provisions, accurate subcontracting and prompt payment.

I urge adoption of the amendment.

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

POINT OF ORDER

Mr. KNOLLENBERG. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI. That rule states in pertinent part, an amendment to a general appropriation bill shall not be in order if changing existing law. This amendment requires a new determination, and I insist on the point of order.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. WYNN. Mr. Chairman, I would just add that this bill does not change existing law. If you will note, I actually read into the RECORD the status of existing law regarding the requirement to list your subcontractors and the requirement for prompt payment. This bill merely adds the provision to enforce existing law.

The CHAIRMAN. Do any other Members wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The amendment offered by the gentleman from Maryland would require a new determination by the relevant executive branch official. Specifically, the amendment would require a determination of whether a contractor has a history of late payments or is the subject of litigation. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the amendment is not in order.

AMENDMENT OFFERED BY MR. VAN HOLLEN

Mr. VAN HOLLEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. VAN HOLLEN:

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

SEC. ____. None of the funds made available by this Act may be used to implement the revision to Office of Management and Budget Circular A–76 made on May 29, 2003.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Maryland (Mr. VAN HOLLEN) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 5 minutes.

The Chair recognizes the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Chairman, I yield myself 3½ minutes.

Mr. Chairman, this amendment deals with the process that we now have in place in the Federal Government for contracting out work that is performed by Federal employees around the country, in other words, what process is in place for privatizing certain Federal Government jobs. That process, which is known by the Office of Management and Budget, A–76 process, is a broken process. In fact, both Federal Government employees and private contractors have serious legitimate concerns and complaints about the existing competitive sourcing process. This amendment would, in fact, encourage OMB to go back to the drawing board and develop a competitive sourcing process that addresses everybody's concerns. And it is an amendment that is identical, word for word, to an amendment that has passed the House on this appropriations bill in the last 2 years.

And we have passed this bill for the past 2 years for a very simple reason. We recognize that the existing contracting out process is unfair and that it needs to be fixed. And that has not changed from last year to this year. In fact, already this year the Appropriations Committee and this House have recognized the fact that the existing contracting out process is broken because we have passed a number of bills to change that on an ad hoc basis. For example, the Defense appropriations bill, which has already passed this House, changed the A–76 contracting

out rules for Department of Defense Federal employees in a number of ways. It insured, first of all, that Federal employees of the Department of Defense would always have the opportunity to compete to keep their jobs through forming what is known as the most efficient organization. The Defense appropriations bill also required that when a private contractor is trying to take over work it demonstrates that it can provide some minimal level of savings to the taxpayer. After all, that is what competition should be about.

That is something the GAO has recommended, and it is something the Appropriations Committee put in the Defense appropriations bill but it is not part of the normal contracting out process. The Defense appropriation bill also prevents private contractors from gaining an advantage by providing less health benefits to their employees. We as a Federal Government should be setting an example to the public, not trying to encourage people to dump health coverage for their employees. And so the appropriations for defense did that.

There are also things we did with respect to the authorization bill for the Defense Department that changed the contracting out rules. For example, we made sure that during the appeals process, that the appeals rights of Federal employees would be the same as appeal rights for private contractors. That seems to make sense. That is only fair.

In fact, if you look at different appropriations bills that have come out, the Homeland Security appropriations bill, the Interior appropriations bill, the Agriculture appropriations bill, all of those bills had changes to this contracting out process.

So the question arises if the Appropriations Committee itself has changed the contracting out rules in all these other bills, does it not make sense to ask the Office of Management and Budget to go back and get it right, come up with a uniform policy that applies governmentwide, rather than have five different tests in different appropriations bills.

That is what this amendment is all about. It does not get rid of the competitive sourcing rules. It would say to OMB, go back to the rules that were in place before May 2003 until you fashion a new set of rules that make sense for everybody.

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

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume.

The Van Hollen amendment harms taxpayers, in my judgment, by preventing agencies from conducting public private competitions under OMB's revised circular A–76. By forcing agencies to return to the rules of the old circular world, the old circular world would disadvantage, Number 1, Federal employees by allowing much of their work to be directly converted to private sector performance without even considering in-house capabilities or the cost implications of outsourcing. It will also harm taxpayers by making them bear the cost of processes that are outdated, inefficient and not results oriented. The advantages of the revised circular are that they were developed with broad input, broad input from the public to ensure competition is used in a fair manner that accommodates the diverse needs of our citizens. And it focuses on achieving the best results for the taxpayer by requiring agencies to evaluate cost and permitting agencies to also consider the quality of the service provided such as technology support and security.

I would just stop there, but suggest to the gentleman from Virginia that this is not a friendly amendment in regard to the taxpayer. It truly is not. The committee opposes it and certainly I oppose it, and I would ask or urge for a no vote.

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

Mr. VAN HOLLEN. Mr. Chairman, I yield myself 1 minute.

I would just pose the question to the subcommittee chairman, I thank him for those remarks, but if the current A–76 contracting out process works so well, if that is the ideal that we want to have, why has the Appropriations Committee, on five different bills that it has reported out, changed those rules with respect to several agencies?

With the Interior appropriations bill there was a rider that came out that passed the House that limited the amount of money that may be used for privatization review by the Department of the Interior and for the Forest Service specifically.

On the Homeland Security appropriations bill, you prevented the Department of the Interior from reviewing for privatization work performed by three different categories of employees who serve on the front lines of the war against terrorism.

On the Agriculture appropriations bill, the Appropriations Committee in this House included provisions that prevented the Department of Agriculture from reviewing for privatization any employees involved in rural development or farm loan programs.

□ 1700

So I would just say to my colleagues, if the existing system works so well, why has the Committee on Appropriations in this House this year already voted to change it in so many ways? Let us have a uniform policy that applies equally across Federal agencies.

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me respond to the gentleman's comments. Those appropriations bills, I believe there were five, it was different in each one of them because it was applied specifically, tailored to that particular bill and the operation of that bill.

Mr. Chairman, I yield 1½ minutes to the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Chairman, I appreciate the gentleman yielding me time. I appreciate the gentleman from Maryland (Mr. VAN HOLLEN) coming forth and asking questions which are very important, and I believe the chairman talked about that, and that is that where we believe appropriate that the government be involved in inherently government operations, the government should be. However, we know that this government is huge and has many areas in which they are not only behind in their ability to be prepared technologically-wise but also to meet the demands and needs of taxpayers and people out in this country who need to make sure that this government works and works properly.

I would like to remind the gentleman that this is part of the President's management agenda, part of the management agenda where he has talked very clearly to the American public and to Congress about things where we need to change, to change and incorporate changes so that taxpayers and people in need are able to get better benefits and better services.

What the gentleman is doing today says, we are going to wipe out the President's management agenda. We are not going to allow competitive outsourcing and then come to the floor and say, look, you have done it five times. Is that not an indication that this is a broken system?

It is not. It is a system that will continue to be reformed. What the gentleman from Michigan (Mr. KNOLLENBERG) has done is to say very clearly where reform is necessary, we will do it; but the taxpayers and people who need the things which government or government money does to implement change within our system is very important.

Mr. Chairman, I will tell you, I oppose the Van Hollen amendment and the taxpayers would too. I hope that our colleagues all hear this debate because it is important not only for taxpayers but for government efficiency.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this is not about getting rid of the competitive sourcing program. There always has been competitive sourcing in the government, and there will continue to be. The issue is what rules apply. I would suggest to my colleagues that the defense appropriations bill rider that was attached said when you have these competitions, you should at least demonstrate that the taxpayers would be saved some money. A minimum of at least 10 percent of the funds was a good idea. That was required by this House. That is not required by the current A–76 process. We should make that. That should not just apply to the Defense Department that we get a good deal for the taxpayer. That should apply.

The provision of health benefits, let us do what the House has already done

two times, which is adopt this exact language. We did it last year on this bill. We did it the year before. I urge my colleagues to do it again this year.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have no intention of taking 5 minutes. I just want to point out since my friend, the chairman, has the chance to close, I just want to point out that this amendment has been passed each of the last 2 years in the House by fairly strong bipartisan votes. And it has then gone to conference committee and never reappeared from the conference committee in either of those years.

It suggests that there is no intention on the part of the majority of adhering to the will of the House which ought to carry at least as much weight as the President's management agenda, so-called, and so I am going to just urge that we again pass this and give the conference one more chance to reject the will of the House, which seems to be its full intent year after year to do and thereby show its total contempt for the will of the House of Representatives.

Mr. KNOLLENBERG. Mr. Chairman, I yield myself the balance of my time.

In closing very quickly, the gentleman from Maryland (Mr. VAN HOLLEN) referenced the fact that his idea actually was passed last year, included in the bill and there was a threat of a veto then, and so it was removed from the bill. And this administration is prepared to do the very same thing this year. So I would suggest to him that it is enough of a problem or an annoyance to them that it will be something that will be subject to a veto threat and perhaps go through the same process again.

Mr. WAXMAN. Mr. Chairman, I rise in support of the Van Hollen amendment to H.R. 3058, the Transportation, Treasury and HUD Appropriations bill for FY 2006.

Representative VAN HOLLEN's amendment would prevent the Administration from using federal funds to conduct public-private competitions under the new A–76 process announced in May of 2003. The amendment stops the Administration from playing politics with the civil service system and it deserves your strong support.

The independent think tank, the Brookings Institution, and others explain that the true size of the federal government includes the "shadow workforce" of private contractors. Brookings has found that the private contractor workforce of the federal government is now 16.7 million. That is almost 10 times the size of the federal civil service.

The rush to privatize the civil service system is dangerous, because when the government turns to poorly supervised private contractors, the potential for waste, fraud, and abuse soars.

This is not my assessment. GAO has issued countless reports on contractor abuses and inadequate contract management by federal agencies. The problem is so bad that contract management at DOD, the Energy Department, and NASA—the three agencies that most heavily rely on contractors—has been on GAO's list of "high risk" federal programs for years. And to make matters worse, agencies, particularly DOD, have cut the number of acquisition personnel in a misguided attempt to save money. That means that there are not enough people to conduct adequate contract oversight.

The Van Hollen amendment prohibits public-private competitions from being conducted under revised rules that give an unfair advantage to private contractors. It's passage would provide Congress and the Administration the opportunity to address several critical matters, including: creating a reliable way to keep track of the costs of service contractors, guaranteeing federal employees the right to compete fairly for their jobs before they are privatized, and ensuring a level playing field by giving federal employees the same legal rights as contractors enjoy.

The Washington Monthly has written that, "even the federal payroll can become a source of patronage. . . . And while doing so may or may not save taxpayers much money, it will divert taxpayer money out of the public sector and into private sector firms, where the GOP has a chance to steer contracts towards politically connected firms."

We must stop the destructive and misguided effort to send federal jobs to private contractors at any cost. Vote "yes" on the Van Hollen amendment and stop this Administration's war on federal employees.

Mr. KNOLLENBERG. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. TERRY). The question is on the amendment offered by the gentleman from Maryland (Mr. VAN HOLLEN).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. VAN HOLLEN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland (Mr. VAN HOLLEN) will be postponed.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting Chairman. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

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

SEC. 948. None of the funds made available in this Act may be used to implement section 12(c) of the United States Housing Act of 1937 (42 U.S.C. 1437j(c)).

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order on the amendment.

The Acting CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I discuss this amendment to help educate my colleagues and to remind them that this amendment was passed in previous Congresses and the work of many of my colleagues, including the gentleman from New York (Mr. RANGEL), has been ongoing to try to bring fairness to this process.

I would first like to say that none of us disagree with the idea of volunteer service. But my amendment simply says that it prohibits the use of funds in this act to implement the community service requirement for public housing tenants.

This proposal has a long history, and of course the reason is because this is a difficult provision to enforce. Part of the enforcement in this time of decreasing public housing is to evict individuals from public housing, the individuals who are most vulnerable, the individuals who are most needy, and the individuals who may be least able because of their physical condition to perform community service.

I have a letter here from the National Association of Housing and Redevelopment Officials which indicates: ''Dear Representative Jackson-Lee: I write on behalf of the National Association of Housing Redevelopment Officials to support your amendment to halt the implementation of the public housing community service requirement. This organization is the Nation's oldest and largest association of housing community development professionals and the leading advocate for adequate and affordable housing and strong, viable communities for all Americans, particularly those with low and moderate incomes. Our 21,000 agency and individual members help millions of families nationwide find safe and affordable housing.

''This organization has been opposed to the community service requirement since its enactment in 1998. Although a limited percentage of families nationwide meet the criteria for being subject to the community service requirement, all families must be screened and tracked for compliance. This requirement is an unfunded mandate that public housing can ill afford. In time of scarce resources, we believe that Federal funds could be better focused on maintaining safe, decent housing for 12 million low-income families.''

In essence, they are committed to providing this service themselves.

In fact, they say, ''many agencies partner with local service organizations to assist in case management and provide services. Other communities find it is necessary to augment local resources with programs and services that are easily accessible by public housing communities. The community is in the best position to make this decision.''

This amendment is a clean-up amendment. It allows the local authorities to provide the opportunities for community service, but it does not burden those public housing entities by

using Federal funds to require the oversight and then to evict those most needy for public housing.

I would ask my colleagues to support this amendment.

NATIONAL ASSOCIATION OF HOUSING AND REDEVELOPMENT OFFICIALS,
Washington, DC, June 29, 2005.

Hon. SHEILA JACKSON-LEE,
Rayburn House Office Building,
Washington, DC.

DEAR REPRESENTATIVE JACKSON-LEE: I write on behalf of the National Association of Housing and Redevelopment Officials (NAHRO) to support your amendment to halt the implementation of the public housing community service requirement under Section 12(c) of the US Housing Act of 1937. NAHRO is the nation's oldest and largest association of housing and community development professionals and the leading advocate for adequate and affordable housing and strong, viable communities for all Americans—particularly those with low- and moderate-incomes. Our 21,000 agency and individual members help millions of families nationwide find safe, affordable housing and economic opportunities through a variety of local, state, and federal programs, such as Public Housing, Section 8 Housing Vouchers, Community Development Block Grants, HOME and the Low Income Housing Tax Credit.

NAHRO has been opposed to the community service requirement since its enactment in 1998. Although a limited percentage of families nationwide meet the criteria for being subject to the community service requirement, all families must be screened and tracked for compliance. This requirement is an unfunded mandate that public housing can ill afford. In a time of scarce resources, we believe that federal funds could be better focused on maintaining safe, decent housing for 1.2 million low-income families, 47 percent of which are headed by the elderly or persons with disabilities, and supporting self-sufficiency programs that get real results.

Total funding for public housing has declined steadily in recent years. The President's FY 2006 budget requested 20 percent less funding for public housing than Congress provided in 2001. A Harvard Operating Cost study found that public housing has traditionally been underfunded compared with all other assisted housing. At the same time, basic housing operating costs have increased exponentially due to factors beyond local agencies' control, including employee health care costs, energy and utility costs, and public facilities insurance increases following 9/11. The cumulative effect of several years of this funding crunch has been to undermine local agencies' ability to provide basic services and maintain our country's $90 billion investment in affordable public housing.

We are pleased that Subcommittee Chairman Knollenberg and Ranking Member Olver have been able to improve upon the President's requested funding levels for Public Housing Capital and Operating Funds in HR 3058. Despite their efforts in this area, however, public housing is far from fully funded. With so many stresses on our public housing, the unfunded mandate of the community service requirement is simply a drain on local agencies' ability to meet the core mission of providing housing and meaningful support for families seeking a better life.

Thank you for your efforts to remove this unfunded mandate and pennit local housing agencies to focus on our core mission of assisting families and preserving the country's investment in affordable housing.

Sincerely,

SAUL N. RAMIREZ, Jr.,
Executive Director.

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

Mr. KNOLLENBERG. Mr. Chairman, I withdraw my point of order.

The Acting CHAIRMAN. The point of order is withdrawn.

Mr. KNOLLENBERG. Mr. Chairman, I rise to claim time in opposition to the amendment.

Mr. Chairman, in 1998 the last time the Congress authorized the public housing and section 8 programs, they established this policy that tenants of public housing should undertake two responsibilities: number one, they should do some community service. The act requires that individuals in public housing do 8 hours of public service each month. There are numerous exemptions from their requirements for those that cannot do even the most minimal amount of service. The act also requires tenants to be part of the self-sufficiency program, a program designed to help tenants get jobs, keep jobs, and move off and out of public housing so other people may benefit.

My own view is that this was a sound policy then, and it is a sound policy now. Neither appears to be a huge burden and the Department of Housing and Urban Development has not indicated any large-scale problems with the provision that would need this type of action.

This is clearly an amendment that should be taken to the authorizers, and they are, by the way, right now reviewing all public housing assistance programs. So until Congress changes the policy, I believe that the policy should remain in force.

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, many of these residents are not able-bodied; and as indicated by the National Association of Housing and Redevelopment Officials, it is best utilized at the local levels. They have been partnering with local organizations to try to work through service. We all believe in service.

This is an unfunded mandate. It is a burden on those who are most vulnerable in housing that cannot, either because of their physical or mental condition, perform this service and they are vulnerable to conviction.

I would suggest to my colleagues it is worthy of eliminating.

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

Mr. KNOLLENBERG. Mr. Chairman, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Chairman, how much time remains?

The Acting CHAIRMAN. The gentlewoman from Texas (Ms. JACKSON-LEE) has 1½ minutes remaining.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me indicate that I believe it is an unfunded mandate; but more particularly I hope that we will get to a point, if this amendment is not accepted by my colleagues, that we can come together and work for what is best for those most vulnerable. That is what public housing is for.

When it was passed in 1998, there were many good intentions. It was in the climate of welfare reform. But it is an unfunded mandate. It is burdensome. And it is disrespectful to suggest that those who are poor are not desirous of public service. It is discriminatory and it is unfair, patently so.

I hope that my colleagues will work together with many of us who believe that we can ensure good citizenship by those in public housing; at the same time we can be fair by making sure that they do not get the ultimate penalty which is eviction and force unfunded mandates and public housing authorities who can least afford this in this time of declining funds.

This is a burden. And I would ask that they go in any neighborhood of homeowners and ask the homeowners association whether or not to stay in your house, other than keeping your own house in a good condition, whether you are demanded to perform public service. Public service should be voluntary, and it should be out of your heart. I can assure you that poor people believe in public service. This is high-handed, up-handed, if you will, and elitist; and we know that it is a problem. And I would hope that my colleagues would vote for my amendment.

In the option they do not, we will keep working because we believe in fairness to all who are deserving of public housing and who need public housing and are the most vulnerable.

I ask my colleagues to vote for this amendment.

Mr. KNOLLENBERG. Mr. Chairman, I yield myself the balance of my time.

I just reiterate what I said. I am in opposition to the amendment, and I urge everyone to oppose this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was rejected.

□ 1715

AMENDMENT OFFERED BY MR. PICKERING

Mr. PICKERING. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN (Mr. TERRY). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PICKERING:
Page 224, insert after line 8 the following:

TITLE X—LIMITATION

SEC. 1001. None of the funds contained in this Act may be used to enforce the Individuals With Disabilities Parking Reform Amendment Act of 2000 (D.C. Law 13—279).

The Acting CHAIRMAN. Pursuant to the order of the House of June 29, 2005,

the gentleman from Mississippi (Mr. PICKERING) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 5 minutes.

The Chair recognizes the gentleman from Mississippi (Mr. PICKERING).

Mr. PICKERING. Mr. Chairman, I yield myself such time as I may consume.

I rise today with an amendment at the desk. I want to thank the chairman of the Committee on Appropriations subcommittee for his work on this. I want to thank the gentlewoman from the District of Columbia (Ms. NORTON) for her attention and help. I also want to thank the responsiveness of the Mayor's office and the city council.

I will submit into the RECORD at this point letters from the Mayor's office and from Carol Schwartz, council member on the District of Columbia council.

Quickly, let me tell my colleagues the issue that was brought to my attention by one of my constituents in the last week, and as we come to the 4th of July, when millions will come to the District, when thousands of veterans, many of whom are disabled, will be visiting our Nation's capital and going to our monuments, what was brought to my attention by Viola Cupit from Bogue Chitto, Mississippi, who called my office last week.

She had come to our Nation's capital. She happens to be disabled. She has a disabled license plate from the State of Mississippi. She parked on Constitution Avenue. The parking sign says disabled, 4 hours free parking. She thought that she was correctly parked and would not face any fine or ticket.

She returned to discover that it is free for D.C. residents, but not free for those who travel to our Nation from other States. If you are from Mississippi or from Tennessee or from California, if you were to come to the District, you are disabled and you were to park, you would either have to pay or go to the DMV, which can be a long, difficult and frustrating process in the District of Columbia to get a District disabled placard card.

Now, we know in our Nation's capital that we want equal treatment. We do not want discriminatory treatment, especially for our disabled citizens and veterans. We do not want to see them differently. I do not think it was the intent of the District of Columbia and their regulations to have this unequal, discriminatory treatment; but it nonetheless is.

I think the intent of the letters of the Mayor and the city council member indicate that they want to correct this inequity.

I also want to submit for the RECORD a letter from the Paralyzed Veterans of America who have also asked that this discriminatory practice cease, and they stand willing and ready to work with the District of Columbia to have a fair policy.

I will insert the letters that I have referred to into the RECORD at this point.

PARALYZED VETERANS OF AMERICA,
Washington, DC, June 29, 2005.

Hon. CHARLES W. PICKERING, Jr.,
Washington, DC.

DEAR REPRESENTATIVE PICKERING: Paralyzed Veterans of America (PVA) is pleased to support your efforts to correct a policy of the District of Columbia to charge people with out of state placards for accessible parking. PVA expressed our concerns to the D.C. government before this policy went into effect. We oppose paying for accessible parking when in fact the parking is provided on a discriminatory basis. While we understand the need to curb abuse, we do not believe that the city made sufficient parking truly accessible or gives adequate notice to those who need it.

The current policy is confusing and discriminatory. Disabled drivers with D.C. placards or plates are allowed four hours of free parking. Drivers with a valid placard from any other jurisdiction must pay, but the only notice of the requirement to pay is on the sidewalk side of each meter. Simply finding that notice may require the person to get out of the car, wheel through traffic to a curb cut (assuming there is one), then wheel back on the sidewalk to the meter. At that point, the visitor can only hope that the meter itself is accessible.

PVA believes the District's policy violates the ''reciprocal agreements'' under Public Law 100–641 (23 CFR 1235). The law established guidelines for states and jurisdictions to follow in designing accessible parking spaces, placards and license plates and urged reciprocity in enforcement and parking privileges granted by other jurisdictions.

Again, thank you for your leadership on this issue. PVA is ready to work with you to ensure accessible parking privileges in the District of Columbia are equally available to all disabled drivers, regardless of jurisdiction.

Sincerely,

LEE PAGE,
Associate Advocacy Director.

COUNCIL OF THE DISTRICT OF COLUMBIA,
Washington, DC, June 30, 2005.

Hon. CHIP PICKERING,
Congressman, Third District, Mississippi, Washington, DC.

DEAR CONGRESSMAN PICKERING: I appreciated the opportunity to speak with you at length this morning about the District's enforcement of the ''Individuals with Disabilities Parking Reform Amendment Act of 2000.'' I am committed to revisiting the law to ensure that all disabled persons, regardless of where they live, are treated equally. This was always our intent, but I also recognize that there may have been some unintended consequences.

As I said in our conversation, I will work with the Mayor to develop satisfactory solutions to the problems we discussed, and I appreciate the opportunity to address your concerns.

I am available at your convenience to discuss the matter further if necessary, and may be reached in my office at (202) 724–8105.

Sincerely,

CAROL SCHWARTZ,
Councilmember, At-Large, Chair, Committee on Public Works and the Environment.

GOVERNMENT OF THE DISTRICT OF COLUMBIA, EXECUTIVE OFFICE OF THE MAYOR,
June 30, 2005.

Hon. CHARLES PICKERING,
Congressman, Third Districts, Mississippi, Cannon House Office Building, Washington, DC.

DEAR CONGRESSMAN PICKERING: On behalf of the Mayor, who is traveling out of town, I want to give you our administration's assurance and commitment to review the Individuals With Disabilities Parking Reform Amendment Act of 2000 to assure that it meets our intention that disabled visitors to our city enjoy equal treatment. We were seeking to curb abuses, not to create difficulties for disabled visitors to our city. We are especially proud to be an important tourist destination receiving 20 million visitors annually. We also take pride in our policies regarding equal treatment for disabled people. I would very much appreciate your courtesy in giving me the opportunity to work with Public Works and the Environment Committee Chair Carol Schwartz and our City Council to correct the flaws you have found in this statute. I appreciate your bringing this matter to our attention. I would be pleased to discuss this matter with you, or have the appropriate staff answer any questions you or your staff may have.

Thank you again for your attention to this important issue and for respecting our right to self-government by calling the matter to our attention.

Sincerely yours,

ROBERT BOBB,
City Administrator.

What I would like to do at this point is enter into a colloquy with the gentlewoman from the District of Columbia (Ms. NORTON) as to the steps that we hope will be taken to rectify this.

Ms. NORTON. Mr. Chairman, will the gentleman yield?

Mr. PICKERING. I yield to the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chairman, I thank the gentleman for doing so.

I rise to claim my time in opposition, but I do not intend to oppose because I believe when we are finished with this colloquy that the amendment will be withdrawn because of assurances from me and from the responsible officials in the District of Columbia.

If I may, I want to thank the gentleman for the way in which he handled this matter. First, I want everyone to know that the gentleman did not come to the floor first. The gentleman called the District of Columbia, and I want to apologize to the gentleman that the staff who handled this did not tell me that a Member of Congress had done them the courtesy of calling about a matter so that I might have become a part of this beforehand because the gentleman did exactly the right thing.

The gentleman from Mississippi went to the source of the problem to see if he was really reading correctly that disabled people who came here, for example in a wheelchair, might have to go to the DMV in order to take advantage of the same free parking that someone in a wheelchair here would have.

The staff involved simply told him the reason for the policy. The reason

for the policy is sometimes rather flagrant abuses by residents and nonresidents. Usually, the nonresidents live a whole lot closer to us, I say to the gentleman, than his own constituent from Mississippi, and as a result, this matter was not resolved, and the Member did what one might expect. This was the chance then that he had to do it. It came to my attention only last night.

At that point, I thought I ought to go upstairs and talk to not the staff who apparently had been involved but to the Mayor, the chair of the City Council and the chair of the committee that has jurisdiction.

The Mayor was getting on a plane. I did not have time to talk to him in depth, but he said something to the effect, you know, Eleanor, this is the mecca of equal opportunity; I cannot imagine how we can have unequal treatment of that kind. I told him about the DMV, and he is famous for jokes about the DMV.

The Acting CHAIRMAN. The gentleman from Mississippi's time has expired.

Mr. PICKERING. Mr. Chairman, if I could strike the last word.

Ms. NORTON. I have time.

The Acting CHAIRMAN. The gentleman is not permitted under the unanimous consent agreement to strike the last word.

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume.

I will in a moment yield to the gentleman from Mississippi for him to respond. I just wanted to explain myself because frankly I am embarrassed by the fact that the gentleman had to call our officials.

Needless to say, everyone has gone out of their way to assure the gentleman from Mississippi and to thank him frankly for bringing the matter to our attention. I just want to read one part of the letter on behalf of the Mayor from the city administrator, the top person under the Mayor.

''We were seeking to curb abuses, not create difficulties for disabled visitors to our city. We are especially proud to be an important tourist destination receiving 20 million visitors annually. We also take pride in our policies regarding equal treatment for disabled people. I would very much appreciate your courtesy in giving me the opportunity to work with Public Works and the Environment Committee Chair Carol Schwartz and our City Council to correct the flaws you have found in this statute.''

Ms. Schwartz, who is the committee chair, by the way the only Republican on the City Council, wrote, and she said that, ''this was always our intent, but I also recognize that there may have been some unintended consequences.'' She has spoken directly to the gentleman from Mississippi, and I am grateful that she herself spoke with him.

Again, could I invite all Members, when you see something like this, maybe we can get it done, maybe we cannot, but if you would follow the example of the gentleman from Mississippi and go directly to the source, but by the way, always tell me so I can hammer them, too; then we will try to correct such matters, to keep them from taking up the time of the House.

Mr. PICKERING. Mr. Chairman, will the gentlewoman yield?

Ms. NORTON. I yield to the gentleman from Mississippi.

Mr. PICKERING. Mr. Chairman, it is my understanding, based on our conversations, that the gentlewoman would encourage the city to do something similar to what they did when the World War II memorial was opened, and that is, to grant an emergency status to make sure that the disabled had free parking in the district. Is it the gentlewoman's intention to do so, and during the interim, until they are able to clarify the regulations, that no one would be ticketed that is disabled from out of the District who would come to visit our Nation's capital?

Ms. NORTON. Mr. Chairman, I want to assure the gentleman that they have represented to me, and I believe that they are sincere, that they meant no discrimination between the disabled out of state and the disabled here. Therefore, citing the precedent the gentleman himself has indicated, I will represent to him that there will be no disabled out-of-state tickets given during the time that this matter is being straightened out.

Let me also represent to the gentleman, because Members are accustomed to coming to me about tickets that should not have been issued, Members under certain circumstances may not get tickets in the District of Columbia. They sure know how to find me. I want my colleagues to know if they have any constituent who is ticketed during this interim period, they should find the Congresswoman from the District of Columbia so she can see that those tickets are not outstanding, and I represent that to the gentleman from Mississippi.

Mr. PICKERING. Mr. Chairman, if the gentlewoman would further yield, I want to thank the gentlewoman from the District for her very effective representation, her advocacy for her constituents. All politics is local. Nothing is more local than parking tickets; and as we go into the 4th of July, I thank the gentlewoman for her help for those who are disabled, especially our disabled veterans, to make sure that they do not face unequal or discriminatory treatment as they find their place to park on Constitution Avenue or by our monuments or wherever it may be.

Again, I thank the gentlewoman for the spirit in which we have worked together and look forward to other opportunities in the future.

Ms. NORTON. Mr. Chairman, I thank the gentleman, again, for the way in which he has handled this matter, and may I say as well that I thank him for bringing it to our attention. This is a tourist destination and is frankly embarrassing that this matter was not taken care of beforehand.

Mr. PICKERING. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. OLVER. Mr. Chairman, I hope for the last time I move to strike the last word, and I yield to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I thank my friend from Massachusetts for yielding to me.

I want to thank the ranking member for doing that, and I rise to speak about the issue of the FAA and school soundproofing funding.

I recently heard from a school in my district, the Lexington School in Queens, that was awarded Federal funding for soundproofing from the FAA, and I thank the gentleman for the time for a colloquy between himself and the ranking member and the chairman.

They have completed all of the initial investigations and are finalizing the specs as mandated by the FAA, and they anticipate obtaining bids by the end of this year. The school is now awaiting their promised soundproofing funds, which are now mysteriously being held up by the FAA because the school does not have bids in this fiscal year.

This certainly appears to be contradictory to the intent of Vision 100 legislation and FAA's own guidance on priorities for issuing discretionary funds which recognizes that a project is considered started if bids are received in the fiscal year or within 6 months from the end of the fiscal year.

I am concerned that other schools may also be waiting for delayed funding.

These soundproofing funds are vital for schools, and this money must be forthcoming.

I ask the chairman and ranking member if they will work with me to look into this concern with respect to the FAA funding for soundproofing.

Mr. KNOLLENBERG. Mr. Chairman, will the gentleman yield?

Mr. OLVER. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I thank the gentleman for raising his concerns on this matter. If there has been a slow-down in the release of Federal soundproofing dollars from the FAA, we do need to know. We appreciate the gentleman bringing this to the floor. I thank the gentleman for his comments and pledge to work with him on this issue.

Mr. OLVER. Mr. Chairman, I thank the gentleman from New York for raising the issue. I, too, am concerned about the reported slow-down in this release of funds for an obviously good cause, the release of soundproofing funds to eligible recipients, in this particular case, the Lexington School in Queens.

Though I do not know whether it is very close to La Guardia Airport or to Kennedy Airport, I, too, pledge to work with the gentleman from New York on this issue to ensure the early release of these funds.

Mr. CROWLEY. Mr. Chairman, will the gentleman yield?

Mr. OLVER. I yield to the gentleman from New York.

Mr. CROWLEY. Mr. Chairman, I thank my friends, the gentleman from Michigan (Chairman KNOLLENBERG) and the gentleman from Massachusetts (Ranking Member OLVER), for their commitment to helping me find a solution to this FAA funding as it pertains to soundproofing.

For the record, the Lexington School is about anywhere between a quarter mile or half a mile as the crow flies from La Guardia Airport, so it is very proximate, very close; and on behalf of my constituents, I thank both gentlemen for their assistance in this.

Mr. OLVER. I did not want to put it in the flight path of La Guardia Airport, so I brought in Kennedy Airport as well.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. The Chair reminds those that cell phone use on the floor is prohibited.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

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

SEC. ____. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''Department of Transportation–Surface Transportation Board–Salaries and Expenses'', and increasing the amount made available for ''Federal Aviation–Operations'' derived from the General Fund, by $5,000,000.

The Acting CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIRMAN. The gentleman from Michigan reserves a point of order.

The gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

□ 1730

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume to take this opportunity to discuss what I think is a very important issue.

While recognizing that this committee, the chairman and the ranking member, funded the air traffic controllers at the rate that the President asked for, at 595; and recognizing as well that there had been additional dollars placed in FAA for additional services which might be used for air traffic controllers, and I hope that will be the case, as recently acquiring Houston Intercontinental Airport in my Congressional district, and let me also say that I support the previous colloquy of the gentleman from New York (Mr. CROWLEY) on the dollars for soundproofing because all who live in the area are well aware of that need, but I wanted to quote for my colleagues the news report of the incident of yesterday: Stray Plane Sets Off Evacuation At Capitol. The last paragraph in the article in The Washington Post says ''A Federal official said radio communications between the pilot and the authorities indicated the pilot ended up in a restricted area while trying to avoid bad weather.''

I can only say, since it does not designate who the authorities were, that we know air traffic controllers are enormously busy. We are looking at increasingly congested skies and we are looking at overburdened and overworked air traffic controllers. In fact, in one airport in Texas, it was found that at this particular airport air traffic controllers and managers routinely covered up serious operational errors and deviations, including aircraft, for the last 7 years. The U.S. Office of Special Counsel said the controllers had allowed airplanes to fly too close to each other near the airport, and that supervisors either failed to investigate or did not report the incidents to the FAA headquarters as required. The independent Federal agency said the cover-up of controller mistakes have been jeopardizing air traffic safety.

We need more air traffic controllers, because 595, in my view, is certainly not enough. So my amendment was to offer $5 million that was offset by the Department of Transportation's Surface Transportation Board salaries and expenses.

This amendment is about establishing priorities. And even though the amount of monies is capped off and no more monies can be allowed in that particular account, I think that is an important issue. And I hope my colleagues, as they move into the next year and the next session in this appropriations process, they will recognize that our skies are getting busier and busier, our air traffic controllers are getting tireder and tireder, and they need increased training and they need relief.

I want to applaud our air traffic controllers. This is a very, very, very, very serious business. It requires great attention to detail. It requires nerves of steel, and we understand that. But the key is that there is a great need for more than 595.

Mr. Chairman, I will submit for the RECORD, at the appropriate time, this letter that I will read: ''I write this letter to support your amendment to H.R. 3058, to increase the amount made available for the Department of Transportation with respect to air traffic controllers. In these times of shortages of personnel and training, this amendment would provide much-needed relief to continued budgetary shortfalls. Please accept our a gratitude for your efforts.'' This is the National Association of Air Traffic Specialists.

So I am hoping we will have an opportunity to work on this. The point of order, of course, refers to the capping of this particular account, and I recognize the hard work of this committee, but I think in all seriousness, besides the danger that was proposed yesterday, we do know our skies are busy with small and large planes.

Mr. Chairman, the amendment seeks to increase the "Federal Aviation Administration Operations" account on page 6 by $5 million and would offset this amount from the "Department of Transportation-Surface Transportation Board-Salaries and Expenses" account in Title I.

This amendment is about establishing priorities. While the salaries of the staff within the Department of Transportation is of enormous concern, I would think that my colleagues would agree with me that providing funds to help navigate the ever-increasing air traffic is of a higher priority, especially given our new utilization of equipment such as we find at the Boston Terminal Radar Approach Control (TRACON)—which is America's newest FAA consolidated facility.

New technology requires adequate staffing. Therefore, my amendment would provide the necessary funds to make new employee recruitment and training possible. Problems exist within our Federal Aviation Administration, Mr. Chairman. I cite the June 24, 2005 article in the Dallas Morning News (page 1A) entitled "Agency: Air traffic errors covered up Controller at D/FW spurs inquiry into unreported close calls":

The U.S. Office of Special Counsel said the controllers had allowed airplanes to fly too close to each other near Dallas/Fort Worth International Airport and that supervisors either failed to investigate or didn't report the incidents to Federal Aviation Administration headquarters as required.

The independent federal agency said the cover-up of controller mistakes had been ''jeopardizing air traffic safety.''

''This was a substantial and specific danger to public safety,'' it said.

[Furthermore,] a number of corrective actions' were taken after a March report from the Department of Transportation's Office of Inspector General substantiated . . . allegations.

Specifically, the D/FW Terminal Radar Approach Control, or TRACON, was placed on probation for two years, the center's quality assurance manager was reassigned, and one air traffic controller was decertified.

In addition, the FAA placed the facility manager, operations managers, supervisors and other controllers on probation.

This citation alone underscores major problems in the system. In addition, it highlights the fact that the jobs should not be outsourced, an issue that my colleague Mr. SANDERS has championed.

The key national security function of Air Traffic Control Specialists was evident during and immediately after the horrific 9/11 attacks. During this national tragedy, Air Traffic Control Specialists communicated crucial instructions

to planes in the air and on the ground, and were responsible for re-starting air traffic in the days afterward. Air Traffic Control Specialists also play a vital role in keeping commercial and general aviation airplanes out of restricted airspace, including the restricted airspace around the White House. And, Air Traffic Control Specialists are critical during a natural disaster. For example, when hurricanes hit the Southeast last year, the FAA closed air traffic facilities in the region, but kept Flight Service Stations open and Air Traffic Control Specialists working to ensure the safety of airline passengers.

We should be strengthening, not weakening air traffic safety. In the 1980s we had 315 Flight Service Stations across the country. Today, we only have 61, and if the FAA gets its way there will only be 23 Flight Service Stations left in this country responsible for protecting over 600,000 general aviation pilots, as well as military and commercial pilots. This could only make our Nation's airspace less secure.

Mr. Chairman, we must support our Air Traffic Controllers by providing them with the support they need. I ask that my colleagues support this amendment.

NATIONAL ASSOCIATION OF
AIR TRAFFIC SPECIALISTS,
Wheaton, Maryland, June 30, 2005.

Hon. SHEILA JACKSON LEE,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE JACKSON LEE: I write this letter to support your amendment to H.R. 3058 to increase the amount made available for ''Department of Transportation—Surface Transportation Board Salaries and Expense Federal Aviation Operations Derived from the General Fund by $5,000,000. In these times of shortages of personnel and training this amendment would provide much needed relief to continuing budgetary shortfalls.

Please accept our gratitude for your efforts in this regard and let me know if I can be of any help in securing this amendment.

Sincerely,

KATE BREEN,
President.

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

POINT OF ORDER

Mr. KNOLLENBERG. Mr. Chairman, I insist on my point of order, and I would like to respond in this fashion.

I raise a point of order against the amendment. The amendment proposes to increase an appropriation not authorized by law and, therefore, is in violation of clause 2(a) of rule XXI.

Although the original account funding for FAA operations is unauthorized, it was permitted to remain in the bill pursuant to the provisions of the rule that provided for the consideration of this bill. When an authorized appropriation is permitted to remain in a general appropriations bill, an amendment merely changing that amount is in order; but the rules of the House apply a ''merely perfecting standard'' to the items permitted to remain and do not allow the insertion of a new paragraph, not part of the original text permitted to remain, to increase a figure permitted to remain.

The amendment cannot be construed as merely perfecting and, therefore, Mr. Chairman, I ask that the Chair rule the amendment out of order.

The Acting CHAIRMAN. Does anyone wish to speak on the point of order?

Ms. JACKSON-LEE of Texas. I do, Mr. Chairman. Let me say that I have acknowledged the point of order by the fact that the account itself is capped and, as was indicated, the issue regarding the authorization. But I raised this amendment, and I intend to withdraw this amendment, but I raised it because the discussion and the dollars are clearly needed.

I am hoping my colleagues will see that 595 air traffic controllers are not enough for the increasingly busy skies over the United States of America. I have cited in one airport the incident of air traffic controllers being cited for routinely covering up serious operational errors and deviations involving aircraft; I have cited, of course, the support by the National Association of Air Traffic Specialists.

I think that the difficulty is that we have a cap. We have $25 million for 595. I think we could use 1,000. Because of the budget shortfall, and because we do not have the money, we are faced with this dilemma. I happen to think the safety and security of Americans warrants increased dollars and an increased number of air traffic controllers.

I know that the busy airport I represent, Houston Intercontinental Airport, could stand additional well-trained air traffic controllers, the opportunity to give relief to air traffic controllers who, in fact, are working very hard. I am hoping, Mr. Chairman, that we will have an opportunity to work on this issue and recognize the dire needs and the crisis that we face if we do not continue to grow air traffic controllers, to train them and provide them the kind of support services necessary to protect the Nation's skies.

Mr. Chairman, I ask unanimous consent that I be allowed to withdraw my amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. OLVER. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, did the gentleman not already do that before?

Mr. OLVER. Mr. Chairman, yes, I have done this before. In fact, I was going to apologize to the staff and the chairman of the subcommittee for destroying the good working relationship that we have had over time, and that I complimented them so broadly about earlier, by actually offering this motion to strike the last word at a point when I really was not expecting to do so.

I do know that this may have lasting implications, given the work that has been done by Dena Baron, Cheryle Tucker, Dave Gibbons, Steve Crane, Tammy, Hughes, Kristen Jones, and David Napoliello, all of whom would dearly love to get off this floor and on to the votes that we have coming before us.

This bill has been a long slog year, and I have heard some people on the other side have had low-level headaches. There have been times here, as the afternoon has worn on, that I have nearly sunk under the table when amendments came, as long as the amendments we have had here today and yesterday, and with the votes on the rule on the day before, I think, though I may have lost a day in this process, so that there comes a point where I would be surprised if the chairman or I actually were able to remember our names. And it has been just suggested that I could also thank David Pomerantz of our staff, which is probably the only person I have not previously thanked.

And with that, Mr. Chairman, I do, in fact, apologize to the chairman and all of the staff, not only the majority staff but the minority staff as well, because the ranking member has concluded that he does not wish to speak.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: Amendment offered by the gentleman from Colorado (Mr. HEFLEY), amendment offered by the gentlewoman from Michigan (Ms. KILPATRICK), amendment offered by the gentleman from Wisconsin (Mr. OBEY), amendment offered by the gentleman from Ohio (Mr. BROWN), amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ), amendment offered by the gentleman from Maryland (Mr. VAN HOLLEN).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. HEFLEY

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 88, noes 338, not voting 7, as follows:

[Roll No. 352]

AYES—88

Akin
Andrews
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Blackburn
Brady (TX)
Brown-Waite, Ginny
Burton (IN)
Buyer
Cannon
Chabot
Chocola
Coble
Cox
Cubin
Davis (TN)
Davis, Jo Ann
Deal (GA)
Diaz-Balart, M.
Duncan
Feeney
Flake
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gibbons
Gohmert
Graves
Gutknecht
Harris
Hart
Hayworth
Hefley
Hensarling
Herger
Hoekstra
Hostettler
Inglis (SC)
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
King (IA)
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Manzullo
McHenry
McMorris
Mica
Miller (FL)
Musgrave
Myrick
Neugebauer
Norwood
Otter
Paul
Pence
Petri
Pitts
Poe
Price (GA)
Radanovich
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Sensenbrenner
Sessions
Shadegg
Shimkus
Stearns
Tancredo
Tanner
Taylor (MS)
Terry
Thornberry
Westmoreland
Wilson (SC)

NOES—338

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Baca
Baird
Baker
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Burgess
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Hastings (FL)
Hastings (WA)
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lynch
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (MN)
Pickering
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sullivan
Sweeney
Tauscher
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—7

Everett
Harman
Kingston
Peterson (PA)
Ross
Schiff
Waters

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. TERRY) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1805

Messrs. BECERRA, SPRATT, ISRAEL, BERMAN, and ABERCROMBIE changed their vote from ''aye'' to ''no.''

Mrs. MYRICK and Messrs. COBLE, POE, and SESSIONS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. KILPATRICK OF MICHIGAN

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Michigan (Ms. KILPATRICK) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 333, noes 92, not voting 8, as follows:

[Roll No. 353]

AYES—333

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Baca
Baldwin
Barrett (SC)
Barrow
Bass
Bean
Becerra
Berkley
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Bonner
Boozman
Boren
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chabot
Chandler
Clay
Cleaver
Clyburn
Coble
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doolittle
Doyle
Drake
Duncan
Edwards
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Gallegly
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Harris
Hart
Hastings (FL)
Hayworth
Hefley
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Hooley
Hostettler
Hoyer
Hunter
Hyde
Inglis (SC)
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
Kline
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larson (CT)
LaTourette
Lee
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders

Saxton
Schakowsky
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sherman
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Wamp
Wasserman Schultz
Watson
Watt
Weiner
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—92

Alexander
Bachus
Baird
Baker
Bartlett (MD)
Barton (TX)
Beauprez
Berman
Biggert
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boustany
Brady (TX)
Burgess
Cannon
Cantor
Carter
Chocola
Cole (OK)
Conaway
Cooper
Davis (KY)
Davis, Tom
Delahunt
Dicks
Doggett
Dreier
Ehlers
Farr
Flake
Frelinghuysen
Garrett (NJ)
Gilchrest
Granger
Graves
Hall
Hastings (WA)
Hayes
Hensarling
Hoekstra
Honda
Hulshof
Inslee
Istook
Jindal
Johnson (CT)
Johnson (IL)
King (NY)
Kirk
Knollenberg
Kolbe
Larsen (WA)
Latham
Leach
Levin
Lewis (CA)
Lofgren, Zoe
Lungren, Daniel E.
McCrery
McDermott
McMorris
Moran (VA)
Murtha
Neugebauer
Oxley
Paul
Petri
Price (GA)
Price (NC)
Pryce (OH)
Ryan (WI)
Sessions
Shadegg
Shaw
Shays
Sherwood
Smith (TX)
Smith (WA)
Snyder
Stark
Thomas
Thornberry
Upton
Walsh
Waxman
Weldon (PA)
Wilson (SC)
Young (AK)

NOT VOTING—8

Cox
Everett
Harman
Kingston
Peterson (PA)
Ross
Schiff
Waters

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1814

Mrs. JOHNSON of Connecticut and Miss MCMORRIS changed their vote from ''aye'' to ''no.''

Mr. BARRETT of South Carolina and Mr. WELLER changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. OBEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. OBEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 208, noes 215, not voting 10, as follows:

[Roll No. 354]

AYES—208

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Simmons
Simpson
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—215

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Smith (NJ)
Smith (TX)
Sodrel
Stearns
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiberi
Turner
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Everett
Harman
Kingston
Peterson (PA)
Ross
Schiff
Sherwood
Shuster
Sullivan
Waters

□ 1822

Mr. WAXMAN changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BROWN OF OHIO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. BROWN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 141, noes 284, not voting 8, as follows:

[Roll No. 355]

AYES—141

Ackerman
Allen
Baldwin
Barrow
Bartlett (MD)
Becerra
Berkley
Berman
Berry
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Brown (OH)
Brown, Corrine
Burton (IN)
Butterfield
Capps
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Conyers
Costello
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
Delahunt
DeLauro
Doggett
Edwards
Emanuel
Emerson
Evans
Farr
Fattah
Filner
Ford
Gibbons
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hastings (FL)
Hefley
Herseth
Higgins
Hinchey
Hinojosa
Hoekstra
Hoyer
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kennedy (RI)
Kildee
Kilpatrick (MI)
King (IA)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lowey
Lynch
Maloney
Manzullo
Matsui
McCarthy
McCollum (MN)
McDermott
McKinney
McNulty
Meehan
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moran (VA)
Nadler
Napolitano
Neal (MA)
Northup
Oberstar
Olver
Ortiz
Otter
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Pomeroy
Rangel
Reichert
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Scott (GA)
Serrano
Slaughter
Solis
Stark
Strickland
Stupak
Tancredo
Tauscher
Taylor (MS)
Tierney
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Watson
Watt
Weiner
Wexler
Woolsey
Wynn

NOES—284

Abercrombie
Aderholt
Akin
Alexander
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barton (TX)
Bass
Bean
Beauprez
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capuano
Carter
Castle
Chabot
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Cox
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Doyle
Drake
Dreier
Duncan
Ehlers
Engel
English (PA)
Eshoo
Etheridge
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hobson
Holden
Holt
Honda
Hooley
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Issa
Istook
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kind
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Mack
Marchant
Markey
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Norwood
Nunes
Nussle
Osborne
Oxley
Pascrell
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwartz (PA)
Schwarz (MI)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stearns
Sullivan
Sweeney
Tanner
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Upton
Walden (OR)
Walsh
Wamp
Waxman
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—8

Everett
Harman
Kingston
Obey
Peterson (PA)
Ross
Schiff
Waters

□ 1829

Messrs. WAXMAN, SMITH of Washington, MARKEY and MCGOVERN changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. VELÁZQUEZ

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 192, not voting 8, as follows:

[Roll No. 356]

AYES—233

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Coble
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fitzpatrick (PA)
Forbes
Ford
Fortenberry
Frank (MA)
Gerlach
Gibbons
Gonzalez
Goode
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Hastings (FL)
Hayworth
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pickering
Platts
Poe
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Renzi
Reyes
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Shuster
Simmons
Skelton
Slaughter
Smith (NJ)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wu
Wynn

NOES—192

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capuano
Carter
Castle
Chabot
Chocola
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Feeney
Ferguson
Flake

Foley
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Gohmert
Goodlatte
Granger
Green (WI)
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Otter
Oxley
Paul
Pence
Peterson (MN)
Petri
Pitts
Pombo
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Simpson
Smith (TX)
Smith (WA)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Boozman
Everett
Harman
Kingston
Peterson (PA)
Ross
Schiff
Waters

□ 1837

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. VAN HOLLEN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. VAN HOLLEN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 222, noes 203, not voting 8, as follows:

[Roll No. 357]

AYES—222

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fitzpatrick (PA)
Ford
Frank (MA)
Gerlach
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rogers (AL)
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Shimkus
Simmons
Skelton
Slaughter
Smith (NJ)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—203

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson, Sam
Keller
Kennedy (MN)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
Leach
Lewis (CA)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCrery
McHenry
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Petri
Pickering
Pitts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shuster
Simpson
Smith (TX)
Smith (WA)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Cox
Everett
Harman
Kingston
Peterson (PA)
Ross
Schiff
Waters

□ 1844

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read the last four lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006''.

Mr. KNOLLENBERG. Mr. Chairman, I submit the following for the RECORD:

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses	86,536	87,046	84,913	-1,623	-2,133
Immediate Office of the Secretary	(2,202)	---	(2,198)	(-4)	(+2,198)
Immediate Office of the Deputy Secretary	(699)	---	(698)	(-1)	(+698)
Immediate office of the Secretary and Deputy Office of the General Counsel	(15,272)	---	(15,183)	(-89)	(+15,183)
Office of the Assistant Secretary for Aviation Office of the Under Secretary for Transportation Policy	(12,526)	---	(11,680)	(-846)	(+11,680)
Office of the Assistant Secretary for Budget and Programs	(8,504)	---	(7,593)	(-911)	(+7,593)
Office of the Assistant Secretary for Governmental Affairs	(2,297)	---	(2,052)	(-245)	(+2,052)
Office of the Assistant Secretary for Administration	(23,249)	---	(23,139)	(-110)	(+23,139)
Office of Public Affairs	(1,914)	---	(1,910)	(-4)	(+1,910)
Executive Secretariat	(1,444)	---	(1,442)	(-2)	(+1,442)
Board of Contract Appeals	(698)	---	(697)	(-1)	(+697)
Office of Small and Disadvantaged Business Utilization	(1,268)	---	(1,265)	(-3)	(+1,265)
Office of Intelligence and Security	(2,037)	---	(2,033)	(-4)	(+2,033)
Office of the Chief Information Officer	(11,301)	---	(11,895)	(+594)	(+11,895)
Office of emergency transportation	(3,125)	---	(3,128)	(+3)	(+3,128)
User fees	(-2,500)	(-2,500)	(-2,500)	---	---
Spending of user fees	(2,500)	(2,500)	(2,500)	---	---
Subtotal	(86,536)	(87,046)	(84,913)	(-1,623)	(-2,133)
Office of Civil Rights	8,630	8,550	8,550	-80	---
Rescission of excess compensation for air carriers	-235,000	---	---	+235,000	---
Transportation planning, research, and development	19,840	9,030	40,613	+20,773	+31,583
Working capital fund	(149,846)	---	(120,014)	(-29,832)	(+120,014)
Minority business resource center program	893	900	900	+7	---
(Limitation on guaranteed loans)	(18,367)	(18,367)	(18,367)	---	---
Minority business outreach	2,976	3,000	3,000	+24	---
New headquarters building	67,456	100,000	100,000	+32,544	---
Payments to air carriers (Airport & Airway Trust Fund)	51,584	---	54,000	+2,416	+54,000
Total, Office of the Secretary	237,915	208,526	291,976	+54,061	+83,450
Federal Aviation Administration					
Operations	7,712,800	8,051,000	8,042,920	+330,120	-8,080
Flight Service Stations A-76 transition	---	150,000	150,000	+150,000	---
Subtotal	7,712,800	8,201,000	8,192,920	+480,120	-8,080
Facilities & equipment (Airport & Airway Trust Fund)	2,519,680	2,448,000	3,053,000	+533,320	+605,000
Emergency appropriations (P.L. 108-324)	5,100	---	---	-5,100	---
Research, engineering, and development (Airport and Airway Trust Fund)	129,880	130,000	130,000	+120	---
Grants-in-aid for airports (Airport and Airway Trust Fund)(Liquidation of contract authorization)	(2,800,000)	(3,300,000)	(3,600,000)	(+800,000)	(+300,000)
(Limitation on obligations)	(3,472,000)	(3,000,000)	(3,600,000)	(+128,000)	(+600,000)
Small community air service pilot program	(19,840)	---	(20,000)	(+160)	(+20,000)
2006 F&E Pop-up contract authority	---	605,000	---	---	-605,000
Rescission of contract authority (2006 F&E Pop-up)	---	-605,000	---	---	+605,000
Rescission of contract authority (2006 AIP)	---	-600,000	---	---	+600,000
Rescission of contract authority (prior yr Pop-up)	-265,000	-469,000	-469,000	-204,000	---
Emergency assistance to airports (Airport and Airway Trust Fund) (P.L. 108-324)	25,000	---	---	-25,000	---
Subtotal	(3,232,000)	(1,931,000)	(3,131,000)	(-101,000)	(+1,200,000)

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
War risk insurance (extension)	-50,000	---	-80,000	-30,000	-80,000
Total, Federal Aviation Administration	10,342,460	11,384,000	11,295,920	+953,460	-88,080
(Limitations on obligations)	(3,472,000)	(3,000,000)	(3,600,000)	(+128,000)	(+600,000)
Rescissions of contract authority	-265,000	-1,674,000	-469,000	-204,000	+1,205,000
Total budgetary resources	(13,549,460)	(12,710,000)	(14,426,920)	(+877,460)	(+1,716,920)
Federal Highway Administration					
Limitation on administrative expenses	(343,728)	(367,638)	(359,529)	(+15,801)	(-8,109)
Federal-aid highways (Highway Trust Fund):					
(Liquidation of contract authorization)	(35,000,000)	(35,000,000)	(36,000,000)	(+1,000,000)	(+1,000,000)
(Limitation on obligations)	(34,422,400)	(34,700,000)	(36,287,100)	(+1,864,700)	(+1,587,100)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
(Transfer to NHTSA)	(-156,127)	---	---	(+156,127)	---
Rescission of contract authority (Highway Trust Fund)	-520,277	---	---	+520,277	---
Appalachian development highway system	79,360	---	---	-79,360	---
Emergency relief programs (Highway Trust Fund)	735,072	---	---	-735,072	---
Emergency appropriations (P.L. 108-324)	1,202,000	---	---	-1,202,000	---
Rescission of contract authority (Hwy Trust Fund)	-741,000	---	---	+741,000	---
TIFIA (rescission of contract authority)	-100,000	---	---	+100,000	---
Belleair causeway bridge	33,728	---	---	-33,728	---
Unobligated balances(rescission of contract authority)	-14,408	---	---	+14,408	---
Unobligated balances (rescission)	-2,000	---	---	+2,000	---
Total, Federal Highway Administration	2,050,160	---	---	-2,050,160	---
(Limitations on obligations)	(34,422,400)	(34,700,000)	(36,287,100)	(+1,864,700)	(+1,587,100)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
Rescissions	-2,000	---	---	+2,000	---
Rescissions of contract authority	-1,375,685	---	---	+1,375,685	---
Total budgetary resources	(35,833,875)	(35,439,000)	(37,026,100)	(+1,192,225)	(+1,587,100)
Federal Motor Carrier Safety Administration					
Motor carrier safety (limitation on administrative expenses)(liquidation of contract authorization)	(257,547)	---	---	(-257,547)	---
(Limitation on obligations)	(255,487)	---	---	(-255,487)	---
National motor carrier safety program (Highway Trust Fund)(Liquidation of contract authorization)	(190,000)	---	(286,000)	(+96,000)	(+286,000)
(Limitation on obligations)	(188,480)	---	(286,000)	(+97,520)	(+286,000)
Motor carrier safety grants (Highway Trust Fund) (Liquidation of contract authorization)	---	(232,000)	---	---	(-232,000)
(Limitation on obligations)	---	(232,000)	---	---	(-232,000)
Motor carrier safety operations and programs (Highway Trust Fund)(Liquidation of contract authorization)	---	(233,000)	(215,000)	(+215,000)	(-18,000)
(Limitation on obligations)	---	(233,000)	(215,000)	(+215,000)	(-18,000)
Total, Federal Motor Carrier Safety Admin	---	---	---	---	---
(Limitations on obligations)	(446,027)	(465,000)	(501,000)	(+54,973)	(+36,000)
Total budgetary resources	(446,027)	(465,000)	(501,000)	(+54,973)	(+36,000)
National Highway Traffic Safety Administration					
Operations and research	---	---	152,367	+152,367	+152,367
Operations and research (Highway trust fund) (Liquidation of contract authorization)	(72,000)	(227,367)	(75,000)	(+3,000)	(-152,367)
(Limitation on obligations)	(71,424)	(227,367)	(75,000)	(+3,576)	(-152,367)
(Transfer from FHA)	(156,127)	---	---	(-156,127)	---
National Driver Register (Highway trust fund) (Liquidation of contract authorization)	(3,600)	(4,000)	(4,000)	(+400)	---
(Limitation on obligations)	(3,571)	(4,000)	(4,000)	(+429)	---

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	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Highway traffic safety grants (Highway Trust Fund)					
(Liquidation of contract authorization)	(225,000)	(465,000)	(551,000)	(+326,000)	(+86,000)
(Limitation on obligations):					
Highway safety programs (Sec. 402)	(163,680)	(172,000)	(229,000)	(+65,320)	(+57,000)
Formula grants (Sec. 402(k))	---	(183,000)	---	---	(-183,000)
Formula grants (Sec. 402(l))	---	(50,000)	---	---	(-50,000)
Occupant protection incentive grants (Sec. 405)	(19,840)	---	(136,000)	(+116,160)	(+136,000)
Alcohol-impaired driving countermeasures grants (Sec. 410)	(39,680)	---	(129,000)	(+89,320)	(+129,000)
Emergency medical services grants (Sec. 407)	---	(10,000)	---	---	(-10,000)
State traffic safety information system improvement grants (Sec. 412)	---	(50,000)	(30,000)	(+30,000)	(-20,000)
High visibility enforcement	---	---	(15,000)	(+15,000)	(+15,000)
Child safety and booster seat grants	---	---	(6,000)	(+6,000)	(+6,000)
Motorcyclist safety	---	---	(6,000)	(+6,000)	(+6,000)
Subtotal	(223,200)	(465,000)	(551,000)	(+327,800)	(+86,000)
Total, National Highway Traffic Safety Admin..	---	---	152,367	+152,367	+152,367
(Limitations on obligations)	(298,195)	(696,367)	(630,000)	(+331,805)	(-66,367)
Total budgetary resources	(298,195)	(696,367)	(782,367)	(+484,172)	(+86,000)
Federal Railroad Administration					
Safety and operations	138,651	145,949	145,949	+7,298	---
Railroad research and development	35,737	46,325	26,325	-9,412	-20,000
Railroad rehabilitation and improvement program	6,000	---	---	-6,000	---
Next generation high-speed rail	19,493	---	10,165	-9,328	+10,165
Alaska Railroad rehabilitation	24,800	---	---	-24,800	---
Grants to the National Railroad Passenger Corporation	1,207,264	360,000	550,000	-657,264	+190,000
Total, Federal Railroad Administration	1,431,945	552,274	732,439	-699,506	+180,165
Federal Transit Administration					
Administrative expenses, general fund	---	83,500	---	---	-83,500
Administrative expenses	9,672	---	12,000	+2,328	+12,000
Administrative expenses (Highway Trust Fund, Mass Transit Account)(limitation on obligations)	(67,704)	---	(68,000)	(+296)	(+68,000)
Office of the Administrator	(892)	---	(989)	(+97)	(+989)
Office of Chief Counsel	(4,067)	---	(4,140)	(+73)	(+4,140)
Office of Civil Rights	(2,989)	---	(3,113)	(+124)	(+3,113)
Office of Communications and Congressional Affairs	(1,233)	---	(1,276)	(+43)	(+1,276)
Office of Budget and Policy	(6,874)	---	(7,123)	(+249)	(+7,123)
Office of Planning	(4,138)	---	(4,155)	(+17)	(+4,155)
Office of Program Management	(7,337)	---	(7,916)	(+579)	(+7,916)
Office of Demonstration and Innovation	(4,608)	---	(4,712)	(+104)	(+4,712)
Office of Administration	(6,468)	---	(7,284)	(+816)	(+7,284)
Central Account	(16,302)	---	(17,884)	(+1,582)	(+17,884)
Regional offices	(19,988)	---	(21,408)	(+1,420)	(+21,408)
National Transit database	(2,480)	---	---	(-2,480)	---
Subtotal	(77,376)	---	(80,000)	(+2,624)	(+80,000)
Formula grants	499,990	---	662,550	+162,560	+662,550
Formula grants (Highway Trust Fund, Mass Transit Account)(limitation on obligations)	(3,499,928)	---	(3,754,450)	(+254,522)	(+3,754,450)
Formula grants and research (Highway Trust Fund, Mass Transit Account)(limitation on obligations)	---	(6,135,000)	---	---	(-6,135,000)
Subtotal	(3,999,918)	(6,135,000)	(4,417,000)	(+417,082)	(-1,718,000)
University transportation research	744	---	1,200	+456	+1,200
University transportation research (Highway Trust Fund Mass Transit Account)(limitation on obligations)	(5,208)	---	(6,800)	(+1,592)	(+6,800)
Subtotal	(5,952)	---	(8,000)	(+2,048)	(+8,000)

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Transit planning and research	15,872	---	24,049	+8,177	+24,049
Transit planning and research (Highway Trust Fund, Mass Transit Account)(limitation on obligations)	(111,104)	---	(136,276)	(+25,172)	(+136,276)
Rural transportation assistance	(5,208)	---	---	(-5,208)	---
National transit institute	(3,968)	---	---	(-3,968)	---
Transit cooperative research	(8,184)	---	---	(-8,184)	---
Planning (TEA-LU)	---	---	(103,325)	(+103,325)	(+103,325)
Research (TEA-LU)	---	---	(57,000)	(+57,000)	(+57,000)
Metropolitan planning	(59,903)	---	---	(-59,903)	---
State planning	(12,513)	---	---	(-12,513)	---
National planning and research	(37,200)	---	---	(-37,200)	---
Subtotal	(126,976)	---	(160,325)	(+33,349)	(+160,325)
Trust fund share of expenses (Highway Trust Fund) (liquidation of contract authorization)	(6,744,500)	(689,700)	(7,209,700)	(+465,200)	(+6,520,000)
Capital investment grants	414,014	---	546,251	+132,237	+546,251
Capital investment grants (Highway Trust Fund, Mass Transit Account)(limitation on obligations)	(2,898,100)	---	(3,095,424)	(+197,324)	(+3,095,424)
Major capital investment grants	---	872,800	---	---	-872,800
Major capital investment grants (Highway Trust Fund, Mass Transit Account)(limitation on obligations)	---	(689,700)	---	---	(-689,700)
Subtotal	(3,312,114)	(1,562,500)	(3,641,675)	(+329,561)	(+2,079,175)
Fixed guideway modernization	(1,204,684)	(1,531,250)	(1,386,670)	(+181,986)	(-144,580)
Buses and bus-related facilities	(669,600)	---	(693,335)	(+23,735)	(+693,335)
New starts	(1,437,830)	---	(1,561,670)	(+123,840)	(+1,561,670)
Metropolitan and statewide planning activities	---	(31,250)	---	---	(-31,250)
Subtotal	(3,312,114)	(1,562,500)	(3,641,675)	(+329,561)	(+2,079,175)
Job access and reverse commute grants	15,500	---	26,250	+10,750	+26,250
Job access and reverse commute grants (Hwy Trust Fund, Mass Transit Account)(limitation on obligations)	(108,500)	---	(148,750)	(+40,250)	(+148,750)
Subtotal	(124,000)	---	(175,000)	(+51,000)	(+175,000)
Total, Federal Transit Administration	955,792	956,300	1,272,300	+316,508	+316,000
(Limitations on obligations)	(6,690,544)	(6,824,700)	(7,209,700)	(+519,156)	(+385,000)
Total budgetary resources	(7,646,336)	(7,781,000)	(8,482,000)	(+835,664)	(+701,000)
Saint Lawrence Seaway Development Corporation					
Operations and maintenance (Harbor Maintenance Trust Fund)	15,773	8,000	16,284	+511	+8,284
Spending from proposed mandatory user fee	---	8,284	---	---	-8,284
Total, Saint Lawrence Seaway Development Corp	15,773	16,284	16,284	+511	---
Maritime Administration					
Maritime security program	97,910	156,000	156,000	+58,090	---
Operations and training	108,602	113,650	112,336	+3,734	-1,314
Ship disposal	21,443	21,000	21,000	-443	---
Maritime Guaranteed Loan (Title XI) Program Account: Administrative expenses	4,726	3,526	3,526	-1,200	---
National defense tank vessel construction program	74,400	---	---	-74,400	---
Rescission	---	-74,400	---	---	+74,400
Ship construction (rescission)	-1,979	---	-2,071	-92	-2,071
Total, Maritime Administration	305,102	219,776	290,791	-14,311	+71,015
Pipeline and Hazardous Materials Safety Administration					
Hazardous materials safety	---	26,324	26,183	+26,183	-141

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	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Administrative expenses	---	16,382	16,382	+16,382	---
Pipeline Safety Fund	---	645	645	+645	---
Subtotal	---	17,027	17,027	+17,027	---
Pipeline safety:					
Pipeline Safety Fund	54,331	54,165	57,860	+3,529	+3,695
Oil Spill Liability Trust Fund	14,880	19,000	15,000	+120	-4,000
Subtotal	69,211	73,165	72,860	+3,649	-305
Emergency preparedness grants:					
Emergency preparedness fund	198	200	200	+2	---
Limitation on emergency preparedness fund	(14,300)	---	(14,300)	---	(+14,300)
Total, Pipeline and Hazardous Materials Safety Administration	69,409	116,716	116,270	+46,861	-446
Research and Innovative Technology Administration					
Research and development	---	6,274	4,326	+4,326	-1,948
Research and special programs	46,738	---	---	-46,738	---
(By transfer)	(645)	---	---	(-645)	---
Total, Research and Innovative Technology Admin.	46,738	6,274	4,326	-42,412	-1,948
Office of Inspector General					
Salaries and expenses	58,528	62,499	62,499	+3,971	---
Surface Transportation Board					
Salaries and expenses	21,080	24,388	26,622	+5,542	+2,234
Offsetting collections	-1,050	-1,250	-1,250	-200	---
Total, Surface Transportation Board	20,030	23,138	25,372	+5,342	+2,234
Total, title I, Department of Transportation	13,656,167	11,871,787	13,791,544	+135,377	+1,919,757
Appropriations	(14,303,731)	(13,620,187)	(14,262,615)	(-41,116)	(+642,428)
Rescissions	(-238,979)	(-74,400)	(-2,071)	(+236,908)	(+72,329)
Rescission of contract authority	(-1,640,685)	(-1,674,000)	(-469,000)	(+1,171,685)	(+1,205,000)
Emergency appropriations	(1,232,100)	---	---	(-1,232,100)	---
Offsetting collections	---	---	---	---	---
(Limitations on obligations)	(45,329,166)	(45,686,067)	(48,227,800)	(+2,898,634)	(+2,541,733)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
(By transfer)	(156,772)	---	---	(-156,772)	---
(Transfer out)	(-156,127)	---	---	(+156,127)	---
Net total budgetary resources	(59,724,333)	(58,296,854)	(62,758,344)	(+3,034,011)	(+4,461,490)
Transportation discretionary total	13,656,167	11,871,787	13,791,544	+135,377	+1,919,757
TITLE II - DEPARTMENT OF THE TREASURY					
Departmental Offices					
Salaries and expenses	156,299	195,253	187,452	+31,153	-7,801
Executive direction	(7,216)	(16,656)	(7,216)	---	(-9,440)
General Counsel	(7,142)	---	(7,521)	(+379)	(+7,521)
Economic policies and and programs	(31,405)	(32,011)	(32,011)	(+606)	---
Financial policies and programs	(25,863)	(24,721)	(24,721)	(-1,142)	---
Financial crimes	(10,548)	(39,938)	(35,409)	(+24,861)	(-4,529)
Treasury wide management	(16,626)	(16,843)	(16,843)	(+217)	---
Administration	(57,499)	(65,084)	(63,731)	(+6,232)	(-1,353)
Subtotal	(156,299)	(195,253)	(187,452)	(+31,153)	(-7,801)

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Foreign Assets Control	22,113	---	---	-22,113	---
Department-wide systems and capital investments programs	32,002	24,412	21,412	-10,590	-3,000
Office of Inspector General	16,368	16,722	17,000	+632	+278
Treasury Inspector General for Tax Administration	128,093	133,286	133,286	+5,193	---
Air transportation stabilization program account	1,984	2,942	2,500	+516	-442
Community development financial institutions fund program account	55,078	7,900	55,000	-78	+47,100
Treasury building and annex repair and restoration	12,217	10,000	10,000	-2,217	---
Expanded access to financial services (rescission)	-4,000	---	---	+4,000	---
Violent crime reduction program (rescission)	-1,200	---	---	+1,200	---
Financial Crimes Enforcement Network	71,922	73,630	73,630	+1,708	---
Total, Departmental Offices	490,876	464,145	500,280	+9,404	+36,135
Financial Management Service	229,083	236,243	236,243	+7,160	---
Alcohol and Tobacco Tax and Trade Bureau:					
Salaries and expenses	82,336	62,486	91,126	+8,790	+28,640
Spending from proposed mandatory user fees	---	28,640	---	---	-28,640
Subtotal	82,336	91,126	91,126	+8,790	---
Bureau of the Public Debt	173,765	176,923	176,923	+3,158	---
Payment of government losses in shipment	1,000	1,000	1,000	---	---
Total, Dept. of Treasury, non-IRS	977,060	969,437	1,005,572	+28,512	+36,135
Internal Revenue Service					
Tax administration and operations	---	10,013,555	---	---	-10,013,555
Contingent appropriation	---	446,496	---	---	-446,496
Processing, assistance, and management	4,056,857	---	4,181,520	+124,663	+4,181,520
Tax law enforcement	4,363,539	---	4,541,466	+177,927	+4,541,466
Information systems	1,577,768	---	1,606,846	+29,078	+1,606,846
Subtotal	9,998,164	10,460,051	10,329,832	+331,668	-130,219
Business systems modernization	203,360	199,000	199,000	-4,360	---
Health Insurance Tax Credit Administration	34,562	20,210	20,210	-14,352	---
Total, Internal Revenue Service	10,236,086	10,679,261	10,549,042	+312,956	-130,219
Total, title II, Department of the Treasury	11,213,146	11,648,698	11,554,614	+341,468	-94,084
Appropriations	11,218,346	11,648,698	11,554,614	+336,268	-94,084
Rescissions	-5,200	---	---	+5,200	---

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE III - DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Public and Indian Housing					
Tenant-based Rental Assistance:					
Direct appropriation	10,599,520	11,645,194	11,331,400	+731,880	-313,794
Renewals	(13,355,285)	(14,089,756)	(14,089,756)	(+734,471)	---
Tenant protection vouchers	(161,696)	(354,081)	(165,700)	(+4,004)	(-188,381)
Family self-sufficiency coordinators	(45,632)	(55,000)	(45,000)	(-632)	(-10,000)
Administrative fees	(1,200,426)	(1,295,408)	(1,225,000)	(+24,574)	(-70,408)
Working capital fund	(2,881)	(5,949)	(5,900)	(+3,019)	(-49)
Additional rental subsidy	---	(45,000)	---	---	(-45,000)
Advance appropriations provided in previous acts	4,166,400	4,200,000	4,200,000	+33,600	---
Subtotal	14,765,920	15,845,194	15,531,400	+765,480	-313,794
Advance appropriations provided in current year	4,200,000	4,200,000	4,200,000	---	---
Total, Tenant-based rental assistance	18,965,920	20,045,194	19,731,400	+765,480	-313,794
Project-based rental assistance	5,298,272	5,072,100	5,088,300	-209,972	+16,200
Renewals	(5,195,203)	(4,923,100)	(4,940,100)	(-255,103)	(+17,000)
Contract administrators	(101,085)	(147,200)	(147,200)	(+46,115)	---
Working capital fund	(1,984)	(1,800)	(1,000)	(-984)	(-800)
Public housing:					
Capital fund	2,579,200	2,327,200	2,600,000	+20,800	+272,800
Operating fund	2,438,336	3,407,300	3,600,000	+1,161,664	+192,700
Revitalization of severely distressed public housing	142,848	---	---	-142,848	---
Native American housing block grants	621,984	582,600	600,000	-21,984	+17,400
Indian housing loan guarantee fund program account	4,960	2,645	2,645	-2,315	---
(Limitation on guaranteed loans)	(145,345)	(98,967)	(98,967)	(-46,378)	---
Native Hawaiian housing:					
Block grant	---	8,815	8,815	+8,815	---
Loan guarantee fund	992	882	882	-110	---
(Limitation on guaranteed loans)	(37,403)	(35,000)	(35,000)	(-2,403)	---
Total, Public and Indian Housing	30,052,512	31,446,736	31,632,042	+1,579,530	+185,306
Current year advance appropriations	4,200,000	4,200,000	4,200,000	---	---
Net Total (excluding current year advances)	25,852,512	27,246,736	27,432,042	+1,579,530	+185,306
Community Planning and Development					
Housing opportunities for persons with AIDS	281,728	268,000	285,000	+3,272	+17,000
Rural housing and economic development	23,808	---	10,000	-13,808	+10,000
Empowerment zones / enterprise communities	9,920	---	---	-9,920	---
Community development fund	4,671,328	---	4,151,500	-519,828	+4,151,500
Community development fund (sec. 424)	30,752	---	---	-30,752	---
Emergency appropriations (P.L.108-324)	150,000	---	---	-150,000	---
Section 108 loan guarantees:					
(Limitation on guaranteed loans)	(275,000)	---	---	(-275,000)	---
Credit subsidy	5,952	---	---	-5,952	---
Administrative expenses	992	---	---	-992	---
Brownfields redevelopment	23,808	---	---	-23,808	---
HOME investment partnerships program	1,899,680	1,941,000	1,900,000	+320	-41,000
Homeless assistance grants	1,240,511	1,440,000	1,340,000	+99,489	-100,000
Self-help homeownership opportunity program	---	30,000	60,800	+60,800	+30,800
Total, Community Planning and Development	8,338,479	3,679,000	7,747,300	-591,179	+4,068,300
Housing Programs					
Housing for the elderly	741,024	741,000	741,000	-24	---
Housing for persons with disabilities	238,080	119,900	238,100	+20	+118,200
Housing counseling assistance	---	39,700	---	---	-39,700

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Manufactured housing fees trust fund	12,896	13,000	12,896	---	-104
Offsetting collections	-12,896	-13,000	-12,896	---	+104
Rental housing assistance	---	26,400	26,400	+26,400	---
Total, Housing Programs	979,104	927,000	1,005,500	+26,396	+78,500
Federal Housing Administration					
FHA - Mutual mortgage insurance program account:					
(Limitation on guaranteed loans)	(185,000,000)	(185,000,000)	(185,000,000)	---	---
(Limitation on direct loans)	(50,000)	(50,000)	(50,000)	---	---
Administrative expenses	354,051	355,000	355,000	+949	---
Offsetting receipts	-2,234,000	-1,309,000	-1,309,000	+925,000	---
Offsetting receipts (legislative proposal)	---	18,000	---	---	-18,000
Administrative contract expenses	77,376	62,600	62,600	-14,776	---
Additional contract expenses	992	1,000	1,000	+8	---
FHA - General and special risk program account:					
(Limitation on guaranteed loans)	(35,000,000)	(35,000,000)	(35,000,000)	---	---
(Limitation on direct loans)	(50,000)	(50,000)	(50,000)	---	---
Administrative expenses	225,945	231,400	231,400	+5,455	---
Offsetting receipts	-248,000	-300,000	-339,000	-91,000	-39,000
Credit subsidy	9,920	8,800	8,800	-1,120	---
Non-overhead administrative expenses	85,312	71,900	71,900	-13,412	---
Additional contract expenses	3,968	4,000	4,000	+32	---
Total, Federal Housing Administration	-1,724,436	-856,300	-913,300	+811,136	-57,000
Government National Mortgage Association (GNMA)					
Guarantees of mortgage-backed securities loan guarantee program account:					
(Limitation on guaranteed loans)	(200,000,000)	(200,000,000)	(200,000,000)	---	---
Administrative expenses	10,609	11,360	10,700	+91	-660
Offsetting receipts	-368,000	-368,000	-368,000	---	---
Total, Gov't National Mortgage Association	-357,391	-356,640	-357,300	+91	-660
Policy Development and Research					
Research and technology	45,136	69,738	60,600	+15,464	-9,138
Fair Housing and Equal Opportunity					
Fair housing activities	46,128	38,800	38,800	-7,328	---
Office of Lead Hazard Control					
Lead hazard reduction	166,656	119,000	119,000	-47,656	---
Management and Administration					
Salaries and expenses	542,819	579,000	579,000	+36,181	---
Transfer from:					
Limitation on FHA corporate funds	(560,673)	(562,400)	(562,400)	(+1,727)	---
GNMA	(10,695)	(10,695)	(10,700)	(+5)	(+5)
Community Development Loan Guarantees Program	(1,000)	---	---	(-1,000)	---
Native American Housing Block Grants	(150)	(146)	(150)	---	(+4)
Indian Housing Loan Guarantee Fund Program	(250)	(244)	(250)	---	(+6)
Native Hawaiian Housing Loan Guarantees	(35)	(34)	(35)	---	(+1)
Subtotal	(1,115,622)	(1,152,519)	(1,152,535)	(+36,913)	(+16)
Working capital fund	267,840	265,000	165,000	-102,840	-100,000
Office of Inspector General	79,360	79,000	79,000	-360	---
(By transfer, limitation on FHA corporate funds)	(24,000)	(24,000)	(24,000)	---	---
Subtotal	(103,360)	(103,000)	(103,000)	(-360)	---

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Federal Housing Enterprise Oversight	58,735	60,000	60,000	+1,265	---
Offsetting receipts	-58,735	-60,000	-60,000	-1,265	---
Total, Management and Administration	890,019	923,000	823,000	-67,019	-100,000
Rescissions:					
Housing certificate fund	-1,557,000	-2,500,000	-2,493,600	-936,600	+6,400
Public housing elimination grants	-5,000	---	---	+5,000	---
Revitalization of severely distressed public housing	---	-142,848	---	---	+142,848
Title VI credit subsidy	-21,000	---	---	+21,000	---
Indian housing credit subsidy	-33,000	---	---	+33,000	---
Rental housing assistance	-675,000	---	---	+675,000	---
GI/SRI credit subsidy	-30,000	---	---	+30,000	---
Subtotal	-2,321,000	-2,642,848	-2,493,600	-172,600	+149,248
Total, title III, Department of Housing and Urban Development	36,115,207	33,347,486	37,662,042	+1,546,835	+4,314,556
Current year advance appropriations	4,200,000	4,200,000	4,200,000	---	---
Net total, excluding current year advance	31,915,207	29,147,486	33,462,042	+1,546,835	+4,314,556
Appropriations	(32,841,438)	(29,622,334)	(33,844,538)	(+1,003,100)	(+4,222,204)
Rescissions	(-2,321,000)	(-2,642,848)	(-2,493,600)	(-172,600)	(+149,248)
Emergency appropriations	(150,000)	---	---	(-150,000)	---
Offsetting receipts	(-2,862,896)	(-1,972,000)	(-2,028,896)	(+834,000)	(-56,896)
Offsetting collections	(-58,735)	(-60,000)	(-60,000)	(-1,265)	---
Previously enacted advances	(4,166,400)	(4,200,000)	(4,200,000)	(+33,600)	---
(Limitation on direct loans)	(100,000)	(100,000)	(100,000)	---	---
(Limitation on guaranteed loans)	(420,457,748)	(420,133,967)	(420,133,967)	(-323,781)	---
(Limitation on corporate funds)	(596,803)	(597,519)	(597,535)	(+732)	(+16)
TITLE IV - THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices	1,985	2,000	2,000	+15	---
Other salaries and expenses	55,387	58,730	58,730	+3,343	---
Subtotal	57,372	60,730	60,730	+3,358	---
Care of the building and grounds	9,846	5,624	5,624	-4,222	---
Total, Supreme Court of the United States	67,218	66,354	66,354	-864	---
United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges	2,257	2,000	2,000	-257	---
Other salaries and expenses	19,263	24,462	22,613	+3,350	-1,849
Total, US Court of Appeals for the Fed Circuit	21,520	26,462	24,613	+3,093	-1,849
United States Court of International Trade					
Salaries and expenses:					
Salaries of judges	1,757	2,000	2,000	+243	---
Other salaries and expenses	12,956	13,480	13,480	+524	---
Total, US Court of International Trade	14,713	15,480	15,480	+767	---

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges	289,877	305,145	301,000	+11,123	-4,145
Judges COLA	---	5,000	---	---	-5,000
Other salaries and expenses	3,835,444	4,172,744	4,047,780	+212,336	-124,964
Subtotal, Salaries and expenses	4,125,321	4,482,889	4,348,780	+223,459	-134,109
Vaccine Injury Compensation Trust Fund	3,254	3,833	3,833	+579	---
Defender services	667,351	768,064	721,919	+54,568	-46,145
Fees of jurors and commissioners	60,713	71,318	60,053	-660	-11,265
Court security	327,565	390,316	379,461	+51,896	-10,855
Total, Courts of Appeals, District Courts, and Other Judicial Services	5,184,204	5,716,420	5,514,046	+329,842	-202,374
Administrative Office of the United States Courts					
Salaries and expenses	67,289	72,198	70,262	+2,973	-1,936
Federal Judicial Center					
Salaries and expenses	21,447	22,876	22,249	+802	-627
Judicial Retirement Funds					
Payment to judiciary trust funds	36,700	40,600	40,600	+3,900	---
United States Sentencing Commission					
Salaries and expenses	13,126	14,700	14,046	+920	-654
Total, title IV, the Judiciary	5,426,217	5,975,090	5,767,650	+341,433	-207,440
Mandatory appropriations	332,576	351,745	347,600	+15,024	-4,145
Discretionary appropriations	5,093,641	5,623,345	5,420,050	+326,409	-203,295
TITLE V - DISTRICT OF COLUMBIA					
FEDERAL FUNDS					
Federal payment for Resident Tuition Support	25,395	33,200	33,200	+7,805	---
Federal payment for Emergency Planning and Security Costs in the District of Columbia	14,880	15,000	15,000	+120	---
Federal payment to the District of Columbia Courts	189,274	221,693	221,693	+32,419	---
Defender Services in District of Columbia Courts	38,192	45,000	45,000	+6,808	---
Federal payment to the Court Services and Offender Supervision Agency for the District of Columbia	178,560	203,388	203,388	+24,828	---
Federal payment to the District of Columbia Water and Sewer Authority	4,762	---	10,000	+5,238	+10,000
Federal payment for the Anacostia Waterfront Initiative	2,976	5,000	5,000	+2,024	---
Federal payment to the Criminal Justice Coordinating Council	1,290	1,300	1,300	+10	---
Federal payment for the Unified Communications Center	5,952	---	---	-5,952	---
Federal payment for Public School Libraries	5,952	---	---	-5,952	---
Federal payment for the Family Literacy Program	992	---	---	-992	---
Federal payment for Transportation Assistance	2,480	---	---	-2,480	---
Federal payment for Foster Care Improvements in the District of Columbia	4,960	---	---	-4,960	---
Federal payment to the Office of the Chief Financial Officer of the District of Columbia	32,240	---	20,000	-12,240	+20,000
Federal payment for School Improvement	39,680	41,616	41,616	+1,936	---
Federal payment for Bioterrorism and Forensics Labs	7,936	7,200	7,200	-736	---
Total, Title V, District of Columbia	555,521	573,397	603,397	+47,876	+30,000

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE VI - EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT					
The White House					
Salaries and expenses	---	183,271	---	---	-183,271
Compensation of the President and the White House Office:					
Compensation of the President	450	---	450	---	+450
Salaries and expenses	61,504	---	53,080	-8,424	+53,080
Executive Residence at the White House:					
Operating expenses	12,658	---	12,436	-222	+12,436
White House repair and restoration	1,885	---	1,700	-185	+1,700
Council of Economic Advisers	4,008	---	4,040	+32	+4,040
Office of Policy Development	2,282	---	3,500	+1,218	+3,500
National Security Council	8,861	---	8,705	-156	+8,705
Privacy and Civil Liberties Board	---	---	750	+750	+750
Office of Administration	91,531	---	89,322	-2,209	+89,322
Total, The White House	183,179	183,271	173,983	-9,196	-9,288
Office of Management and Budget	67,864	68,411	76,930	+9,066	+8,519
Office of National Drug Control Policy:					
Salaries and expenses	26,784	24,224	26,908	+124	+2,684
Counterdrug Technology Assessment Center	41,664	30,000	30,000	-11,664	---
Total, Office of National Drug Control Policy	68,448	54,224	56,908	-11,540	+2,684
High intensity drug trafficking areas program	226,523	---	227,000	+477	+227,000
Other Federal drug control programs	211,990	213,300	213,292	+1,302	-8
Unanticipated needs	992	1,000	1,000	+8	---
Emergency appropriations (P.L. 108-324)	70,000	---	---	-70,000	---
Special Assistance to the President	4,534	4,455	4,455	-79	---
Official Residence of the Vice President: Operating expenses	330	325	325	-5	---
Total, title VI, Executive Office of the President and Funds Appropriated to the President	833,860	524,986	753,893	-79,967	+228,907
Appropriations	(763,860)	(524,986)	(753,893)	(-9,967)	(+228,907)
Emergency appropriations	(70,000)	---	---	(-70,000)	---
TITLE VII - INDEPENDENT AGENCIES					
Architectural and Transportation Barriers Compliance Board	5,641	5,941	5,941	+300	---
Consumer Product Safety Commission	62,149	62,499	62,449	+300	-50
Election Assistance Commission	13,888	17,612	15,877	+1,989	-1,735
Federal Deposit Insurance Corporation: Office of Inspector General (transfer)	(29,884)	(29,965)	(29,965)	(+81)	---
Federal Election Commission	51,742	54,600	54,700	+2,958	+100
Federal Labor Relations Authority	25,468	25,468	25,468	---	---
Rescission	-3,000	---	---	+3,000	---
Federal Maritime Commission	19,340	20,499	20,499	+1,159	---
General Services Administration					
Federal Buildings Fund:					
Limitations on availability of revenue:					
Construction and acquisition of facilities	(708,542)	(708,106)	(708,106)	(-436)	---
Repairs and alterations	(980,222)	(961,376)	(961,376)	(-18,846)	---
Installment acquisition payments	(161,442)	(168,180)	(168,180)	(+6,738)	---
Rental of space	(3,657,315)	(4,046,031)	(4,046,031)	(+388,716)	---
Building operations	(1,709,522)	(1,885,102)	(1,885,102)	(+175,580)	---
Subtotal	7,217,043	7,768,795	7,768,795	+551,752	---
Repayment of debt	(41,000)	(40,000)	(40,000)	(-1,000)	---

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Government-wide policy	61,603	52,796	52,796	-8,807	---
Operating expenses	91,438	99,890	99,890	+8,452	---
Office of Inspector General	42,012	43,410	43,410	+1,398	---
Electronic Government Fund	2,976	5,000	3,000	+24	-2,000
Allowances and Office Staff for Former Presidents	3,081	2,952	2,952	-129	---
Federal Buildings Fund (rescission)	-106,000	---	---	+106,000	---
Federal Citizen Information Center Fund	14,788	15,030	15,030	+242	---
Total, General Services Administration	109,898	219,078	217,078	+107,180	-2,000
Merit Systems Protection Board					
Salaries and expenses	34,400	34,400	35,600	+1,200	+1,200
Limitation on administrative expenses	2,605	2,605	2,605	---	---
Total, Merit Systems Protection Board	37,005	37,005	38,205	+1,200	+1,200
Morris K. Udall Foundation					
Morris K. Udall Trust Fund	1,980	---	2,000	+20	+2,000
Environmental Dispute Resolution Fund	1,299	700	1,900	+601	+1,200
Total, Morris K. Udall Foundation	3,279	700	3,900	+621	+3,200
National Archives and Records Administration					
Operating expenses	264,809	280,975	283,975	+19,166	+3,000
Electronic records archive	35,627	35,914	35,914	+287	---
Reduction of debt	-7,810	-8,488	-8,488	-678	---
Repairs and restoration	13,325	6,182	6,182	-7,143	---
National Historical Publications and Records Commission: Grants program	4,960	---	7,500	+2,540	+7,500
Total, National Archives and Records Admin	310,911	314,583	325,083	+14,172	+10,500
National Credit Union Administration:					
Central liquidity facility:					
(Limitation on direct loans)	(1,500,000)	(1,500,000)	(1,500,000)	---	---
(Limitation on admin expenses, corporate funds)	(310)	(323)	(323)	(+13)	---
Community development revolving loan fund	992	950	950	-42	---
National Transportation Safety Board:					
Salaries and expenses	76,086	76,700	76,700	+614	---
Rescission of unobligated balances	-8,000	-1,000	-1,000	+7,000	---
Neighborhood Reinvestment Corporation	114,080	118,000	118,000	+3,920	---
Office of Government Ethics	11,148	11,148	11,148	---	---
Office of Personnel Management					
Salaries and expenses	124,496	124,521	119,952	-4,544	-4,569
Limitation on administrative expenses	127,434	100,017	102,679	-24,755	+2,662
Office of Inspector General	1,614	1,614	1,614	---	---
Limitation on administrative expenses	16,329	16,329	16,786	+457	+457
Govt Payment for Annuitants, Employees Health Benefits	8,135,000	8,393,000	8,393,000	+258,000	---
Govt Payment for Annuitants, Employee Life Insurance	35,000	36,000	36,000	+1,000	---
Payment to Civil Svc Retirement and Disability Fund	9,772,000	10,072,000	10,072,000	+300,000	---
Total, Office of Personnel Management	18,211,873	18,743,481	18,742,031	+530,158	-1,450
Office of Special Counsel	15,325	15,325	15,325	---	---
Selective Service System	26,090	25,650	24,000	-2,090	-1,650
United States Interagency Council on Homelessness	1,499	1,800	1,499	---	-301
United States Postal Service					
Payment to the Postal Service Fund	28,768	---	43,350	+14,582	+43,350
Advance appropriation provided in previous acts	36,229	61,709	61,709	+25,480	---
Subtotal, FY2006 funding	64,997	61,709	105,059	+40,062	+43,350

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Advance appropriation provided in current year	61,709	87,350	73,000	+11,291	-14,350
Emergency preparedness	496,000	---	---	-496,000	---
Mail irradiation facility (emergency)	6,944	---	---	-6,944	---
Total, United States Postal Service	629,650	149,059	178,059	-451,591	+29,000
United States Tax Court	40,851	48,998	48,998	+8,147	---
Total, title VII, Independent Agencies	19,755,915	19,948,096	19,984,910	+228,995	+36,814
Appropriations	(19,768,033)	(19,800,037)	(19,851,201)	(+83,168)	(+51,164)
Emergency appropriations	(6,944)	---	---	(-6,944)	---
Rescissions	(-117,000)	(-1,000)	(-1,000)	(+116,000)	---
Advance appropriation provided in previous act	(36,229)	(61,709)	(61,709)	(+25,480)	---
Advance appropriation provided in current year	(61,709)	(87,350)	(73,000)	(+11,291)	(-14,350)
(By transfer)	(29,884)	(29,965)	(29,965)	(+81)	---
(Limitation on direct loans)	(1,500,000)	(1,500,000)	(1,500,000)	---	---
(Limitation on corporate funds)	(310)	(323)	(323)	(+13)	---
Title VIII - General Provisions, This Bill					
HHS info match- new hires	-125,000	---	---	+125,000	---
Total, General provisions, This Bill	-125,000	---	---	+125,000	---
Grand total (net)	87,431,033	83,889,540	90,118,050	+2,687,017	+6,228,510
Appropriations	(84,752,146)	(81,764,729)	(86,637,908)	(+1,885,762)	(+4,873,179)
Emergency appropriations	(1,459,044)	---	---	(-1,459,044)	---
Offsetting collections	(-2,862,896)	(-1,972,000)	(-2,028,896)	(+834,000)	(-56,896)
Rescissions	(-2,682,179)	(-2,718,248)	(-2,496,671)	(+185,508)	(+221,577)
Rescission of contract authority	(-1,640,685)	(-1,674,000)	(-469,000)	(+1,171,685)	(+1,205,000)
Negative subsidy receipts	-58,735	-60,000	-60,000	-1,265	---
Advance appropriation provided in previous act	(4,202,629)	(4,261,709)	(4,261,709)	(+59,080)	---
Advance appropriation provided in current year	(4,261,709)	(4,287,350)	(4,273,000)	(+11,291)	(-14,350)
(Limitation on obligations)	(45,329,166)	(45,686,067)	(48,227,800)	(+2,898,634)	(+2,541,733)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
(By transfer)	(186,656)	(29,965)	(29,965)	(-156,691)	---
(Transfer out)	(-156,127)	---	---	(+156,127)	---
Net total budgetary resources	(133,499,199)	(130,314,607)	(139,084,850)	(+5,585,651)	(+8,770,243)
Discretionary total	68,199,215	65,035,795	69,995,700	+1,796,485	+4,959,905

Mr. LOBIONDO. Mr. Chairman, I rise to make my colleagues aware of the failure of this bill to provide funding for a critically important economic development program. The Round II Empowerment Zone initiative provides Federal assistance to support the comprehensive revitalization of designated communities across the country. It is a 10-year program that targets Federal grants to distressed communities for social services and community redevelopment and provides tax and regulatory relief to attract and retain businesses.

In my district, the Cumberland County Empowerment Zone is a successful collaborative revitalization effort among the communities of Bridgeton, Millville, Vineland and Port Norris. Cumberland has committed nearly 100 percent of the $25 million that has been made available by HUD so far. Over 1,400 jobs have been created to date and over 166 housing units have been renovated, rehabilitated, constructed or purchased in EZ neighborhoods. Cumberland County has funded over 120 initiatives through the EZ program and has established a $4 million loan pool available to be reinvested back into the targeted communities. These projects are estimated to leverage a total of over $238 million in private, public and tax exempt bond financing. Put plainly, the Cumberland EZ has leveraged nearly $12 in private investment for every $1 of public funding, a remarkable achievement that demonstrates the success and promise of the Zone.

While I am very proud of the accomplishments of the Cumberland EZ, I recognize the reluctance of the subcommittee to provide funding for the program. As the subcommittee has noted before, the IG, and HUD itself, have found too many of the other Zones have had problems spending grant funds, accounting for expenditures and spending funds consistent with their strategic plans. I further recognize the reluctance of the subcommittee to continue to provide funds for the program when the Senate has sought to eliminate this program for the past 2 years.

While I main tremendously disappointed this bill fails to fund the Round II Empowerment Zone program, I will reluctantly vote for it. I do so with the hope that the Senate will find funding for this program, and that if that should happen, I will have the opportunity to work the subcommittee to restore funding for this critical program.

Mr. ANDREWS. Mr. Chairman, as we consider the FY06 Transportation, Treasury, HOD, Judiciary, and District of Columbia Appropriations Act today, I would like to take this opportunity to express my opposition to the proposed Runway 17–35 expansion at the Philadelphia International Airport. Over the past several months, I have strongly urged the FAA to investigate and pursue the construction of a new parallel runway, rather than continuing with its endorsement of Build Alternative 1, which is an ineffective use of taxpayer dollars.

The information presented in the final Environmental Impact Statement, EIS, indicates that there will be minimal gains in airport efficiency with the extension of Runway 17–35. The projected average delay per operation in 2007 is 15.3 minutes under the No-Action Alternative. The EIS indicated that Alternative 1 would cost the taxpayers approximately $36 million, yet would only result in an 84-second delay reduction. While this alternative purports a slightly greater reduction in the 2015 projected delays, the EIS indicated only a 6.5-minute delay reduction, which is less than the 7.5-minute delay reduction that was projected in the Draft EIS, DEIS. I think it would be a much better use of taxpayer funds to evaluate the potential installation of a new parallel runway rather than extending Runway 17–35; it makes no sense to spend $36 million with no real ensuing benefits. The FAA still has not released the underlying data used to calculate projected delay reductions.

It greatly concerns me that the FAA has indicated that it does not have data indicating what percentage of delays at the Philadelphia International Airport are a direct result of airport runway problems, as opposed to other causes. Common sense would indicate that this information is necessary in order to determine that the proposed runway extension would be effective in increasing airport efficiency, particularly when the projected delay reduction achieved by this project was decreased by more than 13 percent between the time the DEIS was issued on October 15, 2004, and the issuance of the EIS on March 11, 2005.

The Record of Decision, ROD, indicates that Alternative 1 will have no significant noise impacts on the surrounding communities, which defies logic. The proposed runway extension would allow more and larger aircraft to utilize the runway, and common sense dictates that this would result in a substantial appreciation in noise levels for the southern New Jersey communities within the flight paths and directly across the Delaware River from the Philadelphia International Airport.

Again, I strongly urge the FAA to explore a parallel runway option so that all interested parties can evaluate the relevant facts and form a judgment on the potential benefit a new parallel runway would have to the entire Philadelphia region.

Mr. BLUMENAUER. Mr. Chairman, I was heartened by the way Members from both sides of the aisle worked together to produce an appropriations bill that truly reflects the will of Congress. While initially deeply flawed, the House was able to work together and pass amendments that restore funding to essential transportation and housing programs.

I was particularly pleased by the passage of an amendment offered by Representatives LATOURETTE and OBERSTAR that restored Amtrak funding to approximately $1.2 billion. Public support of transportation modes is both necessary and desirable. Our past investments have made our country stronger and more secure.

I was also happy to see the passage of amendments that restored funding to important housing programs that aid in community and economic development and provide housing opportunities for the least well off in our society. I was particularly pleased to see the restoration of HOPE VI funding. A 2001 HOPE VI revitalization grant is enabling the Housing Authority of Portland to revitalize Columbia Villa, a dilapidated World War II era housing cluster, into a vibrant, mixed use, mixed income neighborhood, improving the livability of the surrounding region.

I am hopeful that the improvements that were adopted by the House during floor consideration of the bill will be preserved throughout the appropriations process and will not be swept under the rug during conference committee.

Mr. STARK. Mr. Chairman, I rise against H.R. 3058, the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006, because it shortchanges critical needs of the most vulnerable Americans while continuing to make room for tax breaks for millionaires and our unwinnable quagmire in Iraq.

This bill eliminates funding for the Housing and Urban Development Brownfields program and Youthbuild. It cuts funding for the successful HOPE VI public housing redevelopment program by over $80 million and for Community Development grants by $250 million.

The Brownfields program helps cities redevelop abandoned and underused industrial sites. Youthbuild allows unemployed young people aged 16 to 24 to work toward their high school diploma while building housing for low-income people and the homeless.

All of these programs could have been fully funded for $430 million more, or about the cost of 3 days of the Iraq occupation. I will not vote to deny a high school diploma to an underprivileged youth who's willing to build housing so that Halliburton can waste more than $1 billion, including charges for 10,000 meals never served, $152,000 in ''movie library costs,'' and $1.5 million for tailoring.

A Democratic colleague of mine wrote an amendment to reverse these cuts by reducing the 2006 tax break for individuals making more than $1 million by a mere $9,000. But the Republican majority would not even allow a vote on the issue. Perhaps a direct vote on their morally bankrupt priorities would have proved too uncomfortable.

Finally, this bill continues the Republican majority's pursuit of its right-wing social agenda against the citizens of the District of Columbia who have no voting representation in the Federal Government. The bill bars the District from using any Federal or local funds for needle exchange programs, which are proven effective in reducing the spread of HIV. It overturns the city's ban on handguns, blocks implementation of a medical marijuana program, prevents DC from forcing all insurers to offer full contraceptive coverage, and limits a woman's right to choose. Ironically, it also prevents the District Government from lobbying for voting representation so it can avoid suffering the social experiments of the modern day Pharisees.

While the bill could have been worse and funds some important programs, I cannot in good conscience support its misplaced priorities, and therefore I vote ''no.''

Ms. MCCOLLUM of Minnesota. Mr. Chairman, I rise today in opposition to the Republican Labor-HHS-Education appropriations bill. This legislation clearly illustrates the Republican party's values. The cuts to education, job training and health care in this bill are necessary because the majority's top priority is tax breaks for corporations and those making more than $1 million a year. This bill is the consequence of the irresponsible Republican budget resolution passed earlier this year, and the American people will pay the price.

This bill provides $1.6 billion less than the amount necessary to maintain current services and among its many mistakes, contains three major flaws: painful cuts in education, health

care, and job training. Republicans have cut No Child Left Behind and the Individuals with Disabilities Education Act, reducing funds for students and schools already struggling with Federal testing mandates. It slashes funding for health care training programs while we face a shortage of health care workers and the Preventive Health Block grant, which in Minnesota is used to address health care disparities. This bill cuts funding for job training, while we continue to have a faltering economy in which 7.6 million Americans are out of work.

The Republicans claim to have provided an increase for the National Institutes of Health, NIH. However, this paltry increase of 0.5 percent is far less than the NIH needs to keep up with current research costs. This disinvestment threatens future life-saving breakthroughs which have the possibility of improving the health of our country and saving limited health care dollars.

The Republican bill takes particular aim at the most vulnerable in our communities. Even with gas prices skyrocketing, this bill cuts funding for the Low Income Home Energy Assistance Program. It essentially freezes funding for Head Start and the Child Care Block Grant, and provides only a 1 percent increase for senior nutrition programs.

Our priority as members of Congress should be the well-being of American families. We are not prioritizing children when we decrease the ability of schools to provide a quality education for all. We Are not putting families first when we reduce the access to health care. And we are not on the side of the working men and women when we limit opportunities to provide for their families.

I support the Democratic alternative offered by Ranking Member OBEY. This amendment reflects the values of Minnesotans by investing in the American people's education, health and future. For example, the Democratic alternative would have increased funding for Pell grants to improve access to higher education, increased the Federal Government's contribution to special education, provided additional funding for reading and math for 1 million more students, funded community health centers and invested in biomedical research. My constituents know that our competitiveness, quality of life, and the health of our communities are at risk under the Republican plan. I will continue to fight to put families, and our future, first.

Ms. HERSETH. Mr. Chairman, I would like to express my extreme disappointment that the fiscal year 2006 Housing and Urban Development Appropriations bill again reduces Federal support for Native American housing. The current bill shrinks the Native American Housing Block Grant, NAHBG, from $622 million in 2005 to only $555 million in 2006. Earlier this year, I requested that funding for NAHBG be increased to $1 billion for fiscal year 2006.

Many tribal areas face severe housing shortages, leading to overcrowding and homelessness. On South Dakota's Pine Ridge Indian Reservation, it is not uncommon to find 25 individuals or more living in one housing unit. This problem is not localized to any one area and similar hardship can be found on reservations across the United States.

The historic underfunding of Native American housing programs has created a desperate need for housing in Indian Country. This year's HUD appropriations bill marks the second consecutive year of NAHBG decrease compounding the problem many tribes face in providing for the most basic housing needs of their members. Even level funding would have perpetuated the problem; but another decrease in Federal support is egregious and irresponsible.

The Federal Government has a responsibility to meet its obligations to tribal governments. It is unfortunate that when we should be responding to the serious housing needs in Indian country, the House has again cut funding for this most fundamental program.

I sincerely hope our colleagues in the Senate will be more responsive to the housing situation facing tribal leaders and members across the United States.

Mrs. TAUSCHER. Mr. Chairman, today the House debates funding important to all of our constituents who use our Nation's highways and transit systems, fly for business or pleasure, and who are concerned about the safety of our Nation's roadways.

Mr. Chairman, Americans are spending more time in traffic today than they ever have before. They're commuting hours to work, missing their children's soccer games, and losing their precious free time to traffic.

Commuters in my district in San Francisco's Bay Area are suffering in the second worst city in America for gridlock. They're losing a total of over $2 million in wasted fuel and several hours each week, away from their offices and their families.

This week, the House will have to take up an eighth temporary extension of highway transit and highway safety programs. I have said time and time again, Mr. Chairman, that we must get our work done on the highway bill if we are to ensure increased investment in our Nation's transportation infrastructure. And yet, time and time again, this Congress has delayed action on the legislation.

While I am disturbed by our inability to finish the highway bill, I am pleased that the House will today adopt an appropriations bill which will continue to ensure that, while limited, federal investment is available for our Nation's transportation infrastructure.

Mr. Chairman, this bill however, is far from perfect. Shockingly, the legislation came to the Floor of the House with a funding level which would all but assure the end of Amtrak service in this Nation as we know it. The end of Amtrak would be devastating to the continued operation of inter-city rail throughout California and especially the Capitol Corridor line along the I–80 corridor in Northern California.

In 2004, over one million commuters used the Capitol Corridor and directly benefited from the fixed-price operating agreement between Amtrak and the Capitol Corridor. Because of this agreement, the Capitol Corridor is able to stabilize operating costs and reinvest revenues above business plan projections—or any other cost savings—into service enhancements. Without Amtrak's existence, these savings which have been realized year after year, would no longer exist.

I am pleased that the House adopted an amendment to adequately fund Amtrak and I hope that this funding will ensure the continued success of the inter-city passenger rail service in my district and throughout our Nation.

Additionally, Mr. Chairman, I would like to voice my continued displeasure with the FAA's management of the Standard Terminal Automation Replacement (STARS) program.

As laid out in the latest Department of Transportation's Inspector General's report, the STARS program is 194% over-budget and delayed by seven years. A program which was first estimated to cost the FAA $940 million has ballooned to a whopping $2.7 billion. And yet, with ballooning costs, the FAA has failed to provide Congress with any analysis on the efficacy of continuing to move forward with the STARS program or how the agency plans on completing this program.

I was pleased to see that the House Report to H.R. 3058 echoes my concerns and I will continue to demand that the FAA provide Congress with a plan to address the overruns associated with the STARS program.

Mr. UDALL of Colorado. Mr. Chairman, I am disappointed in the way this bill has been considered.

Our colleague from Utah, Mr. MATHESON, wanted to offer an amendment that would have canceled the next scheduled cost-of-living increase in our salaries.

I would have voted for that amendment—but under the restrictive procedure under which the bill was considered, it could not even be offered.

In my opinion, it is a serious error for the Republican leadership to prevent the House from even debating and voting on that proposal—especially now, in wartime and a time of serious budget deficits caused by the recent recession, the costs of responding to terrorism and increasing homeland security, and the excessive and unbalanced tax cuts the Bush Administration has pushed through Congress.

That is why I voted to allow the amendment to be considered. Unfortunately, I was in the minority on that vote.

However, despite that, I think the bill itself, while far from perfect, is worth supporting.

The bill provides important resources to help support our Nation's infrastructure, community development, and courts. Examples of this include the $37.0 billion for federal highway programs and $8.5 billion for federal transit programs, which is an increase above the Fiscal Year 2005 allocation and the request made by the Bush Administration.

Further, thanks to adoption of several important amendments, the bill provides much more of the needed funding for Amtrak than the appropriations committee had originally allocated. This is important for Colorado, including many communities in my district as well as other parts of the state.

Additionally, I am pleased the legislation rejects the Bush Administration's ''Strengthening America's Communities Initiative'' that would consolidate a number of quality programs in Department of Housing and Urban Development (HUD) including the Community Development Block Grant (CDBG) which provide decent housing and expands economic opportunities to cities and towns throughout Colorado.

Of course, I do not agree with all its priorities included in the legislation. I supported a number of amendments to improve the legislation, and am glad that at least some were adopted, including an increase in the Section 8 Tenant-Based assistance.

I also voted against some amendments, for various reasons.

I voted against an amendment to block enforcement of part of a local law adopted by the District of Columbia City Council dealing with firearms.

I did so because I think its enactment would be an abuse of our authority as Members of Congress and would reduce the right of self-government for one group of Americans—those who reside in Washington, D.C.

It's true the Constitution gives Congress the power ''to exercise exclusive legislation in all cases whatsoever'' over the District of Columbia—even though the residents of the district are not fully represented in either the House of Representatives or the U.S. Senate. But Congress, through the Home Rule Act, has authorized the district's residents to elect a city council and mayor with immediate responsibility for governing the city.

I am convinced this was the right thing to do. I support home rule for Washington, D.C. because I think Americans who live in the district deserve to be able to govern themselves as much as possible consistent with the necessary functioning of the federal government. And this amendment flew in the face of that principle.

There is plenty of room to debate whether this D.C. law is good public policy, but I think that debate should not take place in Congress. The law the amendment would override was duly adopted by the elected government of the district and has not interfered with the orderly functioning of the federal government. So, in my opinion, decisions about retaining, amending, or repealing it should be made by the City Council, which is elected by and accountable to the people who are subject to it.

The effect of the amendment would be to substitute the judgment of Congress for that of the local elected government—in effect denying their constituents the right to govern themselves on this subject. We cannot—and we should not—do that to the residents of Colorado or any other state. I do not think we should do it to the people who live here in Washington, D.C. We may not think this local law is well-designed. But I think we should allow those covered by the law to decide that for themselves.

I also voted against an amendment to block funding to enforce a recent ruling of the U.S. Supreme Court dealing with the scope of a local government's authority to condemn private property.

I have serious concerns about that decision, but I voted against the amendment because I thought the amendment's approach was not an appropriate way to express those concerns.

If Members of Congress disagree with the Supreme Court's interpretation of a law or of the Constitution, that disagreement can be expressed in a resolution such as the one (H. Res. 340) dealing specifically with the eminent-domain decision. And if a Member thinks stronger action is required, he or she can seek to change the law or amend the Constitution.

But in the absence of such a change in the law or the Constitution, a court's decision—unless and until reversed—is settled law that must be respected, and Congress should not attempt to undermine it or attempt to use the power of the purse to influence the outcome of future cases.

Both those amendments were adopted, to my regret. I think the bill would have been better if they had been rejected. However, on balance, while the bill is not all that I had hoped for I think it deserves approval and I will vote for it.

Mr. KNOLLENBERG. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PUTNAM) having assumed the chair, Mr. MCHUGH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3058) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Pursuant to House Resolution 342, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 405, nays 18, not voting 10, as follows:

[Roll No. 358]

YEAS—405

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—18

Baldwin	Hefley	Otter
Carson	Jones (NC)	Paul
Conyers	Kind	Sensenbrenner
Cooper	Matheson	Stark
Flake	Miller (FL)	Tancredo
Franks (AZ)	Obey	Taylor (MS)

NOT VOTING—10

Boustany	McCrery	Schiff
Everett	Peterson (PA)	Waters
Harman	Rangel	
Kingston	Ross	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PUTNAM) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1902

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BOUSTANY. Mr. Speaker, on rollcall No. 358 I was inadvertently detained. Had I been present, I would have voted "yea."

SURFACE TRANSPORTATION EXTENSION ACT OF 2005, PART II

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure, the Committee on Science, and the Committee on Ways and Means be discharged from further consideration of the bill (H.R. 3104) to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

Mr. PETRI. Mr. Speaker, House and Senate negotiators are meeting daily and making great progress in trying to finalize a multi-year reauthorization bill. It is accurate to say that we are closer to completing a conference report than we have ever been in the past.

But these are complicated issues and as we work through all the difficult questions, we need additional time to complete policy issues and resolve the distribution of funds to the States. This is an intricate puzzle that must be put together to ensure all the moving pieces fit and work together in a coherent way.

I know Members may be impatient and I join them in that sentiment. But I can assure Members that we are meeting and working every day. We are trying to meet the overwhelming demands placed on this program and develop a conference report that can be passed by both bodies.

To that end, I urge support for H.R. 3104, which will extend our highway, transit and safety programs through July 19.

Ms. MILLENDER-McDONALD. Mr. Speaker, I rise to support the 19-day extension of the surface transportation bill. This is our ninth time extending our Nation's transportation bill. Our transportation bill is over 18 months, late.

Chairman YOUNG and Ranking Member OBERSTAR, I applaud your good faith efforts to complete negotiations on a balanced conference report by the July 4th recess. Unfortunately, it was not to be.

As Members of Congress, we will all have to answer to our constituents and businesses about the state of our transportation infrastructure when we return home tomorrow. The Fourth of July is one of the busiest travel holidays of the year and our transportation infrastructure will be put to the test, as it is everyday.

In parts of my district, Long Beach, California, as we celebrate the Fourth of July, under the colorful umbrella of our annual fireworks display when we look out over the Pacific Ocean, we will be reminded just how much we need this transportation bill.

Ships are lined up against the horizon of the California coastline because the congestion on our highways is impeding the movement of goods through our ports.

Chairman YOUNG and Ranking Member OBERSTAR, you have heard me say this before: 80 percent of the goods that come into this country from the Pacific Rim and upwards, of 45 percent of all containerized goods come through the ports of Long Beach and Los Angeles. Fifteen percent of our Nation's economy travels on the I–710 annually, which is a corridor of national significance and the lifeline of our national economy.

Our national and regional economy begins in Long Beach. We need this bill. We need to invest in our infrastructure and our economy. I look forward to completing this bill when we return from recess.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3104

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Surface Transportation Extension Act of 2005, Part II''.

SEC. 2. ADVANCES.

(a) IN GENERAL.—Section 2(a)(1) of the Surface Transportation Extension Act of 2004, Part V (23 U.S.C. 104 note; 118 Stat. 1144; 119 Stat. 324) is amended by striking ''and the Surface Transportation Extension Act of 2005'' and inserting '', the Surface Transportation Extension Act of 2005, and the Surface Transportation Extension Act of 2005, Part II''.

(b) PROGRAMMATIC DISTRIBUTIONS.—

(1) SPECIAL RULES FOR MINIMUM GUARANTEE.—Section 2(b)(4) of such Act (119 Stat. 324) is amended by striking ''$2,100,000,000'' and inserting ''$2,240,000,000''.

(2) EXTENSION OF OFF-SYSTEM BRIDGE SETASIDE.—Section 144(g)(3) of title 23, United States Code, is amended by striking ''June 30'' inserting ''July 19''.

(c) AUTHORIZATION OF CONTRACT AUTHORITY.—Section 1101(l)(1) of the Transportation Equity Act for the 21st Century (118 Stat. 1145; 119 Stat. 324) is amended by striking ''$25,521,678,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$27,223,123,200 for the period of October 1, 2004, through July 19, 2005''.

(d) LIMITATION ON OBLIGATIONS.—Section 2(e) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1146; 119 Stat. 324) is amended—

(1) in paragraph (1)—

(A) by striking ''June 30'' and inserting ''July 19'';

(B) by striking ''and the Surface Transportation Extension Act of 2005'' and inserting '', the Surface Transportation Extension Act of 2005, and the Surface Transportatioon Extension Act of 2005, Part II''; and

(C) by striking ''9/12'' and inserting ''80 percent''; and

(2) in paragraph (2)—

(A) by striking ''June 30, 2005, shall not exceed $26,025,000,000'' and inserting ''July 19, 2005, shall not exceed $27,760,000,000''; and

(B) by striking ''$479,250,000'' and inserting ''$511,200,000''; and

(3) in paragraph (3) by striking ''June 30'' and inserting ''July 19''.

SEC. 3. ADMINISTRATIVE EXPENSES.

Section 4(a) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1147; 119 Stat. 325) is amended by striking ''highway program'' and all that follows through ''2005'' and inserting ''highway program $281,619,200 for fiscal year 2005''.

SEC. 4. OTHER FEDERAL-AID HIGHWAY PROGRAMS.

(a) AUTHORIZATION OF APPROPRIATIONS UNDER TITLE I OF TEA–21.—

(1) FEDERAL LANDS HIGHWAYS.—

(A) INDIAN RESERVATION ROADS.—Section 1101(a)(8)(A) of the Transportation Equity Act for the 21st Century (112 Stat. 112; 118 Stat. 1147; 119 Stat. 325) is amended—

(i) in the first sentence by striking ''$206,250,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$220,000,000 for the period of October 1, 2004, through July 19, 2005''; and

(ii) in the second sentence by striking ''$9,750,000'' and inserting ''$10,400,000''.

(B) PUBLIC LANDS HIGHWAYS.—Section 1101(a)(8)(B) of such Act (112 Stat. 112; 118 Stat. 1148; 119 Stat. 325) is amended by striking ''$184,500,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$196,800,000 for the period of October 1, 2004, through July 19, 2005''.

(C) PARK ROADS AND PARKWAYS.—Section 1101(a)(8)(C) of such Act (112 Stat. 112; 118 Stat. 1148; 119 Stat. 325) is amended by striking ''$123,750,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$132,000,000 for the period of October 1, 2004, through July 19, 2005'' .

(D) REFUGE ROADS.—Section 1101(a)(8)(D) of such Act (112 Stat. 112; 118 Stat. 1148; 119 Stat. 326) is amended by striking ''$15,000,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$16,000,000 for the period of October 1, 2004, through July 19, 2005''.

(2) NATIONAL CORRIDOR PLANNING AND DEVELOPMENT AND COORDINATED BORDER INFRASTRUCTURE PROGRAMS.—Section 1101(a)(9) of such Act (112 Stat. 112; 118 Stat. 1148; 119 Stat. 326) is amended by striking ''$105,000,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$112,000,000 for the period of October 1, 2004, through July 19, 2005''.

(3) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—

(A) IN GENERAL.—Section 1101(a)(10) of such Act (112 Stat. 113; 118 Stat. 1148; 119 Stat. 326) is amended by striking ''$28,500,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$30,400,000 for the period of October 1, 2004, through July 19, 2005''.

(B) SET ASIDE FOR ALASKA, NEW JERSEY, AND WASHINGTON.—Section 5(a)(3)(B) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1148; 119 Stat. 326) is amended—

(i) in clause (i) by striking ''$7,500,000'' and inserting ''$8,000,000'';

(ii) in clause (ii) by striking ''$3,750,000'' and inserting ''$4,000,000''; and

(iii) in clause (iii) by striking ''$3,750,000'' and inserting ''$4,000,000''.

(4) NATIONAL SCENIC BYWAYS PROGRAM.—Section 1101(a)(11) of the Transportation Equity Act for the 21st Century (112 Stat. 113; 118 Stat. 1148; 119 Stat. 326) is amended by striking ''$19,875,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$21,200,000 for the period of October 1, 2004, through July 19, 2005''.

(5) VALUE PRICING PILOT PROGRAM.—Section 1101(a)(12) of such Act (112 Stat. 113; 118 Stat. 1148; 119 Stat. 326) is amended by striking ''$8,250,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$8,800,000 for the period of October 1, 2004, through July 19, 2005''.

(6) HIGHWAY USE TAX EVASION PROJECTS.—Section 1101(a)(14) of such Act (112 Stat. 113; 118 Stat. 1148; 119 Stat. 326) is amended by striking ''$3,750,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$4,000,000 for the period of October 1, 2004, through July 19, 2005''.

(7) COMMONWEALTH OF PUERTO RICO HIGHWAY PROGRAM.—

(A) TECHNICAL CORRECTION.—Effective May 31, 2005, section 4(a)(7) of the Surface Transportation Extension Act of 2005 (119 Stat. 326) is amended by striking ''1101(a)(15)(A)'' and inserting ''1101(a)(15)''.

(B) INCREASED FUNDING.—Section 1101(a)(15) of the Transportation Equity Act for the 21st Century (112 Stat. 113; 118 Stat. 1149; 119 Stat. 326) is amended by striking ''$82,500,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$88,000,000 for the period of October 1, 2004, through July 19, 2005''.

(8) SAFETY GRANTS.—Section 1212(i)(1)(D) of such Act (23 U.S.C. 402 note; 112 Stat. 196; 112 Stat. 840; 118 Stat. 1149; 119 Stat. 326) is amended by striking ''$375,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$400,000 for the period of October 1, 2004, through July 19, 2005''.

(9) TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION PILOT PROGRAM.—Section 1221(e)(1) of such Act (23 U.S.C. 101 note; 112 Stat. 223; 118 Stat. 1149; 119 Stat. 327) is amended by striking ''$18,750,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$20,000,000 for the period of October 1, 2004, through July 19, 2005''.

(10) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION.—Section 188 of title 23, United States Code, is amended—

(A) in subsection (a)(1) by striking subparagraph (G) and inserting the following:

''(G) $104,000,000 for the period of October 1, 2004, through July 19, 2005.'';

(B) in subsection (a)(2) by striking ''$1,500,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$1,600,000 for the period of October 1, 2004, through July 19, 2005''; and

(C) in the item relating to fiscal year 2005 in table contained in subsection (c) by striking ''$1,950,000,000'' and inserting ''$2,080,000,000''.

(11) NATIONAL SCENIC BYWAYS CLEARINGHOUSE.—Section 1215(b)(3) of the Transportation Equity Act for the 21st Century (112 Stat. 210; 118 Stat. 1149; 119 Stat. 327) is amended—

(A) by striking ''$1,125,000'' and inserting ''$1,200,000''; and

(B) by striking ''June 30'' and inserting ''July 19''.

(b) AUTHORIZATION OF APPROPRIATIONS UNDER TITLE V OF TEA–21.—

(1) SURFACE TRANSPORTATION RESEARCH.—Section 5001(a)(1) of the Transportation Equity Act for the 21st Century (112 Stat. 419; 118 Stat. 1149; 119 Stat. 327) is amended by striking ''$77,250,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$82,400,000 for the period of October 1, 2004, through July 19, 2005''.

(2) TECHNOLOGY DEPLOYMENT PROGRAM.—Section 5001(a)(2) of such Act (112 Stat. 419; 118 Stat. 1149; 119 Stat. 327) is amended by striking ''$37,500,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$40,000,000 for the period of October 1, 2004, through July 19, 2005''.

(3) TRAINING AND EDUCATION.—Section 5001(a)(3) of such Act (112 Stat. 420; 118 Stat. 1150; 119 Stat. 327) is amended by striking ''$15,000,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$16,000,000 for the period of October 1, 2004, through July 19, 2005''.

(4) BUREAU OF TRANSPORTATION STATISTICS.—Section 5001(a)(4) of such Act (112 Stat. 420; 118 Stat. 1150; 119 Stat. 327) is amended by striking ''$23,250,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$24,800,000 for the period of October 1, 2004, through July 19, 2005''.

(5) ITS STANDARDS, RESEARCH, OPERATIONAL TESTS, AND DEVELOPMENT.—Section 5001(a)(5) of such Act (112 Stat. 420; 118 Stat. 1150; 119 Stat. 327) is amended by striking ''$82,500,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$88,000,000 for the period of October 1, 2004, through July 19, 2005''.

(6) ITS DEPLOYMENT.—Section 5001(a)(6) of such Act (112 Stat. 420; 118 Stat. 1150; 119 Stat. 327) is amended by striking ''$91,500,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$97,600,000 for the period of October 1, 2004, through July 19, 2005''.

(7) UNIVERSITY TRANSPORTATION RESEARCH.—Section 5001(a)(7) of such Act (112 Stat. 420; 118 Stat. 1150; 119 Stat. 328) is amended by striking ''$19,875,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$21,200,000 for the period of October 1, 2004, through July 19, 2005''.

(c) METROPOLITAN PLANNING.—Section 5(c)(1) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1150; 119 Stat. 328) is amended by striking ''$163,125,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$174,000,000 for the period of October 1, 2004, through July 19, 2005''.

(d) TERRITORIES.—Section 1101(d)(1) of the Transportation Equity Act for the 21st Century (112 Stat. 111; 118 Stat. 1150; 119 Stat. 328) is amended by striking ''$27,300,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$29,120,000 for the period of October 1, 2004, through July 19, 2005''.

(e) ALASKA HIGHWAY.—Section 1101(e)(1) of such Act (118 Stat. 1150; 119 Stat. 328) is amended by striking ''$14,100,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$15,040,000 for the period of October 1, 2004, through July 19, 2005''.

(f) OPERATION LIFESAVER.—Section 1101(f)(1) of such Act (118 Stat. 1151; 119 Stat. 328) is amended by striking ''$375,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$400,000 for the period of October 1, 2004, through July 19, 2005''.

(g) BRIDGE DISCRETIONARY.—Section 1101(g)(1) of such Act (118 Stat. 1151; 119 Stat. 328) is amended—

(1) by striking ''$75,000,000'' and inserting ''$80,000,000''; and

(2) by striking ''June 30'' and inserting ''July 19''.

(h) INTERSTATE MAINTENANCE.—Section 1101(h)(1) of such Act (118 Stat. 1151; 119 Stat. 328) is amended—

(1) by striking ''$75,000,000'' and inserting ''$80,000,000''; and

(2) by striking ''June 30'' and inserting ''July 19''.

(i) RECREATIONAL TRAILS ADMINISTRATIVE COSTS.—Section 1101(i)(1) of such Act (118 Stat. 1151; 119 Stat. 328) is amended by striking ''$562,500 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$600,000 for the period of October 1, 2004, through July 19, 2005''.

(j) RAILWAY-HIGHWAY CROSSING HAZARD ELIMINATION IN HIGH SPEED RAIL CORRIDORS.—Section 1101(j)(1) of such Act (118 Stat. 1151; 119 Stat. 328) is amended—

(1) by striking ''$3,937,500'' and inserting ''$4,200,000'';

(2) by striking ''$187,500'' and inserting ''$200,000''; and

(3) by striking ''June 30'' each place it appears and inserting ''July 19''.

(k) NONDISCRIMINATION.—Section 1101(k) of such Act (118 Stat. 1151; 119 Stat. 328) is amended—

(1) in paragraph (1) by striking ''$7,500,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$8,000,000 for the period of October 1, 2004, through July 19, 2005''; and

(2) in paragraph (2) by striking ''$7,500,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$8,000,000 for the period of October 1, 2004, through July 19, 2005''.

(l) ADMINISTRATION OF FUNDS.—Section 5(l) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1151; 119 Stat. 329) is amended—

(1) by striking ''and section 4 of the Surface Transportation Extension Act of 2005'' and inserting '', section 4 of the Surface Transportation Extension Act of 2005, and section 4 of the Surface Transportation Extension Act of 2005, Part II''; and

(2) by striking ''the amendment made by subsection (a)(1) of this section or the amendment made by section 4(a)(1) of such Act'' and inserting ''the amendments made by subsection (a) of this section, section 4(a) of the Surface Transportation Extension Act of 2005, and section 4(a) of the Surface Transportation Extension Act of 2005, Part II''.

(m) REDUCTION OF ALLOCATED PROGRAMS.—Section 5(m) of such Act (118 Stat. 1151; 119 Stat. 329) is amended—

(1) by striking ''and section 4 of the Surface Transportation Extension Act of 2005'' and inserting '', section 4 of the Surface Transportation Extension Act of 2005, and section 4 of the Surface Transportation Extension Act of 2005, Part II'';

(2) by striking ''and by section 4 of such Act'' the first place it appears and inserting '', section 4 of the Surface Transportation Extension Act of 2005, and section 4 of the Surface Transportation Extension Act, Part II''; and

(3) by striking ''and by section 4 of such Act'' the second place it appears and inserting '', section 4 of the Surface Transportation Extension Act of 2005, and section 4 of the Surface Transportation Extension Act, Part II''.

(n) PROGRAM CATEGORY RECONCILIATION.—Section 5(n) of such Act (118 Stat. 1151; 119 Stat. 329) is amended by striking ''and section 4 of the Surface Transportation Extension Act of 2005'' and inserting '', section 4 of the Surface Transportation Extension Act of 2005, and section 4 of the Surface Transportation Extension Act, Part II''.

SEC. 5. EXTENSION OF HIGHWAY SAFETY PROGRAMS.

(a) CHAPTER 1 HIGHWAY SAFETY PROGRAMS.—

(1) SEAT BELT SAFETY INCENTIVE GRANTS.—Section 157(g)(1) of title 23, United States Code, is amended by striking ''$84,000,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$89,600,000 for the period of October 1, 2004, through July 19, 2005''.

(2) PREVENTION OF INTOXICATED DRIVER INCENTIVE GRANTS.—Section 163(e)(1) of such title is amended by striking ''$82,500,000 for

the period of October 1, 2004, through June 30, 2005'' and inserting ''$88,000,000 for the period of October 1, 2004, through July 19, 2005''.

(b) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Section 2009(a)(1) of the Transportation Equity Act for the 21st Century (112 Stat. 337; 118 Stat. 1152; 119 Stat. 329) is amended by striking ''$123,750,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$132,000,000 for the period of October 1, 2004, through July 19, 2005''.

(c) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 2009(a)(2) of such Act (112 Stat. 337; 118 Stat. 1152; 119 Stat. 329) is amended by striking ''$54,000,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$57,600,000 for the period of October 1, 2004, through July 19, 2005''.

(d) OCCUPANT PROTECTION INCENTIVE GRANTS.—Section 2009(a)(3) of such Act (112 Stat. 337; 118 Stat. 1152; 119 Stat. 329) is amended by striking ''$15,000,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$16,000,000 for the period of October 1, 2004, through July 19, 2005''.

(e) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES INCENTIVE GRANTS.—Section 2009(a)(4) of such Act (112 Stat. 337; 118 Stat. 1153; 119 Stat. 329) is amended by striking ''$30,000,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$32,000,000 for the period of October 1, 2004, through July 19, 2005''.

(f) NATIONAL DRIVER REGISTER.—

(1) FUNDING.—Section 2009(a)(6) of such Act (112 Stat. 338; 118 Stat. 1153; 119 Stat. 330) is amended by striking ''$2,700,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$2,880,000 for the period of October 1, 2004, through July 19, 2005''.

(2) CONTRACT AUTHORITY.—Funds made available by the amendments made by paragraph (1) and by section 5(f) of the Surface Transportation Extension Act of 2005 (119 Stat. 330) shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

SEC. 6. FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAM.

(a) ADMINISTRATIVE EXPENSES.—Section 7(a)(1) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1153; 119 Stat. 330) is amended by striking ''$192,631,044 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$206,037,600 for the period of October 1, 2004, through July 19, 2005''.

(b) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Section 31104(a)(8) of title 49, United States Code, is amended to read as follows:

''(8) Not more than $135,200,000 for the period of October 1, 2004, through July 19, 2005.''.

(c) INFORMATION SYSTEMS AND COMMERCIAL DRIVER'S LICENSE GRANTS.—

(1) AUTHORIZATION OF APPROPRIATION.—Section 31107(a) of such title is amended by striking ''(5) $14,958,904 for the period of October 1, 2004, through June 30, 2005.'' and inserting the following:

''(6) $16,000,000 for the period of October 1, 2004, through July 19, 2005.''.

(2) EMERGENCY CDL GRANTS.—Section 7(c)(2) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1153; 119 Stat. 330) is amended—

(A) by striking ''June 30'' and inserting ''July 19''; and

(B) by striking ''$747,945'' and inserting ''$800,000''.

(d) CRASH CAUSATION STUDY.—Section 7(d) of such Act (118 Stat. 1154; 119 Stat. 330) is amended—

(1) by striking ''$747,945'' and inserting ''$800,000''; and

(2) by striking ''June 30'' and inserting ''July 19''.

SEC. 7. EXTENSION OF FEDERAL TRANSIT PROGRAMS.

(a) ALLOCATING AMOUNTS.—Section 5309(m) of title 49, United States Code, is amended—

(1) in the matter preceding subparagraph (A) of paragraph (1) by striking ''June 30, 2005'' and inserting ''July 19, 2005'';

(2) in paragraph (2)(B)(iii)—

(A) in the heading by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005'';

(B) by striking ''$7,800,000'' and inserting ''$8,320,000''; and

(C) by striking ''June 30, 2005'' and inserting ''July 19, 2005'';

(3) in paragraph (3)(B)—

(A) by striking ''$2,250,000'' and inserting ''$2,400,000''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005''; and

(4) in paragraph (3)(C)—

(A) by striking ''$37,500,000'' and inserting ''$40,000,000''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(b) FORMULA GRANTS AUTHORIZATIONS.—Section 5338(a) of title 49, United States Code, is amended—

(1) in the heading to paragraph (2) by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005'';

(2) in paragraph (2)(A)(vii)—

(A) by striking ''$2,545,785,000'' and inserting ''$2,675,300,000''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005'';

(3) in paragraph (2)(B)(vii) by striking ''June 30, 2005'' and inserting ''July 19, 2005''; and

(4) in paragraph (2)(C) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(c) FORMULA GRANT FUNDS.—Section 8(d) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1155; 119 Stat. 331) is amended—

(1) in the heading by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005'';

(2) in the matter preceding paragraph (1) by striking ''June 30, 2005'' and inserting ''July 19, 2005'';

(3) in paragraph (1) by striking ''$3,637,462'' and inserting ''$3,879,960'';

(4) in paragraph (2) by striking ''$37,500,000'' and inserting ''$40,000,000'';

(5) in paragraph (3) by striking ''$73,197,001'' and inserting ''$76,231,201'';

(6) in paragraph (4) by striking ''$194,277,040'' and inserting ''$202,330,313'';

(7) in paragraph (5) by striking ''$5,212,500'' and inserting ''$5,560,000''; and

(8) in paragraph (6) by striking ''$2,782,400,997'' and inserting ''$2,897,738,526''.

(d) CAPITAL PROGRAM AUTHORIZATIONS.—Section 5338(b)(2) of title 49, United States Code, is amended—

(1) in the heading by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005'';

(2) in subparagraph (A)(vii)—

(A) by striking ''$2,012,985,000'' and inserting ''$2,235,820,000''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005''; and

(3) in subparagraph (B)(vii) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(e) PLANNING AUTHORIZATIONS AND ALLOCATIONS.—Section 5338(c)(2) of title 49, United States Code, is amended—

(1) in the heading by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005'';

(2) in subparagraph (A)(vii)—

(A) by striking ''$48,346,668'' and inserting ''$47,946,667''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005''; and

(3) in subparagraph (B)(vii) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(f) RESEARCH AUTHORIZATIONS.—Section 5338(d)(2) of title 49, United States Code, is amended—

(1) in the heading by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005'' ;

(2) in subparagraph (A)(vii)—

(A) by striking ''$32,683,333'' and inserting ''$36,933,334''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005'';

(3) in subparagraph (B)(vii) by striking ''June 30, 2005'' and inserting ''July 19, 2005''; and

(4) in subparagraph (C) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(g) ALLOCATION OF RESEARCH FUNDS.—Section 8(h) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1156; 119 Stat. 332) is amended—

(1) in the heading by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005'';

(2) in the matter preceding paragraph (1) by striking ''June 30, 2005'' and inserting ''July 19, 2005'';

(3) in paragraph (1) by striking ''$3,937,500'' and inserting ''$4,200,000'';

(4) in paragraph (2) by striking ''$6,187,500'' and inserting ''$6,600,000''; and

(5) in paragraph (3)—

(A) by striking ''$3,000,000'' and inserting ''$3,200,000''; and

(B) by striking ''$750,000'' and inserting ''$800,000''.

(h) UNIVERSITY TRANSPORTATION RESEARCH AUTHORIZATIONS.—Section 5338(e)(2) of title 49, United States Code, is amended—

(1) in the heading by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005'';

(2) in subparagraph (A)—

(A) by striking ''$3,700,000'' and inserting ''$4,000,000''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005'';

(3) in subparagraph (B) by striking ''June 30, 2005'' and inserting ''July 19, 2005''; and

(4) in subparagraphs (C)(i) and (C)(iii) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(i) ALLOCATION OF UNIVERSITY TRANSPORTATION RESEARCH FUNDS.—

(1) IN GENERAL.—Section 8(j) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1157; 119 Stat. 332) is amended—

(A) in the matter preceding subparagraph (A) of paragraph (1) by striking ''June 30, 2005'' and inserting ''July 19, 2005'';

(B) in paragraph (1)(A) by striking ''$1,500,000'' and inserting ''$1,600,000'';

(C) in paragraph (1)(B) by striking ''$1,500,000'' and inserting ''$1,600,000''; and

(D) in paragraph (2) by striking ''June 30, 2005'' and inserting ''July 19, 2005'' .

(2) CONFORMING AMENDMENT.—Section 3015(d)(2) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5338 note; 112 Stat. 857; 118 Stat. 1157; 119 Stat. 332) is amended by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(j) ADMINISTRATION AUTHORIZATIONS.—Section 5338(f)(2) of title 49, United States Code, is amended—

(1) in the heading by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005'' ;

(2) in subparagraph (A)(vii)—

(A) by striking ''$48,100,000'' and inserting ''$52,000,000''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005''; and

(3) in subparagraph (B)(vii) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(k) JOB ACCESS AND REVERSE COMMUTE PROGRAM.—Section 3037(l) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5309 note; 112 Stat. 391; 118 Stat. 1157; 119 Stat. 333) is amended—

(1) in paragraph (1)(A)(vii)—

(A) by striking ''$92,500,000'' and inserting ''$80,000,000''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005'';

(2) in paragraph (1)(B)(vii) by striking ''June 30, 2005'' and inserting ''July 19, 2005''; and

(3) in paragraph (2) by striking ''June 30, 2005, not more than $7,500,000'' and inserting ''July 19, 2005, not more than $8,000,000''.

(l) RURAL TRANSPORTATION ACCESSIBILITY INCENTIVE PROGRAM.—Section 3038(g) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5310 note; 112 Stat. 393; 118 Stat. 1158; 119 Stat. 333) is amended—

(1) by striking paragraph (1)(G) and inserting after paragraph (1)(F) the following:

''(G) $4,200,000 for the period of October 1, 2004, through July 19, 2005.''; and

(2) in paragraph (2)—

(A) by striking ''$1,275,000'' and inserting ''$1,360,000''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(m) URBANIZED AREA FORMULA GRANTS.—Section 5307(b)(2) of title 49, United States Code, is amended—

(1) in the heading by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005''; and

(2) in subparagraph (A) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(n) OBLIGATION CEILING.—Section 3040(7) of the Transportation Equity Act for the 21st Century (112 Stat. 394; 118 Stat. 1158; 119 Stat. 333) is amended—

(1) by striking ''$5,818,500,000'' and inserting ''$6,166,400,000''; and

(2) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(o) FUEL CELL BUS AND BUS FACILITIES PROGRAM.—Section 3015(b) of the Transportation Equity Act for the 21st Century (112 Stat. 361; 118 Stat. 1158; 119 Stat. 333) is amended—

(1) by striking ''June 30, 2005'' and inserting ''July 19, 2005''; and

(2) by striking ''$3,637,500'' and inserting ''$3,880,000''.

(p) ADVANCED TECHNOLOGY PILOT PROJECT.—Section 3015(c)(2) of the Transportation Equity Act for the 21st Century (49 U.S.C. 322 note; 112 Stat. 361; 118 Stat. 1158; 119 Stat. 334) is amended—

(1) by striking ''June 30, 2005,'' and inserting ''July 19, 2005''; and

(2) by striking ''$3,750,000'' and inserting ''$4,000,000''.

(q) PROJECTS FOR NEW FIXED GUIDEWAY SYSTEMS AND EXTENSIONS TO EXISTING SYSTEMS.—Subsections (a), (b), and (c)(1) of section 3030 of the Transportation Equity Act for the 21st Century (112 Stat. 373; 118 Stat. 1158; 119 Stat. 334) are amended by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(r) NEW JERSEY URBAN CORE PROJECT.—Subparagraphs (A), (B), and (C) of section 3031(a)(3) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2122; 118 Stat. 1158; 119 Stat. 334) are amended by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(s) LOCAL SHARE.—Section 3011(a) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5307 note; 118 Stat. 1158; 119 Stat. 334) is amended by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

SEC. 8. SPORT FISHING AND BOATING SAFETY.

(a) FUNDING FOR NATIONAL OUTREACH AND COMMUNICATIONS PROGRAM.—Section 4(c) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(c)) is amended by striking ''(6) $7,499,997 for the period of October 1, 2004, through June 30, 2005;'' and inserting the following:

''(7) $8,000,000 for the period of October 1, 2004, through July 19, 2005;''.

(b) CLEAN VESSEL ACT FUNDING.—Section 4(b)(4) of such Act (16 U.S.C. 777c(b)(4)) is amended to read as follows:

''(4) FIRST 292 DAYS OF FISCAL YEAR 2005.—For the period of October 1, 2004, through July 19, 2005, of the balance of each annual appropriation remaining after making the distribution under subsection (a), an amount equal to $65,600,000, reduced by 82 percent of the amount appropriated for that fiscal year from the Boat Safety Account of the Aquatic Resources Trust Fund established by section 9504 of the Internal Revenue Code of 1986 to carry out the purposes of section 13106(a) of title 46, United States Code, shall be used as follows:

''(A) $8,000,000 shall be available to the Secretary of the Interior for 3 fiscal years for obligation for qualified projects under section 5604(c) of the Clean Vessel Act of 1992 (33 U.S.C. 1322 note).

''(B) $6,400,000 shall be available to the Secretary of the Interior for 3 fiscal years for obligation for qualified projects under section 7404(d) of the Sportfishing and Boating Safety Act of 1998 (16 U.S.C. 777g–1(d)).

''(C) The balance remaining after the application of subparagraphs (A) and (B) shall be transferred to the Secretary of Transportation and shall be expended for State recreational boating safety programs under section 13106 of title 46, United States Code.''.

(c) BOAT SAFETY FUNDS.—Section 13106(c) of title 46, United States Code, is amended—

(1) by striking ''$3,750,003'' and inserting ''$4,000,000''; and

(2) by striking ''$1,500,003'' and inserting ''$1,600,000''.

SEC. 9. EXTENSION OF AUTHORIZATION FOR USE OF TRUST FUNDS FOR OBLIGATIONS UNDER TEA–21.

(a) HIGHWAY TRUST FUND.—

(1) IN GENERAL.—Paragraph (1) of section 9503(c) of the Internal Revenue Code of 1986 is amended—

(A) in the matter before subparagraph (A), by striking ''July 1, 2005'' and inserting ''July 20, 2005'',

(B) by striking ''or'' at the end of subparagraph (K),

(C) by striking the period at the end of subparagraph (L) and inserting '', or'',

(D) by inserting after subparagraph (L) the following new subparagraph:

''(M) authorized to be paid out of the Highway Trust Fund under the Surface Transportation Extension Act of 2005, Part II.'', and

(E) in the matter after subparagraph (M), as added by this paragraph, by striking ''Surface Transportation Extension Act of 2005'' and inserting ''Surface Transportation Extension Act of 2005, Part II''.

(2) MASS TRANSIT ACCOUNT.—Paragraph (3) of section 9503(e) of such Code is amended—

(A) in the matter before subparagraph (A), by striking ''July 1, 2005'' and inserting ''July 20, 2005'',

(B) in subparagraph (I), by striking ''or'' at the end of such subparagraph,

(C) in subparagraph (J), by inserting ''or'' at the end of such subparagraph,

(D) by inserting after subparagraph (J) the following new subparagraph:

''(K) the Surface Transportation Extension Act of 2005, Part II,'', and

(E) in the matter after subparagraph (K), as added by this paragraph, by striking ''Surface Transportation Extension Act of 2005'' and inserting ''Surface Transportation Extension Act of 2005, Part II''.

(3) EXCEPTION TO LIMITATION ON TRANSFERS.—Subparagraph (B) of section 9503(b)(6) of such Code is amended by striking ''July 1, 2005'' and inserting ''July 20, 2005''.

(b) AQUATIC RESOURCES TRUST FUND.—

(1) SPORT FISH RESTORATION ACCOUNT.—Paragraph (2) of section 9504(b) of the Internal Revenue Code of 1986 is amended by striking ''Surface Transportation Extension Act of 2005'' each place it appears and inserting ''Surface Transportation Extension Act of 2005, Part II''.

(2) BOAT SAFETY ACCOUNT.—Subsection (c) of section 9504 of such Code is amended—

(A) by striking ''July 1, 2005'' and inserting ''July 20, 2005'', and

(B) by striking ''Surface Transportation Extension Act of 2005'' and inserting ''Surface Transportation Extension Act of 2005, Part II''.

(3) EXCEPTION TO LIMITATION ON TRANSFERS.—Paragraph (2) of section 9504(d) of such Code is amended by striking ''July 1, 2005'' and inserting ''July 20, 2005''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

(d) TEMPORARY RULE REGARDING ADJUSTMENTS.—During the period beginning on the date of the enactment of the Surface Transportation Extension Act of 2003 and ending on July 19, 2005, for purposes of making any estimate under section 9503(d) of the Internal Revenue Code of 1986 of receipts of the Highway Trust Fund, the Secretary of the Treasury shall treat—

(1) each expiring provision of paragraphs (1) through (4) of section 9503(b) of such Code which is related to appropriations or transfers to such Fund to have been extended through the end of the 24-month period referred to in section 9503(d)(1)(B) of such Code, and

(2) with respect to each tax imposed under the sections referred to in section 9503(b)(1) of such Code, the rate of such tax during the 24-month period referred to in section 9503(d)(1)(B) of such Code to be the same as the rate of such tax as in effect on the date of the enactment of the Surface Transportation Extension Act of 2003.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMITTING INDIVIDUALS CURRENTLY SERVING IN OFFICE OF COMPLIANCE TO SERVE ADDITIONAL TERM

Mr. NEY. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the bill (H.R. 3071) to permit the individuals currently serving as Executive Director, Deputy Executive Directors, and General Counsel of the Office of Compliance to serve one additional term, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Ms. MILLENDER-MCDONALD. Mr. Speaker, I reserve the right to object, and I yield to the gentleman from Ohio (Mr. NEY) for an explanation of his request.

Mr. NEY. Mr. Speaker, I want to thank the gentlewoman, our ranking member from California, for yielding to me.

Mr. Speaker, I rise today in support of H.R. 3071, a resolution permitting the individuals currently serving as Executive Director, Deputy Executive Directors, and General Counsel of the Office of Compliance to serve one additional term. I support this initiative as

it was a recommendation contained in the February 2004 Government Accountability Office report on the Office of Compliance, which stated that allowing these individuals to serve for more time will increase the institutional continuity and therefore potentially the effectiveness of the organization.

I believe that this is a better serving of our institution and that the current executive staff who have the opportunity to serve an additional term so the Congress that way can evaluate and decide how best to move forward with the GAO's recommendation.

I appreciate the gentlewoman's work and her staff on this issue. Again, I think this will better serve us and the Office of Compliance and our constituents and the staff of the House.

Mr. Speaker, I rise today in support of H.R. 3071, a resolution permitting the individuals currently serving as Executive Director, Deputy Executive Directors, and General Counsel of the Office of Compliance to serve one additional term. A February 2004 Government Accountability Office report on the Office of Compliance, concluded that allowing these individuals to serve for longer than one term could increase the institutional continuity and potentially the effectiveness of the organization.

Though the statute originally limited staff to one term, the flexibility to have the executive staff serve for an additional term, may better serve the institution and we must have some way of evaluating the GAO's recommendation. Therefore the current executive staff will have the opportunity to serve one additional term. When their terms have expired the Congress can re-evaluate whether term limits serve the interests of the Office of Compliance and this institution.

Ms. MILLENDER-McDONALD. Mr. Speaker, I further reserve my right to object and thank the chairman for his explanation.

I do now join the chairman in support of his request to permit the incumbent Executive Director, the two Deputy Executive Directors, and the General Counsel of the Office of Compliance to serve second 5-year terms.

The Congress passed the Congressional Accountability Act of 1995 and created the Office of Compliance as a reform design to ensure that Congress must live under the same laws as everybody else. The Act limited the service of the office board of directors and of its senior staff to single 5-year terms. Last year, Congress unanimously passed legislation allowing the members of board to serve second 5-year terms.

This bill will allow the four incumbent senior staffers who must otherwise leave their posts later this year also for an additional 5 years. In a recent report requested by the House Committee on Appropriations, the Government Accountability Office concluded that this change would enhance the Compliance Office's business continuity. In recent testimony before the Senate appropriations legislative branch subcommittee, the board of directors requested such a change for that reason.

Mr. Speaker, I believe the changes make sense. I urge the House to support the bill.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3071

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

SECTION 1. PERMITTING CURRENT EXECUTIVE DIRECTOR, DEPUTY EXECUTIVE DIRECTORS, AND GENERAL COUNSEL OF OFFICE OF COMPLIANCE TO SERVE ONE ADDITIONAL TERM.

(a) EXECUTIVE DIRECTOR.—Notwithstanding section 302(a)(3) of the Congressional Accountability Act of 1995 (2 U.S.C. 1382(a)(3)), the individual serving as Executive Director of the Office of Compliance as of the date of the enactment of this Act may serve one additional term.

(b) DEPUTY EXECUTIVE DIRECTORS.—Notwithstanding section 302(b)(2) of such Act (2 U.S.C. 1382(b)(2)), any individual serving as a Deputy Executive Director of the Office of Compliance as of the date of the enactment of this Act may serve one additional term.

(c) GENERAL COUNSEL.—Notwithstanding section 302(c)(5) of such Act (2 U.S.C. 1382(c)(5)), the individual serving as General Counsel of the Office of Compliance as of the date of the enactment of this Act may serve one additional term.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and 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 H.R. 3071.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. PUTNAM. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 345 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 345

Resolved, That it shall be in order at any time on the legislative day of Thursday, June 30, 2005, for the Speaker to entertain motions that the House suspend the rules. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this resolution.

SEC. 2. Upon the adoption of this resolution it shall be in order, any rule of the House to the contrary notwithstanding, to consider concurrent resolutions providing for adjournment of the House and Senate during the month of July.

The SPEAKER pro tempore. The gentleman from Florida (Mr. PUTNAM) is recognized for 1 hour.

Mr. PUTNAM. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), 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. PUTNAM asked and was given permission to revise and extend his remarks.)

Mr. PUTNAM. Mr. Speaker, House Resolution 345 provides that suspensions will be in order at any time on this legislative day. The resolution also provides that the Speaker or his designee shall consult with the minority leader, or her designee, on any suspension considered under the rule. Additionally, the rule provides that it shall be in order, any rule of the House to the contrary notwithstanding, to consider concurrent resolutions providing for adjournment of the House and Senate during the month of July.

Mr. Speaker, the leadership of this House set out a positive and aggressive legislative plan for this week on behalf of the American people. The goal of this plan has been to pass a number of bills that will allow for USAID to foreign nations, transportation and infrastructure improvements for our Nation, improved housing for those in need, and important funding for executive agencies and our judiciary along with the District of Columbia.

I want to particularly commend the gentleman from California (Mr. LEWIS) and his Committee on Appropriations and the staff for sticking to the time table that they laid out at the start of this session. As of today, the House has passed all 11 appropriations bills prior to the July 4 district work period. And I note that the ranking member of the Committee on Appropriations is also on the floor and we certainly appreciate the work that he and his committee members and staff have also put into that. It is a tremendous accomplishment that the House has completed its appropriations work prior to the July 4 work period.

We now await action from the Senate so that we may finish the appropriations process and avoid a cumbersome omnibus funding bill at the end of the year.

This week we have spirited debate, particularly on the previous two appropriations bills, the Foreign Operations appropriations bill and Transportation, Treasury, Housing and Urban Development appropriations bill.

I understand that Members on both sides of the aisle have differing viewpoints on how to address these issues, and we have had the opportunity to hear that spirited debate from both sides of the aisle on all of these issues. But some of this legislation that also needs to be considered this week has broad support among Members of both the majority and minority. In an attempt to make sure that this important work is completed by the end of this legislative week, we are here today

to pass a rule to provide a process for consideration of these bills under rules that would require them to pass by a two-thirds majority. This will allow us to consider items in a timely manner and ensure that last minute issues are resolved prior to adjournment for the Fourth of July work period.

This balanced rule provides the minority with the ability to consult with the Speaker on any suspension bill offered, ensuring that input and views are duly considered before any legislation considered under the rule is brought to the floor.

I am proud of the accomplishments of this House over the last weeks and months. I now ask my colleagues to support this rule so that we may continue the work of the American people in a timely fashion this evening. Completing consideration of these suspensions ensures that Congress may accomplish as much as possible before we return to work in our home States and districts and observe our Nation's birthday.

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Mr. Speaker, I encourage my colleagues on both sides of the aisle to support this balanced rule.

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

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

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I thank my colleague, the gentleman the Florida (Mr. PUTNAM), for yielding me the customary 30 minutes.

Mr. Speaker, as the gentleman from Florida has explained, this rule would do two things. It would allow the House to consider legislation under suspension of the rules, and it would waive a provision in the Congressional Budget Act that prohibits the House from adjourning for more than 3 days unless it has completed consideration on reconciliation.

Mr. Speaker, in general, I think far too much of the legislation passed around here is done by suspension, a process that waives all House rules and prohibits all amendments, and even precludes a motion to recommit. Having that said, however, I must add that tonight is somewhat different.

I would ordinarily have more concern about allowing yet another day for considering legislation in this manner, but I do realize that in limited instances, it may be necessary to waive this rule in order to expedite legislation that is truly emergency in nature. It is evident today that two of the four items which are to be considered under suspension are indeed particularly urgent.

One is the temporary extension of the highway bill. Without this legislation, the highway programs will be shut down and significant layoffs will occur. I am hopeful, as I am sure many of my colleagues are as well, that this will be the last time that we will have to pass a short-term extension of this bill. The conferees must finish their work on the highway authorization bill quickly so we can begin building and repairing our Nation's decaying highways and infrastructure.

The other critical bill before us today is the emergency supplemental bill for veterans medical care. We Democrats attempted to address this emerging veterans crisis earlier this week when we advocated for the Edwards amendment and also in March when the gentlewoman from Oregon (Ms. HOOLEY) and the gentleman from Washington (Mr. BAIRD) brought in a resolution asking for an amendment to be approved by the Committee on Rules to include $1.3 billion more. They were turned down.

The Department of Veterans Affairs is being flooded with veterans from the wars in Iraq and Afghanistan, four times as many as had originally been budgeted for. Trying to help 103,000 of our brave men and women with a budget designed to assist just over 25,000 has produced a shortfall in the Veterans Department funds of more than $1 billion this year, a staggering sum.

The gentleman from Texas' (Mr. EDWARDS) amendment would have filled in a shameful gap between our Nation's professed support for its veterans and its actual action on their behalf; but, Mr. Speaker, the Republican majority in our House was not concerned with this chasm separating rhetoric from reality.

As I said, the Edwards amendment was voted down on a party-line vote. Not a single Republican voted for the necessary health care for our wounded veterans; and on the emergency supplemental bill, as I mentioned before, the Baird-Hooley amendment to provide $1.3 billion that was in March was not allowed by the Committee on Rules on a party-line vote.

This issue is not about Republicans or Democrats. It is about our soldiers. We have a patriotic duty to uphold our end of the bargain and properly care for the fighting men and women of this country.

This is a sacred bond of trust, a contract that the majority has violated; but my fellow Americans believe that refusing to care for our veterans after having voted to send them to war is the height of hypocrisy, and the public is outraged.

As a result, House Republicans have reversed course. They received the wake-up call. They have come back to the table so we can hammer out the funding we need to care for our troops, as we should have earlier this week and in March.

This is a pattern that has become all too familiar. The majority does something unpopular, the public gets incensed, and the majority backs off. It has happened over and over with the ethics crisis in the House. It happened with the recent Republican attempt to kill public broadcasting in America; and now less than 7 days later, they are at it again, having to fess up to the fact that their priorities are out of step with the American people, their values are out of the mainstream.

Have they had a change of heart regarding the issue before us? Perhaps, or perhaps they just do not want to go home to July 4th parades in their districts before they have dealt with the tangible and pressing need of the veterans they will be saluting.

Let me say I find it absolutely scandalous that the Veterans Administration failed to tell us of this shortfall.

Now, Mr. Speaker, while I give my friends on the right credit for admitting their error and working to fix it, I regret to report that their proposed solution is just not good enough.

They have proposed increasing veterans spending by $975 million, which is still $25 million short of what the Veterans Affairs Department says it needs just this year, and more than half a billion dollars short of what the Senate pledged yesterday. Their bill does nothing to address the issue of veterans funding in 2006, where we are told there will be another more than $1 billion deficit.

I hope and pray we do not have to have this embarrassing debate again next year and can instead solve this problem now. We should always remember, Mr. Speaker, that it is easy to make the right decision when the whole world is watching, but what defines our character is what we do when no one is watching.

The Members of the majority have repeatedly been coerced by popular pressure into doing what is right when all eyes are on them. Now, both I and my colleagues on the Democratic side implore them to do something more: to summon the courage and the wisdom to do what is right when the only eyes on them are their own.

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

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

I appreciate the gentlewoman's comments and certainly understand the importance that she has placed on us rectifying the situation with regard to veterans funding and as it relates to highway spending.

I am glad that the House by unanimous consent, before we took this rule up, adopted the extension of the existing highway authorization. So I am glad we have taken that off the table. It is precisely the type of immediate action that we need to take before we go home for the district work period.

Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Mr. Speaker, I thank the gentleman for the time.

We have actually done some good things for veterans over the last 4 years. I would like to point those out.

We have passed concurrent receipt legislation which we have been trying

to get done for a period of time. Death and survivor benefits have certainly been very helpful to servicemembers over the past 4 years. The VA budget has been increased from $48 billion to $68 billion, a 42 percent increase; and nearly 5 million veterans receive health care benefit services this year, which is about 1 million more than 4 years ago. So many good things have happened.

I realize that the current shortfall is really unacceptable and would like to comment that even though this was due to an actuarial miscalculation, certainly was unintentional and certainly is fixable, we do find that some of our rural veterans are really struggling for health care.

Many of these people have to travel long distances; and the older they get and the sicker they get, the more difficult it is to get them health care. They often have to have a friend, a child, drive them down one day. The next day they come back, and it may be for very routine issues such as blood pressure, adjustment of medications and so on.

What I am saying here at this particular time is that this seems to be a neglected group, and ofttimes our rural veterans are the people who really serve our country in the highest number, highest percentages.

What we would like to propose is that legislation that I have introduced, H.R. 1741, the Rural Veterans Access to Care Act, would establish a pilot program to assist highly rural or geographically remote veterans who are enrolled in the VA and are obtaining primary health care at a medical facility closer to home, in other words, their local hospital. If they need to adjust their medications, they can go and check there, and VA reimburses them for that. This would, I think, in some cases save money. It certainly would provide a lot more services for those who badly need the health care.

I would just like to make that comment, and I thank the gentleman for his time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, I would like to point out two things: first of all, in response to my dear friend from Nebraska, when he mentioned that the majority, or that this body, had passed or fixed concurrent receipt, he neglected to mention that was following a Democratic discharge petition that essentially shamed the majority into doing something that the administration had opposed, the Republican majority had opposed. They finally did it in the late term of the last Congress, just in time for an election; but they still did not put in a permanent fix for it.

When the gentleman talked about the other things that the majority party has supposedly done for veterans, he neglected that just a couple of weeks ago, right here on this floor, the majority party rejected the gentleman from Mississippi's (Mr. TAYLOR) passionate request that we provide additional TRIO health care access to Guardsmen and Reservists. They rejected that.

So to come here and say look at what all we have done for veterans is mighty hypocritical when you know the full record.

Let me talk about what happened this past March. I have worked in VA hospitals as a clinical psychologist with returning veterans. We had Task Force Olympia coming back to my region, and I said we have got thousands of soldiers coming back and it is a logical, reasonable question to say do we have the resources in place to treat those soldiers and their families when they come back.

I worked with the gentlewoman from Oregon (Ms. HOOLEY), and we held a whole series of meetings with veterans and their families, and the veterans said, we are not getting the care already that we need. We talked to staff within the veterans hospital, and they told us, we are not meeting the demands of the people already back home, let alone do we have the capacity to meet the demands of thousands coming back.

Based on that information and other information we had gleaned from prior hearings within this Congress, the gentlewoman from Oregon (Ms. HOOLEY) and I offered an amendment to the supplemental appropriations bill to provide $1.3 billion to make sure that those veterans came back and got the care they needed.

The distinguished gentleman from Florida was part of the Committee on Rules that voted unanimously to not allow that amendment to be brought to the floor. Had we brought that amendment to the floor and passed it as part of the emergency supplemental, we would not be having this debate, veterans would not be waiting in lines, their families would be receiving the services they need, and we would be honoring our commitments to the men and women who served.

Instead, what we are doing now months later is trying to jerryrig something that we could have solved. You have let the veterans and their families down. It is a historical fact. It is a current reality, and it is shameful.

The President in his speech the other night said let us all wave flags on July 4th. We are all for the flag and we are all for our soldiers; but when the rubber meets the road, when the time comes to armor the Humvees, to equip our soldiers, to adequately provide for their health care before they deploy, to take care of them when they come back, you folks are AWOL.

We could do the right thing tonight. We could do the right thing tonight, pass a bill through the House that would immediately be taken up by the Senate and immediately pass and get the money into the system that it needs. We are not going to do that; and, yet again, we are not going to do the right thing because of the opposition of the majority party which will then somehow claim that they stood up for veterans, and I think that is a disgrace, and it is inaccurate compared to the historical record.

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

The gentleman attempted to give his version of the history. The history speaks for itself.

Concurrent receipts is an issue that was never brought to the floor under the Democratic majority. The gentleman from Florida (Mr. BILIRAKIS), a champion for veterans, filed that bill year after year after year for over a decade. It did not get a hearing until the Republicans took over. It was the Republican majority that passed it. It is under Republican leadership that funding per veteran has nearly doubled.

Where the rubber meets the road, as the gentleman put it, has been in funding and support for America's soldiers, sailors, airmen and Marines and our veterans; and it is unfortunate that we had this actuarial model problem, but the fact of the matter is this rule allows us to fix it tonight. I hope my colleagues will support that rule. Because of that fact, it is freeing up those funds for our veterans to correct this problem. It is also allowing us to move forward on other issues before we go home for the 4th of July work period.

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

Ms. SLAUGHTER. Mr. Speaker, I yield to the gentleman from Washington (Mr. BAIRD) for a unanimous consent request.

(Mr. BAIRD asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. BAIRD. Mr. Speaker, I include for the RECORD the report from the Committee on the Budget hearing in which the majority denied our efforts to add the $1.3 billion back in March.

The rule waives all points of order against consideration of the bill. The Committee anticipates that the waiver includes: Rule XIII, clause 4 of House rules (requiring a three-day layover of the committee report and requiring the three-day availability of printed hearings on a general appropriation bill); Section 306 of the Congressional Budget Act (prohibiting consideration of legislation within the jurisdiction of the Committee on the Budget unless reported by the Budget Committee); and Section 401 of the Congressional Budget Act (prohibiting consideration of budget-related legislation, as reported, that is not subject to annual appropriations).

COMMITTEE VOTES

Pursuant to clause 3(b) of House rule XIII the results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Record Vote No. 10

Date: March 14, 2005.

Measure: H.R. 1268, Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes.

Motion by: Mrs. Slaughter.

Summary of motion: To make in order and provide the appropriate waivers to the amendment offered by Rep. Hooley to add $1.3 billion in funding to the FY06 Supplemental Appropriations bill to provide health care and readjustment assistance to the veterans of Iraq and the War on Terror. Specifically, the amendment would provide $1.2 billion for the Veterans Health Administration and $100 million for the reintegration of Army National Guard members being released from active duty.

Results: Defeated 3 to 9.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Sessions—Nay; Putnam—Nay; Capito—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

Rules Committee Record Vote No. 11

Date: March 14, 2005.

Measure: H.R. 1268, Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes.

Motion by: Mr. McGovern

Summary of motion: To make in order and provide the appropriate waivers to the amendment offered by Rep. Tierney to establish a select committee to study, among other things, the bidding, contracting, and auditing standards in the issuance of government contracts; the oversight procedures and forms of payment and safeguards against money laundering; the accountability of contractors and government officials involved in procurement; and the allocation of contracts to foreign companies and small businesses.

Results: Defeated 3 to 9.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Sessions—Nay; Putnam—Nay; Capito—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, all I can say to our Republican friends on the other side of the aisle is: ''Welcome Aboard,'' even if you are a little short and even if you are a little late.

The fact is that for the last 3 years we have had a history of resistance by the majority party in this House to efforts by the gentleman from Texas (Mr. EDWARDS) and me to add funding for veterans health care above the amounts that the Republican majority saw fit to provide.

Example: fiscal 2005, the budget resolution. We asked that $1.3 billion more be made available for veterans health care. We were turned down. In a continuing resolution for fiscal 2005, we tried to add $2.5 billion for veterans health care. We were turned down.

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As recently as a month ago, the gentleman from Texas (Mr. EDWARDS) was called a demagogue by a member of the majority party because he was insisting that the VA estimates were too low and that we needed more money.

Now the VA belatedly admits that they have found a problem. The only problem is even under their story they found it in April and they did not reveal it until now. I would suggest that the VA also has a history of trying to chisel on veterans' benefits. Three years ago, they sent out instructions to veterans' service officers not to engage in outreach in order to inform veterans what they were entitled to, and we had to scold them day by day on this House floor to try to get them to back off, and they are still being penurious about it.

The sad fact is that tonight what we ought to do is to take what the Senate did. We ought to take the $1.5 billion that the Senate Appropriations Committee reported out unanimously, every Republican, every Democrat, $1.5 billion, and they suggested that if we passed that, we could pass it immediately, no need for a conference, and we would be in great shape.

We were told yesterday we should not bother with bringing funding up on the Treasury Transport bill because we wanted to rush bills through that could be signed faster. Well, the best way to get a bill through this place immediately is to take the same number the Senate is taking and pass it.

Let me also simply say that I find amusing this scramble by the majority party leadership to finally get on board in a recognition that veterans need more funding. It was just 6 months ago that the majority party dumped the gentleman from New Jersey (Mr. SMITH) from his chairmanship of the Committee on Veterans' Affairs because he had been too insistent on adding money for veterans' health care. So when he got out of line, you dumped him and you substituted someone you thought would be more compliant with party leadership.

The gentlewoman from Oregon (Ms. HOOLEY) pointed out to me that this message was on a billboard in a veterans hospital in her district. It reads: ''Important: We regret to inform you that, due to budget issues, we can no longer supply meals to patients. Please bring a meal from home if you are going to be in the short-stay unit. We apologize for any inconvenience.''

Well, I think this Congress ought to apologize for the inconvenience that they have caused veterans for the past 3 years by refusing to recognize that these budgets are inadequate. We are oh so good at praising the soldiers when the bands are playing and they are going off to war. We have an obligation to be just as enthusiastic in meeting their needs when they come home.

I thank the gentlewoman for yielding me this time, and I hope we would vote against the previous question so we can adopt the $1.5 billion solution which the Senate, on a unanimous basis in the Senate Appropriations Committee, indicated was necessary.

Mr. PUTNAM. Mr. Speaker, I yield myself such time as I may consume to comment, as the gentleman is aware, that this rule allows us to move that funding as expeditiously as possible. It requires a two-thirds vote from the House to move forward. I am hopeful that he and the rest of his side will support us on this rule so that we can get that fix through. We can then restore the full funding to the veterans that they require.

Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from New York (Mr. WALSH), the distinguished chairman of the Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies of the Committee on Appropriations.

Mr. WALSH. Mr. Speaker, I thank the gentleman from Florida for his leadership in bringing this rule to the floor that provides for consideration of several suspension bills, including a very important one.

I have heard a lot of bellyaching tonight about what happened before and why we should have done something else, and why did we not do something this way and why did we not do it that way. I suspect that when all the bellyaching is over, that we will have a near unanimous, if not unanimous, vote, at least I hope we do, to provide these resources.

We have a very logical process that we follow. It is according to our rules and according to our traditions. In the Committee on Appropriations we hold hearings in the spring, we take testimony, we provide oversight, we then receive our allocation, and provide the resources every year to meet the needs of our Nation. Again this year, as we did last year, and the year before, and the year before, and the year before, and the year before, the Veterans Administration receives the highest increase of any budget within the entire Federal budget. Year after year after year.

The House has the power of the purse. We set our priorities with the money that we have. Clearly, year after year this budget, the Veterans Administration budget, has been our highest priority. Whether you are a Republican or you are a Democrat, that is the way most Members believe. I feel that. I hear that from my colleagues, both sides of the aisle, members of my subcommittee and members of the full committee. And that is the way we have proceeded. It is not a partisan issue, and I hope we will not make it one tonight. Because at the end of the day, literally, that will be your last vote, and I hope we are all together on it.

What has happened since we had these hearings is that we move rapidly. I think everybody noticed that tonight. The appropriation bills for 2006 are complete. We moved rapidly. But the Veterans Administration has a mid-year annual review, which they had just recently. Ensuing hearings by the Committee on Veterans' Affairs, providing oversight, determined that there was a shortfall. The Veterans Administration brought that forward, about $1 billion, or $975 million. They also explained that they had a work-around solution, $600 million out of capital and $375 million in anticipated reserve that they would utilize to fill that void.

We then held additional hearings, the subcommittee and the Senate authorization committee and the House authorization committee, and what we

have found is that we have an accurate picture now of what that shortfall is. We also have an accurate sense of the Congress that we do not want to workaround solution. We want to provide those resources so that the Veterans Administration does not have to set aside repair and maintenance and acquisition of equipment, MRIs or computers or research equipment or laboratory equipment. We do not want them to have to do that.

So we are going through our normal procedure. And parts of that procedure, when you have to go back and take a look-back at a budget, is a supplemental budget request. This supplemental budget request will be presented for the consideration of the House tonight. The request is to provide that shortfall, $975 million, to the Veterans Administration to meet the needs to complete 3 more months of this year.

Now, people say, well, $1 billion, how could they be off $1 billion? My colleagues, this is a $30 billion-plus budget. This $1 billion means they were off by 3 percent, 3 percent, in their estimation. Now, is that unforgivable? Of course not. Is it a mistake? It sure is. And we have a way to resolve that mistake, to fix it, to correct it, and again to show our commitment to our Nation's veterans, especially in a time of war.

We are sending a signal not only to our current veterans, but we are sending a signal to those heroes that are out there in the field today, in Iraq and Afghanistan and around the globe. We want them to know that the commitments we have made to them we will keep, even if it has to be in an extraordinary measure like this.

So I would welcome additional comment. I would welcome the opportunity of those individuals who looked ahead and offered additional resources. But I would ask you to look at the logic of what we are doing. Look at the thread of logic through this whole process. We want to do this right, and I think we have done it right. So let us have the debates tonight. If you feel compelled to say ''I told you so,'' go ahead. But stick with us and vote for this bill and support our veterans in a process that is reliable and is predictable and has a thread of logic all the way through it.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from California (Ms. PELOSI), the minority leader.

Ms. PELOSI. Mr. Speaker, I thank the gentlewoman for yielding me this time and for her leadership on this important issue. I also want to acknowledge the gentleman from Wisconsin (Mr. OBEY). He and the gentleman from Texas (Mr. EDWARDS) have been such champions for America's veterans.

Mr. Speaker, as we approach this 4th of July, we remember the sacrifice, the vision of our Founding Fathers, the courage, the imagination, and the intellect and values they presented in the Declaration of Independence. Since then, our country has always been about shared sacrifice in time of war and in time of peace. That is, up until now.

As Americans, we make a simple yet sacred promise to our veterans: You take care of us and we will take care of you. How we repay the service of our veterans speaks volumes about the character of our country. Unfortunately, under Republican leadership, the Congress is failing to keep faith with the veterans who have defended our freedom with their very lives.

Veterans of this country deserve some answers. Why does the Republican leadership in Congress find billions of dollars of tax cuts for the wealthiest Americans but does not find enough money for the veterans who risk their lives for our Nation? Why are veterans' affairs initiatives consistently underfunded and shortchanged, forcing thousands of veterans to wait months for health care? Why did the Bush administration suddenly discover a shortfall when we had been talking about this for months? Democrats and veterans organizations have been saying that the VA has been underfunded for more than 2 years now.

The answer is simple: The shortfall is the direct result of the failed budget policies and misplaced priorities of the Bush administration and the Republican Congress. Republicans here have either been in denial about the plight of our veterans or it simply has not been a priority for them.

This did not have to happen. Veterans across our country did not have to hear that the government had underfunded their health care. Our veterans did not have to give up only part of their patriotism and bravery in defending our Nation. Let today be the day when we begin to enact a GI Bill of Rights, and we can begin by responding to the call from the Senate.

The reason that we are here this evening, and the effect of the motion that is made to the Committee on Rules on the previous question, would say that if we defeat the previous question, the resolution offered by the gentleman from Texas (Mr. EDWARDS) would come to the floor and would fund by $1.5 billion the needs for veterans' health care.

Senator CRAIG said in a unanimous vote that the appropriators in the Senate voted to authorize the Senate to quickly take up the $1.5 billion emergency supplemental if the House approves such a measure. So a vote ''no'' on the previous question says ''yes'' to bringing up the Edwards resolution, which would immediately send it to the Senate, where they would take it up immediately, pass it, and send it to the President's desk.

Instead, the Republicans are advocating a different position, which is to once again shortchange America's veterans. On a battlefield, Mr. Speaker, the military pledges to leave no soldier behind. As a Nation, let our pledge be that when they return home, we leave no veteran behind. We can support our veterans with a ''no'' vote on the previous question, and a 'yes' on the Edwards resolution, and a ''yes'' for our veterans. That would be the appropriate observation of the 4th of July.

Mr. Speaker, I support the President's call for flying the flag on the 4th of July. Let us fly the flag and fund veterans' benefits.

Mr. Speaker, as we approach this Fourth of July, we remember the sacrifice of our Founding Fathers—the courage, the imagination, the intellect, and the values they presented in the Declaration of Independence. And since then, our country has always been about shared sacrifice—when it came to war, and when it came to peace. That is, up until now.

As Americans, we make a simple yet sacred promise to our veterans: ''You have taken care of us, so we will take care of you.'' How we repay the service of our veterans speaks volumes about our national character. Unfortunately under Republican leadership, the Congress is failing to keep faith with the veterans who have defended our freedom with their very lives.

Veterans in this country deserve some answers. Why does the Republican leadership in Congress find billions in tax cuts for the wealthiest Americans, but does not find enough money for the veterans who risked their lives for our Nation? Why are Veterans Affairs initiatives consistently underfunded, forcing thousands of veterans to wait months for health care? Why did the Bush Administration suddenly discover a shortfall, when Democrats and veterans have been saying that the VA was underfunded for more than 2 years now?

The answer is simple: this shortfall is the direct result of the failed budget policies and misplaced priorities of the Bush Administration and the Republican Congress.

This did not have to happen. Veterans across our Nation did not have to hear that their government had under funded their health care; our veterans did not give only part of their patriotism and bravery in defending our Nation.

For more than two years, Democrats and veterans' organizations have stood together, calling for adequate funding.

We have sent letters, we have offered amendments, and we have launched a discharge petition to try to force a vote on additional funding for veterans' health care. We have tried time and time again, only to be rebuffed by the Republicans in Congress every step of the way. Vote after vote failed on the party line.

For our latest attempt, we sent a letter, signed by every single Democrat, to President Bush calling for an emergency supplemental to fund VA health care.

It seems that our voices were finally heard. Democrats have made this too hot for the Republicans to handle.

The truth has come out. The Bush Administration and the Republicans in Congress are finally admitting to what we've been saying for 2 years.

And today we have a chance in taking the first step in righting a wrong. The problem is that once again, the Republicans are a day late and dollar short.

The Senate Appropriations Committee has authorized the Senate to quickly take up a

$1.5 billion emergency supplemental if the House passes the same.

The Chairman of the Senate Veteran's Committee has stated, and I quote, "Clearly there is a disagreement here on the number, but it's clear that we all want to do the right thing for our veterans. We do not want to leave the Department of Veterans Affairs short of funds. Working with our colleagues in the House, I'm sure we can achieve that objective."

The VA desperately needs this funding. And to get it done today the House must pass $1.5 billion for our veterans.

The ultimate fix would be what veterans and the Ranking Democrat on the Veterans Affairs Committee, LANE EVANS, have been calling for. They are correct, the only way to assure funding for VA health care: make it mandatory.

But let us start today by voting no on the previous question, so we can offer an amendment that would increase the amount for veterans to $1.5 billion to match the Senate amount.

Caring for our veterans shouldn't be a partisan issue. It should be our number one priority. Our veterans deserve better.

We must fulfill our sacred obligations to those who have worn this Nation's uniform.

My wish is that today's vote will lead to a renewed bipartisan commitment for our veterans.

Let today be the beginning of a new chapter, let today be the day when this government no longer ignores the promises we've made, and provide the support our veterans have earned and deserve.

Let today be the day when we begin ending the Disabled Veterans' Tax for every single veteran.

Let today be the day when we begin fully ending the Military Families Tax.

Let today be the day when we begin to enact a new GI Bill of Rights for the 21st Century.

On the battlefield, the military pledges to leave no soldier behind. As a Nation, let it be our pledge that when they return home, we leave no veteran behind.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, my friend from New York called this frustration bellyaching. It is not. In my office last month was a wounded veteran from Iraqi Freedom. His leg had been nearly blown off by an IED. He had been repeatedly and routinely denied care just as a default to say ''you are not service-connected here.'' I saw the leg. It was damn near blown off.

Because of shortfalls in funding, the people who have served this country and nearly gave their lives, but did give their limbs, are not getting the care they need. It is more than bellyaching to stand up for them. I would invite the gentleman from New York to do something we do not do very often here. Let us step out of the box and stop the partisan fighting.

Here is the situation here today. If we pass the $975 million that the majority is putting forward, there is no way the Senate can conference that before the July 4th recess. The other body has said that if we pass $1.5 billion in the House, the same bill as theirs, it will be on the President's desk and can be signed and we can do something substantive rather than symbolic before July 4th. What is wrong with doing that for our veterans?

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

Mr. BAIRD. I yield to the gentleman from New York.

Mr. WALSH. Mr. Speaker, the Senate attached this 2005 funding to an 2006 bill, which will not take effect within the 2005 year. If they take up this bill on a stand-alone basis, the President can sign it tomorrow.

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Mr. BAIRD. Mr. Speaker, my understanding is different. The gentleman may be right.

My point is we have tried repeatedly on our side of the aisle to get additional funding for the veterans. We had hearings before the Committee on the Budget. The $1.3 billion figure that the gentlewoman from Oregon (Ms. HOOLEY) and I tried to add and were defeated by the majority, we did not draw out of thin air. It came from hearings before the Committee on the Budget. Veterans groups, as the gentlemen know, roundly criticized the majority budget as woefully underfunding veterans' needs. This did not come as a surprise. We saw it coming. We tried to tell you it was coming. You denied it repeatedly; and the sad part is for all of our bickering and complaining here, the people who suffered were the soldiers, and they are suffering today. We need to solve this problem.

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

I thank the gentleman from New York for pointing out the flaws in the argument. If we pass the $975 million tonight, the Senate can take it up tomorrow. The relief is there immediately. It is not a game of political one-upsmanship or the Polk County fair where we have this bidding contest going on.

The $975 million is out there before the July 4 break. It will be on the Senate's desk for them to take up. That is the responsible approach for this House to adopt at this point in the week as we continue to work through all of our avenues of support to get all of this assistance and help and rehabilitation to the veterans in need.

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

Mr. Speaker, I want to point out that if we pass $1.5 billion, we can do the same thing, take the Senate bill and get it finished tomorrow.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. CORRINE BROWN).

(Ms. CORRINE BROWN of Florida asked and was given permission to revise and extend her remarks.)

Ms. CORRINE BROWN of Florida. Mr. Speaker, I have been on the Committee on Veterans' Affairs for 13 years, and let me say one thing: we do not have a shortage of money here in this Congress. We pass whatever we want whenever we want. The problem is, and I rise on behalf of all of the veterans, the problem is that there is not the will. The veterans are not the priority.

What I said in committee I say on this floor today. We can send $1.5 billion over to the Senate. They can pick it up, pass it, and tomorrow morning the President will be taking pictures, taking credit for it; but who wins will be the veterans.

I am reminded of the words of the first President of the United States, George Washington, whose words are worth repeating at this time: ''The willingness with which our young people are likely to serve in any war, no matter how justifiable,'' and we are going to question that, ''will be directly proportionate as to how they perceive the veterans of earlier wars were treated and appreciated.''

Now let us not sham them. Everybody knows that the veterans need $3 billion; not $1 billion, $3 billion. That is what the independent budget says. The other side of the aisle is not surprised. They know what they need.

Why is it we cannot come together and give them something more than this lip service? You all talk a great talk. Let us all come together and walk the walk for the veterans tonight.

Mr. Speaker, I rise in support of veterans everywhere. What has been introduced here today is a sham. The emergency supplemental sent over by the President and accepted by the Republican leadership is wholly inadequate. This $975 million breaks down with money for many needed accounts; however, why should we believe their numbers now?

They lied to us when submitting their budget in February, they lied to us when they came to our committees in April, they did not discuss any issues with the minority members of the Veterans Committee. What do we know that the Senate does not? Why is there more than $500 million less for veterans in this bill? Why are we still trying to balance the budget on the backs of the veterans?

The 3 surgical operating rooms at the White River Junction VA Medical Center in Vermont had to be closed on June 27 because the heating, ventilation, and air conditioning system was broken and had not been repaired due to the siphoning of maintenance funds to cover the budget shortfall.

The Community Based Outpatient Clinics needed to meet veterans' increased demand for care in the North Florida/South Georgia VA Healthcare System have been delayed due to fiscal constraints. As of April, the Gainesville facility has nearly 700 service-connected veterans waiting for more than 30 days for an appointment. As a result of cost cutting measures to make up for the shortfall in FY 2005, the Portland, Oregon, VA Medical Center is delaying all non-emergent surgery by at least six months. Veterans in need of knee replacement surgery won't be treated because of the budget shortfall.

The goal of the Republicans and President Bush is to delay funding to veterans health. By passing this level of funding, we are guaranteed a conference. That will delay funding. Our veterans cannot wait! Support our Veterans! Defeat the Previous Question and fully fund veterans health care! I am reminded of the words of the first President of the United States, George Washington, whose words are worth repeating at this time:

The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional as to how they perceive the veterans of earlier wars were treated and appreciated by their country.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, we are asking young Americans, men and women alike, to fight a war in Iraq, a war in Afghanistan. As we debate funding for veterans tonight, if the Congress is going to err, should we not err a little bit on the side of veterans rather than erring on the side of shortchanging them?

I must say I appreciate the gentleman from New York (Mr. WALSH) and his effort in this process to fix a hole in veterans funding that I believe was created by repeated denials of the Republican House leadership at a real cost of providing quality health care for our veterans. It has been going on for 2 years, not 1 or 2 weeks, but 2 years.

I thank the gentleman from New York (Mr. WALSH) for his efforts this week. This bill would move it a step forward. But why in the world would the House Republican leadership refuse to even consider the $1.5 billion funding level that I think is needed to adequately fund VA health care during a time of war?

Let me put this debate in perspective. Over a year ago, the Republican chairman of the VA committee, the gentleman from New Jersey (Mr. SMITH), stood up and said in a bipartisan letter to the House Committee on the Budget that if you do not add $2.5 billion in 2005 to the VA health care budget, we are going to have to cut veterans services during a time of war, and the gentleman from New Jersey (Mr. SMITH) said that was wrong, and he was right to say it would be wrong.

How did the House Republican leadership honor the gentleman from New Jersey (Mr. SMITH) for standing up for veterans? Did they salute him? No, they fired him. They not only fired him from his position as chairman of the House Committee on Veterans' Affairs, took him off the Committee on Veterans Affairs' altogether.

Now the same leadership that punished a Member of the House for standing up for veterans during a time of war is asking us on a few minutes' notice to support the funding level for the VA health care crisis that is nearly $600 million less than that approved on a bipartisan basis by the United States Senate.

If we are going to err, why not err on the side of veterans? The same people who provided the numbers that put together this bill, it was put together on a partisan basis. I was not approached as ranking member of the Subcommittee on Military Quality of Life and Veterans Affairs to help determine what the number should be.

If this had been done on a bipartisan basis today, perhaps we could have all come up with a number that we all could have agreed upon.

If the gentleman from New York (Mr. WALSH) had his way, I think it would have been done in a bipartisan way. But the decision to make this a partisan bill tonight was made by the same House Republican leadership that chose a year ago to turn its back on veterans when it fired the gentleman from New Jersey (Mr. SMITH) for saying we should adequately fund veterans health care.

Let us err on the side of honoring our veterans tonight, not shortchanging them. And the Senate, the other body, has made it perfectly clear that it would take up immediately the bill that we would like to have voted on the House tonight to add $1.5 billion to VA health care spending for the year 2005.

It is a sad day when Members of this House are punished for standing up for veterans. Let no one on the Republican side of the aisle say these are just Democrats making partisan fights. We have been accused of that for the last 2 years by some who now want to say you were right, our numbers were wrong.

We should come together tonight. I would plead on a bipartisan basis to support the $1.5 billion funding level for veterans health care that the Senate has already adopted on a bipartisan basis. I would urge the House Republican leadership to stop punishing and intimidating Members of this House who will put their loyalty to veterans above their loyalty to partisanship. Let us do the right thing.

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

The gentleman continues to say this is a partisan issue. I would venture to agree with the gentleman from New York (Mr. WALSH): the vote on this will be anything but partisan. I would venture to say that the support for restoring the $975 million mistake that the VA made will be a very broad, bipartisan, nonpartisan vote because I cannot imagine that anybody would stand in the way of that money finding its way into the veterans' hands, and the medical clinics and hospitals that so desperately need it.

The gentleman from Texas (Mr. EDWARDS) has identified the need as being $1.5 billion. The gentlewoman from Florida (Ms. CORRINE BROWN) has identified the need as being $3 billion. The VA and the administration has said it is $975 million. If we as a House pass that $975 million, get it into the hands of the people who need it, if we find between now and the end of the fiscal year, because that is the number that has been stated that is needed for the remainder of the fiscal year, but we will be back here in a week, and if we find that more is needed, without question it would be given again on a broad bipartisan vote.

But we believe that the correct number based on the new actuarial study, based on the request of the Secretary, based on the request of the administration is $975 million. The gentlewoman from Florida (Ms. CORRINE BROWN) believes it is $3 billion, but she is only willing to put half of that up by asking for $1.5 billion. We are willing to fund all that we believe the VA has requested to get them through the remainder of this fiscal year. This is not a partisan issue. This is an issue of huge importance to all of our veterans. I think that all of us on a broad bipartisan basis should pass this rule which allows us to get this money to them.

I want to correct another issue that continues to be repeated by the other side of the aisle. The Senate has not passed a penny for the veterans. It has been reported out of their committee. What we are doing here tonight allows the entire House to act on this appropriations request and get it over there to the Senate as quickly as possible.

As usual, we are ahead of the Senate on this issue, and we are acting as quickly as possible to get them the request the administration has made for the remainder of the fiscal year. It has not been taken up by the Senate. It has not passed out of the Senate, it has only come out of committee. We have put this thing on the fast track to get veterans the help they need.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. SALAZAR).

Mr. SALAZAR. Mr. Speaker, I echo the sentiments of the gentleman from Texas (Mr. EDWARDS), who has been a tireless advocate of veterans benefits. I am a veteran and a son of a veteran who has a son who just became a veteran, so I echo the gentleman's sentiments.

Mr. Speaker, I rise today in support of our veterans, our troops, and H.R. 3130. Since I was elected, we have buried five soldiers in the Third Congressional District. As we drape our Nation's flag over their coffins, are we supposed to tell their families that our budget prevents them from getting promised benefits? As we celebrate July 4 and march in parades alongside the heroes of World War II, Vietnam, Korea, and the Persian Gulf, are we supposed to tell these veterans that last week's accounting error will prevent them from being seen by a doctor? And that not only will they have to travel 5 hours to see a doctor, but once they get there, they will be turned away?

They did not turn away when we called upon them to serve our country.

They did not turn away from putting their lives on the line for our freedoms. We cannot turn away from them now.

It should not take an emergency or bad press coverage for this administration to care about the health of our Nation's veterans. In a time of war, bringing our troops home safely and taking care of our veterans is our number one priority.

This administration has let our Nation's heroes suffer because of a mismanaged budget. This is absolutely shameful and unacceptable. No one should ever let the troops and veterans be an afterthought. We need to provide this money now. We need to guarantee all future funding for the Veterans Administration so our Nation's heroes never have to suffer from a mismanaged budget again.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, I would just like to say in response to the comments of the gentleman from Florida (Mr. PUTNAM), he cannot name one Democrat in this House that was approached in putting together this bill dealing with veterans health care. If that is not partisan, I do not know what is.

What were the Republicans afraid of in working with Democrats to come up with a bill to fix the problem that the Republican leadership created? By the way, the same leadership passed a budget resolution this year cutting veterans health care benefits by $14 billion over the next 5 years. Forgive me if I do not trust that same leadership coming forward with this bill tonight.

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

Mr. Speaker, the gentleman from Texas is a champion for veterans and has been for years, and I do not take anything away from him on that. But the fact of the matter is that for the last 10 years, veterans funding per veteran has doubled under Republican leadership. The funding overall has continued to grow. It has grown, as the gentleman from New York (Mr. WALSH) pointed out, at the highest rate of any agency in the government. As I said earlier, the vote on this issue will not be a partisan one. Every Member is committed to move this funding to the veterans as quickly as possible.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. SPRATT).

□ 2000

Mr. SPRATT. Mr. Speaker, let me quickly point out that this should come as no surprise. The President's budget for 2005 cut veterans appropriated funding $248 million below the Congressional Budget Office estimate of what was needed to keep pace for inflation in 2005 and $13.4 billion below current services over 5 years. For 2006, the President's budget called the even deeper cuts. Excluding the proposal to impose new and unrealistic fees, it cut funding for veterans appropriated programs $759 million below current services necessary to keep pace with inflation, $18 billion below inflation over 5 years.

Democrats have offered alternatives every year on this floor that would have covered the shortfalls the V.A. has identified. In 2005, we offered a budget resolution with $2.5 billion more than the President requested. In 2006, we offered a budget resolution with $2.3 billion over the President's request. And every year the outyear funding that we proposed was also substantially more than they proposed, and that is a problem we are not even discussing tonight because consistently what has happened here is there has been a little plus-up in the near term and a flattening out in the long term, and we inherit the consequences and episodes like this.

If we had passed the resolutions that Democrats supported and brought to this floor, we would not be here tonight discussing this bill.

Mr. PUTNAM. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

I always take a keen interest in these debates on veterans' health care issues. I actually work in a veterans' health care facility. I volunteer once a month; I see patients. And I have been doing it for years, and we have seen for years a tremendous explosion in demand for access to our veterans' health care system. And some of it has been generated by this Congress. We relaxed some of the access requirements. Some of it has been generated by the high cost of prescription drugs. A lot of the new patients coming into the system are people who do not have a prescription drug benefit. And, of course, now we have increased demand with the consequence of the war.

And I want to commend the gentleman from Florida (Mr. PUTNAM) on this rule. I think it is a good rule, and I want to commend the gentleman from New York (Mr. WALSH). He has worked very hard to address this shortfall. And, personally, I think we, as a Congress and as a Committee on Appropriations, need to take a very close look at the bill that we have already passed to address the 2006 needs, and this situation that we are dealing with today, I think, is the right thing for us to do. It is the best thing for our veterans. I know in the State of Florida, where I work and where I live, it has more than doubled, the number of veterans that have come into the system in the last 6 years, and it is truly breathtaking the number of people who are coming into the veterans system on a regular basis.

So I commend the author of this supplemental, and I believe it is the right thing for us to do for our veterans. We are in a state of war, and we need to send a signal to young people who want to enlist, to people who are serving and the people who have served that the Congress is going to stand with them and we are going to address these needs properly.

Ms. SLAUGHTER. Mr. Speaker, I yield 15 seconds to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, the gentleman from Florida and the gentleman from New York have repeatedly said that this will be a nearly unanimous passage. That may be true because the only thing we can unanimously agree on is the lower number. The Republicans will not agree on the higher number, which is what the veterans need. The Democrats will agree on the lower number because it is all they are really willing to give us. But if they truly cared for the veterans, they would agree with us and we would have unanimous vote on the $1.5 billion.

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

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

Before I start, I will insert in the RECORD the news release from Senator CRAIG, Committee on Veterans' Affairs chairman, and the New York Times editorial today called ''The True Cost of War.''

SENATE TO QUICKLY TAKE UP $1.5 BILLION MEASURE FOR VETERANS IF SENT FROM THE HOUSE

WASHINGTON, DC—The U.S. Senate Appropriations Committee retreated its position today that the Department of Veterans Affairs need $1.5 billion to fill a spending gap for the Department of Veterans Affairs. In a unanimous vote, the appropriators voted to authorize the Senate to quickly take up a $1.5 billion emergency supplemental if the House approves such a measure.

That action came after the Bush Administration indicated earlier today that the agency needs $975 million.

''Clearly there is disagreement here on the number, but it's clear that we all want to do the right thing for veterans. We do not want to leave the Department of Veterans Affairs short of funds,'' said Sen. Larry Craig who serves on the Appropriations Committee and is Chairman of the Senate Committee on Veterans' Affairs. ''Working with our colleagues in the House, I'm sure we can achieve that objective.''

[From the New York Times, Jun. 30, 2005]

THE TRUE COST OF WAR

In anger and embarrassment, Congressional Republicans are scrambling to repair a budget shortfall in veterans' medical care now that the Bush administration has admitted it vastly underestimated the number of returning Iraq and Afghanistan personnel needing treatment. The $1 billion-plus gaffe is considerable, with the original budget estimate of 23,553 returned veterans needing care this year now ballooning to 103,000. American taxpayers should be even more furious than Congress.

The Capitol's Republican majorities have shown no hesitation in signing the president's serial blank-check supplemental budgets for waging the war, yet they repeatedly ignored months of warnings from Democrats

that returning veterans were being shortchanged. One Republican who warned of the problem—Representative Christopher Smith of New Jersey—lost his chairmanship of the Veterans' Affairs Committee after pressing his plea too boldly before the House leadership.

But partisan resistance melted in a flood of political chagrin once the administration admitted the budget error, which was first discovered in April but only now disclosed. The explanation offered—the gaffe was due to using dated formulas based on prewar calculations—left Republicans sputtering all the more.

All wars necessarily involve mismanagement, even successful ones. But there is no excuse for treating the needs of wounded and damaged warriors as a budgetary afterthought. Congressional Republicans were far from innocent victims of administrative ineptitude or deception. After years of approving record tax cuts and budget deficits, they stuck to this year's pre-election script of fictitious ''budget tightening'' that underestimated inevitable expenses and shortchanged returning veterans with higher health care enrollment fees and drug co-payments. The only comfort for the American public is that unlike many of the war's problems, this one can be repaired, providing partisan combat is suspended in the Capitol.

Ms. SLAUGHTER. Mr. Speaker, I am going to be asking Members to vote ''no'' on the previous question. If the previous question is defeated, I will offer an amendment to the rule that will allow the House to immediately consider H.R. 3136, legislation introduced by the gentleman from Texas (Mr. EDWARDS) and the gentleman from Wisconsin (Mr. OBEY) that provides an immediately desperately needed $1.5 billion in funding for veterans medical service. This amount is the same level that was approved by the Senate last night and is what is needed to fully care for our Nation's veterans.

Mr. Speaker, it is too bad that the White House and the VA were not honest about this shortfall in the first place because if they had been, as the gentleman from South Carolina (Mr. SPRATT) said, we would not need to be here tonight. But I think now even the most skeptical of my colleagues in the House realize that our veterans' health care system is in a serious crisis. And while it is encouraging that after feeling the pressure brought to bear by the American people that the Republican leadership has reversed course and agreed to take some action, it is unclear to me why they are providing only $975 million instead of the full amount needed. How can we believe the same people who told us there was no problem?

Senator CRAIG is asking the leadership of this body to pass a bill and let him have that $1.5 billion out of here so they can finish work on this in the morning. Clearly, clearly, we must do that for our veterans. Remember, we have a contract with them. When we sent them off to war, we guaranteed that we will meet their needs.

So please vote ''no'' on the previous question, and we can vote today for full funding of our veterans.

Mr. Speaker, I ask unanimous consent that the text of the amendment be printed in the RECORD immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentlewoman from New York?

There was no objection.

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

Mr. PUTNAM. Mr. Speaker, for the purpose of closing, I yield the balance of my time to the gentleman from New York (Mr. WALSH), distinguished chairman of the Military Quality of Life and Veterans Affairs, and Related Agencies Subcommittee of the Committee on Appropriations; who has been a champion for veterans funding, who has been there year in and year out. He shepherded, along with the gentleman from Florida (Mr. BILIRAKIS) and other Members of this House, the first concurrent receipt bill in the history of this country, double-digit funding increases for veterans, a doubling of funding for veterans over the last decade, a real champion for the veterans.

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

After all the speeches and the rhetoric, really the big difference here is the dollar amount. We all realize there is a shortfall. We all support closing the gap. So the issue is $1.5 billion that the Senate acted on. One Member said it was 3, but I think most people, at least on the opposite side of the aisle, agree that it is $1.5 billion. We believe it is $975 million. So everything else really at this point is rhetoric. We just need to try to address that. And I tried for the life of me to figure out where this $1.5 billion figure came from. I know the Senate is working with that figure, because everything we have heard from the Veterans Administration was that they had a work-around solution to come up with $600 million out of their capital fund and $375 million out of their reserve fund to close this gap in different lines of health care within the hospital system, and that would add up to that $975 million.

The $1.5 million is still a big question mark, and the only thing I can come up with is that, in a conversation I had with OMB Director Bolten, he mentioned that there may be, they do not know but they are working on it, a shortfall in 2006, in 2006, of somewhere between $1.1 and $1.6 billion. And that is 2006. No one, no one, has ever mentioned the fact that there is a shortfall in 2005 of $1.5 billion. So we have what I think is a number that is provided through a logical process, through testimony in the hearings presented by the head of the health administration and the Department of Veterans Affairs Secretary.

This, I believe, is as close to what we can get as what the gap is. Let us support it on a bipartisan basis. Let us support the rule and consider the bill.

The material previously referred to by Ms. SLAUGHTER is as follows:

At the end of the resolution add the following new section:

''SEC. 3. Immediately upon the adoption of this resolution it shall be in order without intertention of any point of order to consider in the House the bill (H.R. 3136) making emergency supplemental appropriations for the Department of Veterans Affairs for fiscal year 2005 for veterans medical services. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) 60 minutes of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit with or without instructions.

Mr. PUTNAM. 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 noes appeared to have it.

Mr. PUTNAM. 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. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 216, nays 191, not voting 26, as follows:

[Roll No. 359]

YEAS—216

Aderholt	Conaway	Goodlatte
Akin	Cox	Granger
Alexander	Crenshaw	Graves
Bachus	Cubin	Green (WI)
Baker	Culberson	Gutknecht
Barrett (SC)	Cunningham	Hall
Bartlett (MD)	Davis (KY)	Harris
Barton (TX)	Davis, Jo Ann	Hart
Bass	Davis, Tom	Hastings (WA)
Beauprez	Deal (GA)	Hayes
Biggert	DeLay	Hayworth
Bilirakis	Dent	Hefley
Bishop (UT)	Diaz-Balart, L.	Hensarling
Blackburn	Diaz-Balart, M.	Herger
Blunt	Doolittle	Hobson
Boehlert	Drake	Hoekstra
Bonilla	Dreier	Hostettler
Bonner	Duncan	Hulshof
Bono	Ehlers	Hunter
Boozman	Emerson	Hyde
Boustany	Feeney	Inglis (SC)
Bradley (NH)	Ferguson	Issa
Brady (TX)	Fitzpatrick (PA)	Istook
Brown (SC)	Flake	Jenkins
Brown-Waite, Ginny	Foley	Jindal
Burgess	Forbes	Johnson (CT)
Burton (IN)	Fortenberry	Johnson (IL)
Buyer	Fossella	Johnson, Sam
Calvert	Foxx	Jones (NC)
Camp	Franks (AZ)	Kelly
Cannon	Frelinghuysen	Kennedy (MN)
Cantor	Gallegly	King (IA)
Capito	Garrett (NJ)	King (NY)
Carter	Gerlach	Kirk
Castle	Gibbons	Kline
Chabot	Gilchrest	Knollenberg
Chocola	Gillmor	Kolbe
Coble	Gingrey	Kuhl (NY)
Cole (OK)	Gohmert	LaHood
	Goode	Latham

LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Myrick
Neugebauer
Ney
Northup
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—191

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hastings (FL)
Herseth
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rangel
Reyes
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—26

Berman
Boehner
Butterfield
Cardin
Cramer
English (PA)
Everett
Harman
Higgins
Keller
Kingston
Musgrave
Norwood
Oberstar
Paul
Peterson (PA)
Radanovich
Rahall
Rogers (KY)
Rogers (MI)
Ross
Schiff
Smith (NJ)
Solis
Waters
Wicker

□ 2030

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 359 on H. Res. 345 concerning the previous question, I was unavoidably detained. Had I been present, I would have voted "nay".

Mr. RAHALL. Mr. Speaker, on rollcall No. 359, had I been present, I would have voted "nay."

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

RECORD votes on postponed questions will be taken later today.

EXPRESSING THE SENSE OF THE HOUSE THAT A CHINESE STATE-OWNED ENERGY COMPANY COULD TAKE ACTION THAT WOULD THREATEN THE UNITED STATES

Mr. NEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 344) expressing the sense of the House of Representatives that a Chinese state-owned energy company exercising control of critical United States energy infrastructure and energy production capacity could take action that would threaten to impair the national security of the United States.

The Clerk read as follows:

H. RES. 344

Whereas oil and natural gas resources are strategic assets critical to national security and the Nation's economic prosperity;

Whereas the global demand for oil and natural gas is at the highest levels in history;

Whereas the global excess capacity of oil production, at between 1,500,000 and 2,000,000 barrels per day, is at its lowest level in the past several decades, contributing to world oil prices reaching historic highs of above $60 per barrel;

Whereas natural gas globally is the fastest growing component of primary energy consumption, projected to increase by nearly 70 percent by 2025;

Whereas the National Security Strategy of the United States approved by President George W. Bush on September 17, 2002, concludes that the People's Republic of China remains strongly committed to national one-party rule by the Communist Party;

Whereas China's daily consumption of crude oil grew by nearly 850,000 barrels in 2004, accounting for more than one-third of the increase in world demand for oil in 2004;

Whereas China's consumption of crude oil is expected to grow by an additional 7.5 percent in 2005, and world oil prices are projected to rise significantly as a result of increasing demand from China for oil;

Whereas notwithstanding the increasing demand from China for oil, domestic Chinese output of oil has remained relatively stagnant;

Whereas on June 23, 2005, the China National Offshore Oil Corporation (CNOOC) announced its intent to acquire Unocal Corporation, in the face of a competing bid for Unocal Corporation from Chevron Corporation;

Whereas the People's Republic of China owns approximately 70 percent of CNOOC;

Whereas a significant portion of the CNOOC acquisition is to be financed and heavily subsidized by banks owned by the People's Republic of China;

Whereas Unocal Corporation is based in the United States, and has approximately 1,750,000,000 barrels of oil equivalent, with its core operating areas in Southeast Asia, Alaska, Canada, and the lower 48 States;

Whereas CNOOC has made various representations about its intention to sell oil developed in the Gulf of Mexico to the United States, but has not made any commitment to sell other natural gas and oil it develops into global energy markets instead of shipping it directly to China;

Whereas a CNOOC acquisition of Unocal Corporation would result in the strategic assets of Unocal Corporation being preferentially allocated to China by the Chinese Government;

Whereas a Chinese Government acquisition of Unocal Corporation would weaken the ability of the United States to influence the oil and gas supplies of the Nation through companies that must adhere to United States laws;

Whereas Unocal Corporation was responsible for the production of energy equivalent to approximately 411,000 barrels of oil per day in 2004, which is approximately one-third of all global excess oil production capacity;

Whereas CNOOC's control of Unocal Corporation's productive capacity would mean control of approximately one-third of all global excess oil production capacity;

Whereas the petroleum sector uses a range of sensitive technologies for exploration (such as seismic analysis and processing, downhole logging sensors, and modeling software), production, and refining (such as processing technologies and equipment), including technologies that have ''dual-use'' commercial and military applications;

Whereas several of the technologies used in oil and energy production require export licensing for export from the United States to China;

Whereas the CNOOC acquisition of Unocal Corporation could provide access to Unocal Corporation's sensitive dual-use technologies that the United States would otherwise restrict for export to China;

Whereas oil companies owned by the People's Republic of China are active in parts of the world, such as Sudan and Iran, that are subject to United States sanctions laws, and the national security of the United States is threatened by the export of sensitive, export controlled, and dual-use technologies to such countries;

Whereas barriers to the ability of the United States Government to enforce export controls and sanctions could pose a direct threat to the national security of the United States; and

Whereas section 721 of the Defense Production Act of 1950 (50 App. U.S.C. 2170) authorizes the President to suspend or prohibit any foreign acquisition, merger, or takeover of a United States corporation that threatens the national security of the United States, if the President finds that ''there is credible evidence that leads the President to believe that the foreign interest exercising control might take action that threatens to impair the national security'' and other provisions of law ''do not in the President's judgment provide adequate and appropriate authority for the President to protect the national security'': Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the Chinese state-owned China National Offshore Oil Corporation, through control of Unocal Corporation obtained by the proposed acquisition, merger, or takeover of Unocal Corporation, could take action that would threaten to impair the national security of the United States; and

(2) if Unocal Corporation enters into an agreement of acquisition, merger, or takeover of Unocal Corporation by the China National Offshore Oil Corporation, the President should initiate immediately a thorough review of the proposed acquisition, merger, or takeover.

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

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

Mr. NEY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I rise today in support of House Resolution 344, introduced by the gentleman from California (Mr. POMBO), and urge its immediate adoption.

Briefly, this resolution asks that the President initiate a thorough review of any potential takeover of Unocal Corporation by the Chinese National Offshore Oil Company as soon as any agreement of such a takeover is announced, on the grounds that such a purchase could threaten the national security of the United States.

Mr. Speaker, at a time of rising prices on global oil supplies, ready access to energy resources is a vital element to our economic security. It is imperative that the United States protect its access to Unocal's energy resources in order to protect our economy and our national security.

Just as importantly, Mr. Speaker, I and many Members are extremely skeptical of assurances that the Chinese oil company executives have sought to offer that they would dedicate any oil production from this region to consumption in the United States.

Mr. Speaker, we know from a number of past experiences that the Chinese do not look at trade the same way we do, that agreements made or treaties signed are more of a starting point for negotiation than documents that must be adhered to. Especially in this purchase, the Chinese company and the Chinese government are not playing fair. This company is 70 percent owned by the Chinese government, is said to be receiving more than a quarter of the funding of its bid for Unocal at zero percent or at highly subsidized interest rates.

Mr. Speaker, American companies who are interested in buying Unocal cannot get funding deals like that. They borrow on the open, nonsubsidized credit market, or they would be able to offer a few billion dollars more in an instance like this. I call that an unfair trade practice, and a good enough reason for the deal to be waved off all by itself.

But, Mr. Speaker, there is a much more serious reason to be skeptical of this proposed purchase, and it is for that reason I support this resolution.

In my view, a purchase of Unocal by a company that the Communist government of China controls, a government that is one of our major trading partners but also one of our major trade competitors, threatens the national security of this country by holding out the prospect that every drop of oil, every unit of natural gas produced by that company could end up being shipped to China.

We are all reminded every time we go to the gas pump what has happened to the price of oil recently, and if the Chinese shut off the Unocal tap, the United States supply of oil would be that more scarce and a gallon of gas or heating oil that much more expensive.

You only need 2 numbers to understand how serious this problem potentially could become: the global excess capacity of oil production right now is estimated to be just 1.5 to 2 million barrels of oil a day, the lowest in the past several decades. Compare that to this: last year, China's increase in demand for crude oil is said to have been 850,000 barrels a day, with the demand expected to grow another 7.5 percent this year alone.

Mr. Speaker, the Chinese economy is inhaling oil, and a lot of other commodities, at a staggering rate. How can we imagine that a government-owned oil company will not send its fuel to feed that government's economy, and not our own?

Mr. Speaker, I urge support of this resolution that is so needed.

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

Ms. KILPATRICK of Michigan. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of the resolution. The House went on record earlier today in a strong, bipartisan way, to support that we would, first of all, make sure that CFIUS, which is the Committee on Investments in the United States chaired by the Secretary of the Treasury Snow, that we go on record making sure that we not spend money at this time for a Chinese company that is Communist-owned by the Communist government to take over our ninth largest oil company. The Congress has spoken, and we are happy that we did so in a loud, strong voice.

The sense of the Congress resolution before us is one that we also support. General Motors is losing technology to China, and it is costing the company $12 billion a year. Intellectual property rights are not being protected, and China has been abusing those rights.

We must protect American business, and we must do what is necessary. So, I am proud of the Congress and the gentleman from California (Mr. POMBO) for introducing this resolution that we also further state our strong support for not allowing the sale to go through.

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

Mr. NEY. Mr. Speaker, I yield 2 minutes to the Chairman of the Committee on Energy and Commerce, the gentleman from Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in strong support of this resolution, and I am proud to be one of the original cosponsors. I would like to point out a couple of problems with the proposed transaction.

Number one, if Unocal was trying to buy the Chinese National Offshore Oil Company, they could not do it, because Chinese law does not allow a foreign company to have a controlling interest in a company in China. That is one problem.

Number two, CNOOC is a front company for the Communist Chinese government. Seventy percent of the equity in the company is owned by the Communist Chinese government. The money that is going to be used to buy Unocal comes from the Communist government in the form of a loan. This loan almost doubles the total amount of debt; in fact, it over-doubles the total amount of debt that the company currently has.

Number three, if we wanted to sell our products in China, under current law, that probably would not be allowed. So I am in strong support of this resolution.

I chair the committee that has jurisdiction over the Committee on Foreign Investment of the United States, CFIUS, and I plan to hold a hearing on this when we get back sometime in the very near future, after the July Fourth recess. There is no reason that we cannot find a buyer for Unocal that meets all of the tests that a company in the United States would have to meet.

So I am in strong support of this resolution, and I hope all Members of the House of Representatives will support it.

Ms. KILPATRICK of Michigan. Mr. Speaker, at this time, I yield 3 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I do not have any objection to a review of this contract, and I certainly understand the domestic politics, but I think we need to be fully aware of two things about this: how China is able to purchase UNOCAL, and why they need to.

The how is all about what we have done to ourselves. With $9 trillion of public debt outstanding, somebody has to buy it, and 44 percent of our Treasury debt, I say to my colleagues, is foreign-owned. The fastest-growing component of that foreign ownership is in China, and it is a darn good thing for us that they are buying it, because if they were not, our interest rates would be much higher than they are today. They are keeping our interest rates low, but it does not come for free.

The fact is, if we say that they cannot use that money legally to purchase assets, to give 16+ billion to American shareholders in return for a corporate asset, what are they likely to do? They are going to say this currency is not as valuable to us as it is to other people in other countries, so we are going to have to dump this, and imagine what that would mean. They are holding a financial guillotine over the neck of our economy, and they will let it drop if we do things like this that are not well-considered.

Now, the why. They desperately need energy to keep their economy sustained, but if we do not let them invest in western firms, what are they going to do? They are going to invest more capital in Iran, in Sudan; they are going to make those governments even stronger than they are today and a much greater threat to us. So think seriously about this.

Now, the reality is that UNOCAL only produces about 1 percent of our oil and gas production, and they intend to market that and continue providing that to the United States. Also bear in mind, though, that American oil companies have a whole lot of drilling rights and oil reserves off the coast of China. We have an investment all over the world, and when we start with these kinds of resolutions, start deciding, well, we are not going to let the market work, we are not going to let free enterprise control this, this is not truly a globally free economy if it is not completely to out liking. We are going to treat China differently.

I cannot stand State-controlled economies. But when we start doing things like this, there are ramifications that we have not thoroughly thought out, and I think we need to be very careful about passing resolutions like this.

Again, I understand the domestic politics, I understand why we do not want State-owned companies controlling American oil companies, but I also understand why China is doing this. Their CEO was educated in the United States. They will keep all of UNOCAL's employees. Chevron plans to save millions by firing most of them. This is one of the better-run Chinese companies. Ultimately what they are proposing is much more in our interests than the alternatives also available to them. So let us fully consider this before we pass this resolution. I'm voting no.

Mr. NEY. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. HUNTER), the chairman of the Committee on Armed Services.

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

I support the attempt to block this sale. This sale involves a strategic asset and, more importantly, a strategic lever for Communist China. Our policy for the last many years has been to deter the Chinese government in Beijing from ever coming into the position where they thought they had enough leverage over the U.S. to cross the Straits of Taiwan. This would be a major lever that would accumulate to the Chinese Communist government on top of the Sovereign class missile cruisers that they have acquired, on top of the MiG fighter production that they have acquired, on top of the other acquisitions of major U.S. economic interests.

□ 2045

I hope everyone votes against this, votes to block this important transfer of a strategic asset to, and make no mistake about it, the communist government, not a private entity, but the communist government of China.

Ms. KILPATRICK of Michigan. Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts (Mr. CAPUANO), a member of the committee.

Mr. CAPUANO. Mr. Speaker, this is a good resolution, and I support it, and the issue is important. However, I just wanted to stand tonight to point out the fact that we are really just talking about the tail. This is not the dog; it is simply the tail. It is important. I do not want to minimize it. But the truth is we are talking a $16 billion sale most of which will go to American shareholders.

However, what we are not talking about is the elephant in the room where right now as of today, after 4½ years of this administration, we currently owe China $277 billion. That is what we owe them right now. That is a 257 percent increase over 4½ years ago. We are going to have a 40-minute debate tonight on this particular issue. In that 40 minutes, on average, over the last 4½ years, America will have borrowed $3 million from China. By the time we are finished talking, we will owe them another $3 million. I do not want to pick on China. China is only one of the issues. It is not the only country.

In the last 4½ years, 84 percent of all debt sold, all private debt sold by the United States Government has been sold to foreign governments and foreign corporations of which China is only the second largest.

To me this is an important issue. I support it. I am glad we are taking action. But more importantly, we had better wake up. We are sending too many jobs, too much money, too much economic power overseas. China is only one of them. But they are a large one. I just wanted to use this opportunity to make sure that we know this is only the beginning. It is not the end.

Mr. NEY. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, I rise in strong support of the resolution. This legislation is going to send a much needed strong signal to China. We do not support government-sponsored acquisitions of American corporations that clearly threaten our national security. I am extremely concerned at CNOOC's proposal to buy Unocal, one of our Nation's leading independent natural gas and crude oil exploration companies. The Chinese Government owns over 70 percent of the China National Offshore Oil Corporation.

This is frightening. China is the second largest consumer of energy in the world behind the U.S. China's only desire to purchase this energy company is to meet the demands of their ever-growing population and economy. We cannot let this purchase move forward. What type of precedent would it set? What would the Chinese take next? They have already taken the textile industry jobs, thousands of jobs from other business, whether it is currency manipulation, the intellectual property rights or even government subsidies. China does not play by the rules. Why in the world would we expect them to do so now?

Folks, this is a no-brainer. It is time for America to take a stand and say no. We have suffered too much. We cannot allow the Chinese to lock into one of our most precious resources and leave our Nation vulnerable.

Support the resolution. I commend the gentleman from California (Mr. POMBO). Stop this move now.

Ms. KILPATRICK of Michigan. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentlewoman's courtesy in permitting me to speak on this bill. There are a number of things in here that I have no objection to, that I think we should do in terms of preserving our national security.

But what is striking about H. Res. 344 is that it basically misses the point. It is inadequate. It talks about only a little bit of the equation.

The problem that we have now is first, we have a reckless fiscal policy in this country aided and abetted by this Congress. We are as addicted to the Chinese loans, to their credit to us, as we are to Saudi oil. Nothing in this resolution talks about getting our fiscal house in order. What would happen if instead of using their money that we have given them to purchase this oil company, what if they purchased something in another area or if they start

dumping our bonds. What would happen to interest rates and the problems in this country?

It is also interesting that the resolution talks about the Chinese oil supply being stagnant in terms of their domestic production. Our supply in the U.S. is not just stagnant; it is going down. Even if you suck the entire oil supply out of the Arctic wildlife refuge and threaten our offshore areas with drilling, we are still in decline.

This resolution does not talk about energy independence for the United States. In fact, the Republican majority's energy bill, according to the Department of Energy, is going to increase our dependence on foreign imported oil by 75 percent. Interesting. We have gone from a one-third in the 70s, 56 percent imported today, it will be 68 percent in 2025; yet the best that my friends in the majority can do is bash China a little bit and not do anything about our oil addiction, not do anything about diversifying our sources of energy, not do anything about the reckless fiscal policy that puts us at their mercy.

As my colleague from Virginia pointed out, 44 percent of our debt is foreign owned, an increasing percentage from China. Our addiction to things from Wal-Mart means that it is going to be more the case in the future.

What are the Chinese doing? They are diversifying their supply. They are taking some of the money we have given them to invest. They are increasing the energy efficiency of their cars, something that, sadly, the Republican energy bill does not allow in any meaningful way.

I would suggest, ladies and gentlemen, that you can examine the national security implications of dual-use technology. That is fine. But what really has us at risk is that we are addicted to imported oil, wasting energy and a reckless fiscal policy. This resolution is completely beside the point on these critcial factors.

Mr. NEY. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. HAYWORTH).

(Mr. HAYWORTH asked and was given permission to revise and extend his remarks.)

Mr. HAYWORTH. Mr. Speaker, I had hoped to come to the well to speak on a bipartisan resolution. Given the preceding remarks from the well, it may be difficult for international observers to detect the bipartisanship. Rather than succumb to the temptation of snappy rejoinders in the field of domestic political debate, rather than use this time as a pretext for a campaign screed that would criticize the opposing party instead of deal with the resolution at hand, rather than rephrase history about troubling campaign donations that emanated from the People's Republic of China, perhaps it is best, Mr. Speaker, to deal with the resolution at hand, and find some common agreement, apart from the grandstanding and campaigning that is so easily enjoined.

Fact number one: just as Dwight Eisenhower warned America about the growing influence of a military industrial complex, the fact is, there is a political business military complex in the martial markets of communist China. What do I mean by that? The communist Chinese do not enjoy free markets. They, instead, have a program of martial markets. American investment is kept in minority status; and every application, from the most innocuous widget to the fried chicken drumstick, eventually brings proceeds to the Chinese Red Army. And now we have the most graphic example, where the Chinese-owned energy company, with government, Communist government investment, seeks to buy an American oil company.

It has been said that information is power. Energy literally is power. Early in the 21st century, though we may look to new technological advantages, the fact is this: a nation that surrenders its energy concerns, its energy technology is a nation inviting vulnerability. And so I would enjoin Members of this House, Mr. Speaker, as tempting as political debate and one-upsmanship might be, not to succumb to the temptation, not to stand as Republicans or Democrats or Independent or Libertarians or vegetarians, but to stand as Americans. Support this resolution because we dare not yield our energy future to the Communist Chinese.

Ms. KILPATRICK of Michigan. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I thank the gentlewoman from Michigan (Ms. KILPATRICK) for yielding 3 minutes to me and wish to rise in support of the resolution, but also to compliment the gentlewoman from Michigan for successfully passing an amendment this afternoon that stopped this merger by claim with Unocal from going through. That is in the base bill that we were debating for the entire day.

This resolution is helpful. It gives us a sense of the Congress that the U.S. does not want to lose her strategic energy edge. But this July 4th weekend, it is important for America to think about our independence, indeed, our diminishing independence due to imported petroleum. It is the largest share of our trade deficit with the world; 63 percent of what fuels this economy has to be imported.

Yes, America has lost her independence, and under this President, it is 7 percent worse than it was before he took office now, with the cost of a barrel of oil over $60 and gas at the pump $2.50 and rising all over this Nation.

So what are the Chinese trying to do? They are trying to trump our strategic edge over in Afghanistan now, because the Unocal pipeline running through Afghanistan has all that natural gas just ready to flow, but it is right on the border of China. So China has been very smart with the money she has earned off this market. She is buying pieces of us or what some claim to be ''U.S. companies,'' but in actuality they have their assets spread all over the world. It's no secret we have pumped ourselves dry except for what is left up in Alaska.

And so we ask ourselves what is going on here? What is going on here is America is losing her independence, starting with petroleum. The Chinese need petroleum too. What America needs is energy independence here at home and the sooner we realize that, the fewer resolutions we would need to try to interfere with the free market. But you know what? We do not have any more choice, because we expect we will be 75 percent dependent on petroleum if this Congress does not trump this President of the United States and produce a real energy bill that will put us on the road to true energy independence. We need new biofuels, new energy from fuel cells, from hydrogen, from solar, from renewables, from all kinds of new energy sources that should be tapped and built in this country.

Meanwhile, we sort of have to limp our way across the finish line on this July 4th celebration and admit America is losing her energy edge around the world. We should not be dependent. We should not have to kneel down in front of the Chinese, the Communist Chinese, vegetarians as Mr. Watt referenced, or anyone else. We should become energy independent here at home. This resolution points us in the only direction open to us now. The gentlewoman from Michigan's amendment earlier in the day hit a real home run in blocking the merger. We compliment her for her excellent work.

Mr. NEY. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Speaker, both The Wall Street Journal and the New York Times agree, a rare event, that we should not interfere with free markets in this way. America stands for freedom, and that means not just voting for who we want, speaking the way we want, but also the right to buy and sell from whoever we wish.

I remember when Japanese investors moved to buy Rockefeller Center, at inflated prices, and many in this body wanted to stop that deal. We did not. And only a few years later the Japanese sold it back to the United States for pennies on the dollar. Bottom line, we made a killing. And Americans are better off for letting the market work.

If we take this action, China could rightfully cancel American investments in China now totaling $25 billion. Wal-Mart, Conoco, Motorola, United Air Lines all bought companies in China and should be allowed to do so.

□ 2100

We should recover the conviction of our own convictions, especially in our Republican party, to make sure we let the market work and let efficiency and fair play rule the day.

Ms. KILPATRICK of Michigan. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. JEFFERSON).

(Mr. JEFFERSON asked and was given permission to revise and extend his remarks.)

Mr. JEFFERSON. Mr. Speaker, I will enter into the RECORD a letter that a number of us in this House wrote to the Secretary of the Treasury with respect to this transaction.

I am one who has supported free trade since I have been in the Congress and I support it today. If it were true that this were a market-based transaction, as the preceding speaker has said, I would not be standing here talking about this issue whatsoever. The fact of this is this is not a free market transaction. This is a transaction by a government-owned company, financed by the government of China, financed with subsidies with the government of China and it puts every other competitor for the assets that they are seeking to acquire at a disadvantage.

There are substantial questions here about the motives of the Chinese as well. I have been dealing with oil and gas issues for a very long time as a representative from Louisiana, and ordinarily one thinks of the oil and gas market as one where free commodities move and oil is a very fungible commodity. But what we have here is a Chinese government with an accelerating demand for oil and gas trying to find a way to corner a market here and to put it to their exclusive use. This is unheard of in the oil and gas commodities market.

No one ever thinks that one explores for oil and then uses the oil only in the place where they have their own demand and not make it available to the rest of the world. That is the scary part of what is happening here.

As China seeks more and more assets that they themselves control and they themselves corner, it makes it much more difficult for us to argue that this is a free economy, a market-based economy. That is the real reason I have come to this microphone tonight.

I think it is important to support this resolution, and I think the actions we are taking today by the Congress were appropriate to be taken. I think the warning signs that are going up from this House about the Chinese government's interest in cornering the market on a strategic asset such as petroleum today, is a dire warning indeed and one we should take heed of.

So I urge the Members of the House and all who are within the sound of our voice to take heed of this warning and to support this important resolution.

CONGRESS OF THE UNITED STATES,
Washington, DC, June 24, 2005.

Hon. JOHN W. SNOW,
Secretary of the Treasury, Department of the Treasury, Washington, DC.

DEAR MR. SECRETARY, Energy security is a matter of significant and ever increasing importance for the United States. In particular, we are very concerned about China's ongoing and proposed acquisition of energy assets around the world, including assets of U.S.-based energy and oil companies.

China is now the second largest consumer of energy in the world, right behind the United States. In order to fulfill the energy consumption requirements of its growing population, China has developed an aggressive strategy to acquire offshore assets to supplement its limited domestice supply of resources. It will become increasingly difficult for U.S.-based companies to compete for scarce energy resoures on the world market against China's state-owned and/or controlled energy companies.

To that end, we are very concerned to read reports that the China National Offshore Oil Corporation (CNOOC)—whose majority owner is the Chinese government—is planning to make an offer to acquire one of America's leading independent natural gas and crude oil exploration and production companies. Moreover, it is our understanding that two influential Chinise government agencies have reportedly given tentative approval to this acquisition by CNOOC.

As you are aware, the Committee on Foreign Investment in the United States (CFIUS) was established to monitor the impact of foreign investment in the United States and to coordinate the implementation of U.S. policy on foreign investment. In 1988, CFIUS was given additional authority under Section 721 of the Defense Production Act of 1950 (the Exon-Florio Amendment) to authorize the President to conduct investigations to determine the impact of foreign acquisitions of U.S. companies on national security.

Given what we know about CNOOC to date, we think this potential transaction should be reviewed immediately by CFIUS to investigate the implications of the acquisition of U.S. energy companies and assets by CNOOC and other government controlled Chinese energy companies. As the official chair of CIFUS, we would request that the Treasury Department look into this proposed acquisition to determine whether an official CFISUS investigation should be undertaken should an official offer come from CNOOC. Specifically, the CFIUS should review the following issues, among others:

Whether and to what extent the Chinese government is involved in financing any potential acquisitions by CNOOC;

Whether such investments by CNOOC are market-based and free of subsidies;

Whether there are technology transfer implications of these investments that present national security concerns; and

How CNOOC investments in the U.S. energy sector and acquisitions of U.S.-based energy and oil companies advance China's energy agenda to the detriment of U.S. national security objectives.

Mr. Secretary, we know that you understand well the critical importance of ensuring U.S. energy security and the critical need to secure the future availability of energy resources for American consumers. We ask that you treat this matter with the utmost urgency and report back to us with yout findings.

Sincerely,

William J. Jefferson, Al Green, Dana Rohrabacher, Edolphus Towns, Sheila Jackson-Lee, Roger Wicker, Bobby Jindal, Kevin Brady, Michael Rogers of Michigan, Joseph Crowley, Devin Nunes, Ginny Brown-Waite, Richard Baker, George Radanovich, Ellen Tauscher, Gary Miller.

Gregory Meeks, Gene Green, Darrell Issa, Frank Wolf, Barbara Cubin, Charlie Melancon, Ted Strickland, Geoff Davis, Gene Taylor, Ralph Hall, Bill Jenkins, Wally Herger, Charles Boustany, Walter Jones, John Tanner, Bart Gordon.

John Shimkus, Michael Burgess, Paul Gillmor, Lincoln Davis, Ted Poe, J.D. Hayworth, Jim Walsh, Bob Goodlatte, Donald Manzullo, Roy Blunt, John Sullivan, Bernard Sanders, Collin C. Peterson, Roscoe G. Bartlett, John Doolittle, Peter T. King.

John J. Duncan, Jr., Bart Stupak, Dennis Cardoza, Thomas Reynolds, Eric Cantor, Carolyn Kilpatrick, Darlene Hooley, Mary Bono, Mark Foley, Robin Hayes, Tom Tancredo, Ken Calvert, Melissa Hart, Mark Souder, Jo Ann Davis, Michael Rogers of Alabama.

Mr. NEY. Mr. Speaker, I yield 6 minutes to the gentleman from California (Mr. POMBO), the chairman of the Committee on Resources.

Mr. POMBO. Mr. Chairman, I thank the gentleman for yielding me time.

First of all, I want to thank the gentleman from Louisiana (Mr. JEFFERSON) for the work he has put in to this issue and for the tone that he used in this debate. This is an important issue and it never ceases to amaze me to see that Members come to the floor and try to make it a partisan issue and try to complicate what is already a very complicated issue.

This is not about free trade or free markets. If it was it would be a very different debate. If we were talking about Exxon and Chevron or BP competing to buy Unocal, that would be a completely different debate.

What we are talking about is a company that is 70 percent owned by the Communist government of China, competing against a U.S. company to purchase a U.S.-based energy company. That is not free market. And no matter how you twist or turn or try to make this sound good, that is not free market. That is free market competing against the Communist-financed company. That raises concerns just because of that.

But let us look at it a little bit more and look at the assets of the company they are trying to buy. They are trying to buy a major U.S. energy provider. That is a major concern. In the world today, in the world market today we are near an energy crisis. We are almost equal in terms of supply and demand, and that is why the price of oil has gone up dramatically. The U.S. economy is growing. The Chinese economy is growing. The Indian economy is growing. The Brazilian economy is growing. All of these different economies are growing and they are competing for the same source of energy. And that has caused energy prices to go up worldwide.

Now, I tell my colleagues, you have got to wake up here. This is a wake-up call to all of us, to America and to us here, the Chinese have figured out that in order for their economy to grow, they need a safe, dependable supply of energy, primarily oil, coming into their market, in order for their economy to continue to grow. That is how you grow your economy. It is based on energy.

What are we doing to increase our domestic energy supplies? What are we

doing to provide a greater amounts of a safe, dependable supply of energy into this country? We have been trying to pass an energy bill for 5 years. Wake up. It is time for us to get together and figure out what our energy future is. We cannot, in my opinion, we cannot afford to have a major U.S. energy supplier controlled by the Communist Chinese. But what we are asking for in this resolution is for the President, for the administration to convene the Commission on Foreign Investment into the United States and investigate this possible sale, to look at it and determine whether or not this is in the best economic and national security interests of the United States. That is the purpose of the Commission on Foreign Investment. That is what we are asking them to do.

We are asking them to step forward and look at this and report whether or not this is in our best interest. It is my opinion it is not. It is my opinion that it is a huge risk that we run to allow a foreign government to own one of our major U.S. energy producers. That is a huge risk that we are running. At a time like this when we are looking at international shortages on energy, skyrocketing prices, we need to do what we can to increase domestic supplies and to hold on to what we have got. And at the same time I would encourage my colleagues to begin to put enough pressure so that we finally get an energy bill passed.

I heard one of the previous speakers talk about alternatives and solar and wind and fuel cells. I would just suggest read the energy bill. That is in it. But it also has the realistic view that in the short term, we are dependent on fossil fuels which are oil, gas and coal. That is the reality. That is what fuels the U.S. economy today.

We need to do both. Part of it is increasing domestic production of our fossil fuels and making that competitive in this market. The other part of it is looking at the future and how are we going to replace our dependence on current technology. That is the direction we are going. If we allow this sale to go forward, we are taking a huge risk. And I would encourage my colleagues to support this resolution. It is the right policy, the right thing for this country, and the right thing for Congress to do.

Ms. KILPATRICK of Michigan. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore (Mr. SIMPSON). The gentlewoman from Michigan (Ms. KILPATRICK) has 6 minutes remaining. The gentleman from Ohio (Mr. NEY) has 3½ minutes remaining.

Ms. KILPATRICK of Michigan. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman from Michigan (Ms. KILPATRICK) for yielding me time. I want to thank her, first of all, for focusing the House on this very important issue, and as has been said before, giving us an opportunity to affirmatively stand against an idea whose time has not come.

If there is ever a time to speak about investing in America I think the time is now. On the shadow of celebrating the freedom day, July 4, our day of independence, it is a time now to stand up for investing in America. And I guess in discussing this purchase of Unocal by China, I think we should make the point that China has been and hopefully will continue to be our friend. We engage in cultural exchange and educational exchange. It is a great opportunity to learn from each other to do research with each other.

But in this instance, I think any purchase of Unocal by China at this time would be a disservice and a detriment to our homeland security. For example, one of the reasons why Unocal is such an attractive purchase is because it has deep reserves. And one of the reasons it has deep reserves is because it is one of the few companies that has developed the kind of technology that has allowed it to project into the future and be able to keep and find the amount of reserves that keep it with a sizable amount of reserves in place.

Then, of course, China is dropping cool cash, $18 billion, which puts at a disadvantage a number of American companies in particular who are interested in purchasing Unocal.

Now, of course, this is a private purchase and shareholders rights have to be taken into consideration, but I think this Congress, although we are a capitalist society, should look at the government money that Communist China is going up to buy not only in America but in South and Central America, in the Caribbean, in Africa, more and more in the Middle East and elsewhere. We need to begin to put together a package that suggests that we will be able to help some of our companies who are trying to invest in America companies and purchasing them.

Well, an unusual idea but one whose time may have come. We cannot compete. We need to be able to support our companies such as General Motors. Why does General Motors owe China $2 billion. Why do we owe China almost $300 billion? Because we have not kept our eye on the prize and we have not reminded not only our individuals, but our large corporate sector of investing in America.

I rise to support this amendment. There should be bipartisan support. I thank the distinguished gentlewoman from Michigan (Ms. KILPATRICK) for her very affirmative amendment that keeps the money away from this deal. But I believe the sense of Congress should acknowledge that this is a protracted deal. We need oversight, and it should not go forward unless we pass the litmus test of national security, homeland security, investing in America and allowing American companies to purchase Unocal. Because I remind my friends, the technology that you lose today is the technology that you will regret tomorrow.

This purchase should not go forward. I ask for the support of the amendment.

Mr. NEY. Mr. Chairman, I reserve the balance of my time.

Ms. KILPATRICK of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, thank you for allowing us to have this debate. I believe it has been a good debate and we do support the amendment, many of us on this side of the aisle, although a couple who spoke do not support it.

It is important as we talked about it earlier today that we remembered that 53 percent of America's private debt is held by foreign countries, 53 percent. That means many of our debt and the two owners of those debts are Japan first, and China second. 53 percent of our private debt is owned by foreign countries. I think that is not good for our country, for our grandchildren. We have got to strengthen America, calling those debts when we are able to pay them off, and give America back to Americans.

Should we have work with China? And I said this earlier, yes, we should, and other foreign markets. This is an international, global community that we live in. But we should always put America first, and I think the debate that we have had today, and I thank the gentleman from California (Mr. POMBO) for some of his remarks and for the resolution, the sense of the Congress, again, will reinforce what we have done earlier today.

We have got to make sure that American companies stay strong so that Americans can continue to work, so they can take care of their families, pay taxes, help cities, towns and villages maintain themselves with the revenue that it gets from them.

So trade, yes, and this is free trade. Somebody said free trade. This is not that deal. This is something less than that. As the gentleman from Louisiana (Mr. JEFFERSON) spoke, it is getting the corner of the market because you can pay $18.5 billion in cash at a time when our country has $160 billion trade deficit and then you turn some of that money back and want to buy our company. It is not a good deal.

We call on CFIUS, the Committee on Foreign Investment in the United States, Secretary Snowe and his 12-member committee to look closely at what is before them, to do the proper investigation and then not to recommend to the President that we go forward with this sale.

It is not the right time for America. It will weaken our economy. And our national security interests as well as our economic interests, as well as our energy interests are at stake.

□ 2115

So, Mr. Speaker, let us not do this sale. Let us continue to build America and keep America strong.

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

Mr. NEY. Mr. Speaker, I yield myself the time remaining.

Mr. Speaker, I want to thank the gentlewoman from Michigan for standing up tonight for this resolution, standing up for the American people.

I want to thank the gentleman from California (Chairman POMBO) for this resolution and also the gentleman from Ohio (Chairman OXLEY) for expediting this, also being a cosponsor, but expediting this to the floor.

Mr. Speaker, national security has to include economic security. This is an important resolution. Never in a million years would China let us do this type of deal over there, and do not fool yourselves about that.

This deal is not good for America. It is not good for American workers. As we near our birthday of this country, let us not give a gift to the Chinese Government. Let us give a gift to the American people and support this important resolution.

Mr. PAUL. Mr. Speaker I rise with great reservations over this legislation. Why is the federal government involving itself in the sale of a private American company? Do we really believe we have this kind of authority?

I would remind my colleagues that Unocal is a private company with shareholders and a board of directors. That is the governance of the company—not the U.S. Congress. Do we really believe that we should be the real board of governors of Unocal?

If in the United States a private company does not have the right to be sold on the free market, should we really be criticizing the lack of freedom in China? Many conservatives who have decried the recent Supreme Court decision that severely undermines the principle of private property in the United States are now on the other side, cheering this blatant Congressional attempt to do something that may be even worse than Kelo vs. New London.

I voted recently against allowing the EximBank to use U.S. taxpayer money to underwrite Chinese construction of nuclear power plants. I do not support subsidizing the Chinese government's economic activities. But I also do not support the U.S. Congress involving itself in the private economic transactions of U.S. companies.

Some have raised concerns that the purchase of Unocal by a company tied to the Chinese government will create security problems for the United States. I would argue the opposite. International trade and economic activity tends to diminish, not increase tensions between countries. Increased economic relationships between the United States and China make military conflict much less likely, as it becomes in neither country's interest to allow tensions to get out of hand.

Mr. Speaker, we should not criticize a lack of economic freedom in China when Congress, as evidenced in this legislation, attempts to restrict the economic freedom of American citizens.

Mr. STARK. Mr. Speaker, I rise in opposition to H. Res. 344, which blames China for our dependence on foreign oil.

The Republican Majority has already sold the entire farm to foreign central banks and multinational corporations, and now they're trying to tell the American people that they're standing up for them by stopping China from buying a leftover chicken.

Mr. Speaker, where were these patriotic Republicans when the House passed an energy bill and couldn't even muster the votes to raise fuel economy standards on automobiles? Where were they when we passed trade deals and tax laws to make it easier for their corporate friends to ship jobs to China? Why has President Bush refused to stand up for American workers who wither against illegal dumping practices and an undervalued Chinese currency?

The American people need to know: as long as the Republican Majority and their corporate friends get their tax breaks and boondoggle defense contracts, they don't care who pays the bill. China, in turn, is happy to prop up the dollar and finance the debt because it gives them great leverage over the U.S. for years to come. No empty resolution like this or indignant politician can change that.

So why are we talking about China now when they have been stocking oil supplies and U.S. currency for years with no change in course from this administration? It's very simple: cheap Chinese imports and labor enrich the pockets of the people who really matter in the Republican party, but a Chinese company owning Unocal does nothing for the base. This non-binding resolution is a talking point for July 4th barbecues, just the way the Republicans will tell their constituents that they're making them safer by throwing billions more into the quagmire in Iraq.

Mr. Speaker, I have proudly voted for renewable energy, against trade deals that sell out American workers, and against tax breaks for millionaires financed by foreign governments. I support real economic security, and I will not support this sham resolution to give cover to my greedy colleagues and their corporate contributors.

Mr. GARY G. MILLER of California. Mr. Speaker, I rise today in support of H. Res. 344, which expresses the sense of the House of Representatives that a Chinese government acquisition of a critical United States energy company could impair our national security and therefore justifies a comprehensive review.

As a member of the Congressional China Caucus, I would like to commend Chairman POMBO for his hard work to ensure our country and its resources are protected.

The bid by the China National Offshore Oil Corporation (CNOOC), whose majority owner is the Chinese government, to acquire Unocal Corporation is China's first attempt to secure energy resources in the United States and must be thoroughly evaluated.

Unocal is one of America's leading independent natural gas and crude oil exploration and production companies. It is the country's ninth largest oil company, producing 159,000 barrels of oil and more than 1.5 billion cubic feet of natural gas per day.

The Chinese oil company's plan to buy California-based Unocal poses serious questions about national security. In addition, this acquisition could mean less energy for the United States.

In a free market economy, mergers and acquisitions are a common way to enter foreign markets. However, China does not yet comprehend laissez faire economic principles. While our economy promotes competition for the sake of consumers, China's economy is easily influenced by political forces. As a state-owned corporation with ties to Chinese government leaders, I am worried that CNOOC's motivation is aligned to political and nationalistic goals. Specifically, I am troubled that CNOOC may use Unocal's technology to advance China's military.

As is evidenced by passage of the Energy Policy Act in the House and the Senate, I know that all Members of Congress understand the critical need to secure the future availability of energy resources for American consumers. I fear China is attempting to buy Unocal not as an investment, but to use the company's vast reserves, especially its natural gas fields, for its own benefit at the cost of the U.S. economy. For these reasons, Congress must ensure the Chinese company's bid is carefully reviewed by all of the relevant agencies.

I urge my colleagues to support this resolution to demonstrate that we will not let China damage our economy or compromise our national security through hostile acquisitions of oil and natural gas resources.

Mr. OXLEY. Mr. Speaker, I rise in strong support of the resolution authored by the gentleman from California concerning the bid by CNOOC Ltd. to purchase Unocal Corp.

Mr. Speaker, I remain fully committed to free and fair trade. However, I don't believe that this offer constitutes free and fair trade. The offer also could threaten our national security. This resolution would encourage immediate review of a merger agreement, which is authorized by the statute already, rather than waiting for bureaucratic processes to kick in. Acting quickly is important because national security reviews of proposed merger transactions often take months and can last over a year.

Mr. Speaker, a review of any Unocal merger agreement with CNOOC would be done by the Committee on Foreign Investment in the United States, known as CFIUS, which was created pursuant to language inserted into the Defense Production Act (DPA) nearly two decades ago. It is chaired by the Department of the Treasury and includes Commerce, Homeland Security, Defense, State, the U.S. Trade Representative and other parts of the government.

The DPA is solely in the jurisdiction of the Committee on Financial Services because it seeks to identify, stop or mitigate negative effects on the economy from our efforts to protect the Nation's security. As Chairman of the Committee of jurisdiction, I believe it is critically important that the Administration act quickly to review any merger agreement so that shareholders who would need to review potentially competing bids would have all relevant information at their disposal.

Mr. Speaker, the national security implications of a proposed merger between CNOOC and Unocal are unmistakable. China's appetite for energy is enormous. I agree with the gentleman from Ohio, Mr. NEY, that national security includes economic security here. It is important for CFIUS to review the possibility that the Chinese might divert from the United States all of Unocal's energy production to China to feed its energy appetites if a merger with Unocal were to be completed. I think we

can all agree that this would be a blow to the U.S. economy.

Please consider the following facts:

China's consumption of crude oil is expected to double within the next two decades.

World production of oil exceeds capacity by the smallest margin in decades.

China's need for energy is so great that electricity has been rationed to some factories, and the Chinese are reported to be investing in technology to ''cook'' low-quality coal into gasoline. This is costly, inefficient and has environmental problems.

China is the world's largest economy without a meaningful strategic petroleum reserve.

The U.S.-China Commission's 2004 Report to Congress indicated that China's strategy for securing oil supplies ''is still focused on owning the import oil at the production point . . . The Chinese policy is to own the barrel that they import . . . to gain control of the oil at the source. Geopolitically, this could soon bring the United States and Chinese energy interests into conflict.'' The United States, in contrast, has a free market strategy ''based on global market supply and pricing.''

The same report indicates that China ''plans to expand its strategic reserve to fifty to fifty-five days worth of oil imports by 2005 and sixty-eight to seventy days by 2010.''

So, as today's Washington Post points out, it makes perfect sense that a majority-owned Chinese oil company seeks to acquire control of oil and gas production and reserves.

Make no mistake about it, Mr. Speaker, this offer comes from the Chinese government. CNOOC is 70 percent owned by the Chinese government. One quarter of the funding for its cash offer comes at no or minimal interest rates. If that is not a subsidy, Mr. Chairman, I do not know what a subsidy is. News reports indicate that more than $5 billion of the Unocal offer is available at no interest—more than $2 billion of the bid—or at 3.5 percent interest. These are not market rates.

I absolutely agree with a spokesman for China's Foreign Ministry, who is quoted in the Post article as saying: ''We think that these commercial activities should not be interfered in or disturbed by political elements.'' By that I mean: without a Chinese government subsidy.

Mr. Speaker, I would like to add that I doubt whether the CNOOC proposal will result in a deal which would trigger CFIUS review. The Chevron offer will go to Unocal shareholders August 10. The Chevron offer now has all of the appropriate regulatory approval. The CNOOC offer comes late in the process and has not received any regulatory approvals to date. It is far from clear, even with the Chinese government subsidies, that the CNOOC bid would be competitive with the Chevron bid . . . but that is a decision for Unocal shareholders to make, not us.

Mr. Speaker, I urge immediate approval of this resolution and immediate review of any accepted CNOOC offer for Unocal.

As well, Mr. Speaker, I urge swift convening of a conference committee on a comprehensive energy bill for the United States, an adoption of the President's comprehensive energy program for the U.S. and swift adoption of the conference report.

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. 344.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. NEY. 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

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 H. Res. 344.

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

There was no objection.

EXPRESSING THE GRAVE DISAPPROVAL OF THE HOUSE REGARDING MAJORITY OPINION OF SUPREME COURT IN KELO V. CITY OF NEW LONDON

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 340) expressing the grave disapproval of the House of Representatives regarding the majority opinion of the Supreme Court in the case of Kelo et al. v. City of New London et al. that nullifies the protections afforded private property owners in the Takings Clause of the Fifth Amendment.

The Clerk read as follows:

H. RES. 340

Whereas the takings clause of the fifth amendment states ''nor shall private property be taken for public use, without just compensation'';

Whereas upon adoption, the 14th amendment extended the application of the fifth amendment to each and every State and local government;

Whereas the takings clause of the 5th amendment has historically been interpreted and applied by the Supreme Court to be conditioned upon the necessity that Government assumption of private property through eminent domain must be for the public use and requires just compensation;

Whereas the opinion of the majority in Kelo et al. v. City of New London et al. renders the public use provision in the Takings Clause of the fifth amendment without meaning;

Whereas the opinion of the majority in Kelo et al. v. City of New London et al. justifies the forfeiture of a person's private property through eminent domain for the sole benefit of another private person;

Whereas the dissenting opinion upholds the historical interpretation of the takings clause and affirms that ''the public use requirement imposes a more basic limitation upon government, circumscribing the very scope of the eminent domain power: Government may compel an individual to forfeit her property for the public's use, but not for the benefit of another private person'';

Whereas the dissenting opinion in Kelo et al. v. City of New London et al. holds that the ''standard this Court has adopted for the Public Use Clause is therefore deeply perverse'' and the beneficiaries of this decision are ''likely to be those citizens with disproportionate influence and power in the political process, including large corporations and development firms'' and ''the government now has license to transfer property from those with fewer resources to those with more''; and

Whereas all levels of government have a Constitutional responsibility and a moral obligation to always defend the property rights of individuals and to only execute its power of eminent domain for the good of public use and contingent upon the just compensation to the individual property owner: Now, therefore, be it

Resolved, That—

(1) the House of Representatives—

(A) disagrees with the majority opinion in Kelo et al. v. City of New London et al. and its holdings that effectively negate the public use requirement of the takings clause; and

(B) agrees with the dissenting opinion in Kelo et al. v. City of New London et al. in its upholding of the historical interpretation of the takings clause and its deference to the rights of individuals and their property; and

(2) it is the sense of the House of Representatives that—

(A) State and local governments should only execute the power of eminent domain for those purposes that serve the public good in accordance with the fifth amendment;

(B) State and local governments must always justly compensate those individuals whose property is assumed through eminent domain in accordance with the fifth amendment;

(C) any execution of eminent domain by State and local government that does not comply with subparagraphs (A) and (B) constitutes an abuse of government power and an usurpation of the individual property rights as defined in the fifth amendment;

(D) eminent domain should never be used to advantage one private party over another;

(E) no State nor local government should construe the holdings of Kelo et al. v. City of New London et al. as justification to abuse the power of eminent domain; and

(F) Congress maintains the prerogative and reserves the right to address through legislation any abuses of eminent domain by State and local government in light of the ruling in Kelo et al. v. City of New London et al.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. 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 H. Res. 340.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H. Res. 340, a resolution introduced by the gentleman from Georgia (Mr. GINGREY) strongly condemning the Supreme Court's 5–4 decision in Kelo v. City of New London. In this case, handed down on June 23, the Supreme Court transformed the public use doctrine under the fifth amendment's takings clause to allow the government to take property for economic development.

The fifth amendment of the U.S. Constitution specifically provides that private property shall not be taken for public use without just compensation. This decision insults the constitutional rights of all Americans and unsettles decades of judicial precedent.

As the dissent in this case pointed out, under the majority's opinion, ''Any property may now be taken for the benefit of another private party. The government now has license to transfer property from those with fewer resources to those with more. The Founders cannot have intended this perverse result.''

To give legislative force to this resolution, today I introduced H.R. 3135, the Private Property Rights Protection Act of 2005. This bipartisan bill will help restore the property rights of all Americans that the Supreme Court took away last week. I am pleased that the gentleman from Michigan (Mr. CONYERS), the ranking member of the Committee on the Judiciary, is the lead Democratic cosponsor and that 64 additional Members have already agreed to support this measure.

This legislation would prevent the Federal Government from using economic development as a justification for taking privately owned property. It would also prohibit any State or municipality from doing so whenever Federal funds are involved with the project for which eminent domain authority is exercised. American taxpayers should not be forced to contribute in any way to the abuse of government power.

The impact of this decision cuts across social, economic and demographic lines. In their joint amicus brief, the NAACP and the AARP stated, ''The takings that result from the Court's decision will disproportionately affect and harm the economically disadvantaged and, in particular, the racial and ethnic minorities and the elderly.''

In its brief, the American Farm Bureau Federation stated, ''Each of our members is threatened by the decision with the loss of productive farm and ranch land, solely to allow someone else to put it to a different private use.''

The representatives of religious organizations have stated that the Supreme Court's decision will ''grant municipalities a special license to invade the autonomy of and take the property of religious institutions.''

Mr. Speaker, I commend the gentleman from Georgia (Mr. GINGREY) for introducing this important resolution and encourage my colleagues to support it. I also ask Members to join me in cosponsoring H.R. 3135 to assure the American people that we will not allow our churches, our homes, our farms and other private property to be bulldozed in abusive land grabs that solely benefit private individuals whose only claim to that land is that their greater wealth will increase tax revenues.

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

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume, and I rise in opposition to this sense of Congress resolution.

This is a great evening in the House of Representatives. We had the gentleman from Wisconsin, the chairman, joining me and the great civil rights organizations of America that he has named, all working in common cause to right a decision that has come out of the Supreme Court about eminent domain that will require the attention of all of the Members of this body.

In a way, I am reluctantly in opposition to the sense of Congress resolution because if I had had a little part in drafting it, I can tell my colleagues we would have taken out some of the over-the-top criticism of the Court itself, and I would probably be arguing for this sense of Congress resolution.

I have serious concerns regarding the misuse and overuse of eminent domain procedures in this country and oppose the elevation of corporate profits and corporate uses of land over individual rights. So like the chairman of the Committee on the Judiciary, I joined NAACP, the Southern Christian Leadership Council, Operation Push, and the Leadership Conference on Civil Rights because I think this Court opinion makes it too easy for private property to be taken and transferred to another private owner. This is a particular problem. Eminent domain has been used historically to target the poor, people of color, and the elderly.

Since I am a cosponsor of the bipartisan legislation that the chairman of the committee has called for, then what is my problem with the resolution? Well, it gratuitously overtargets the judicial branch. There are terms in here that are not helpful as we engage in a debate with a co-equal branch of government.

The resolution insists that Congress, and Congress alone, can address abuses of eminent domain. I am not so sure about that. That ignores and demeans the historic role the courts have played in protecting individual rights and property rights.

The other problem that leads me not to be supportive of the sense of Congress resolution is that it inaccurately misstates the scope of the Supreme Court's ruling. For example, the resolution states that the majority opinion justifies the forfeiture of a person's private property through eminent domain for the sole benefit of another private person. As a matter of fact, Justice Stevens stated at the outset of his opinion that the sovereign may not take property for the sole purpose of transferring it to another party.

The resolution states that the majority opinion renders the public use provision in the takings clause meaningless, but it is more accurate to say that the public purpose requirement is still applicable, although somewhat diminished.

In reality, the majority opinion held that the eminent domain may be used where the plan serves a public purpose. The issue of eminent domain in takings are complex, fact-specific issues. They warrant more than the short discussion that we will be limited to today. The issue deserves full legislative hearings, which our legislation will, of course, provide for in the Committee on the Judiciary.

We want to all work on this constitutional issue. It is sensitive. We cannot go over the top on this. We have got to keep it down.

I am tired of corporations wiping out communities because they need a plant or casinos developed and taken under eminent domain. We need to rein this in, and this case gives us an opportunity to do so.

I am shocked that I am standing in the well here reciting the members that signed the dissent: Scalia, Rehnquist, Thomas and O'Connor. What an evening this has been for those of us here in the House.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. GINGREY), the author of the resolution.

(Mr. GINGREY asked and was given permission to revise and extend his remarks.)

Mr. GINGREY. Mr. Speaker, I rise today as the author of H. Res. 340, a resolution expressing the grave disapproval of the House of Representatives regarding the majority opinion of the Supreme Court in the case of Kelo et al. v. City of New London, Connecticut. I encourage all of my colleagues on both sides of the aisle to support this bipartisan resolution.

Mr. Speaker, I first would like to take this opportunity to thank the leadership of this House and the gentleman from Wisconsin (Chairman SENSENBRENNER) for so expeditiously scheduling and shepherding this resolution to the floor for a vote. I would also like to thank the over 75 Members who have contacted my office to become cosponsors of the resolution and those who are speaking in support of it tonight.

H. Res. 340 demonstrates the commitment of this House to not stand idly by, but rather to act now in addressing this atrocious and negligent decision. By a margin of only one vote, the Supreme Court has struck down 2 centuries' worth of precedents and constitutional protections for property owners.

It is the responsibility of this House to ensure that the American people,

the owners of this great country, are never run over by a handful of judges who refuse to enforce the written laws of this land and to uphold the guarantees of the Constitution.

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Mr. Speaker, despite the failings of the majority in the New London decision, at least there were four justices who got it right. I applaud them in their steadfast determination and commitment to uphold the Constitution and express their own dismay at the majority's rulings.

As Justice O'Connor writes in the dissenting opinion: ''Any property may now be taken for the benefit of another private property, and the beneficiaries are likely to be those citizens with disproportionate influence and power in the political process.''

No home, no business, no property, no person is safe from the destructive consequences of this decision. Imagine a local city council using its power of eminent domain to condemn and demolish the local church or synagogue and put up a Starbucks because God is not making them any money.

As Americans across this country prepare to celebrate the 229th anniversary of our independence, I can think of no greater tribute to our fine and Founding Fathers and no greater gift to the American people than declaring that this land is their land and not the government's.

Mr. Speaker, I again want to thank the leadership of this House and the gentleman from Wisconsin (Mr. SENSENBRENNER), and I would encourage all of my colleagues to pass this resolution and speak united in one voice declaring liberty and justice for all.

Mr. Speaker, I rise today as the author of H. Res. 340, a resolution expressing the grave disapproval of the House of Representatives regarding the majority opinion of the Supreme Court in the case of Kelo et al. v. the City of New London Connecticut. I encourage all of my colleagues on both sides of the aisle to support this bipartisan Resolution.

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Mr. Speaker, despite the failings of the majority in the New London decision, at least there were four justices who got it right. I applaud them in their steadfast determination and commitment to uphold the Constitution and express their own dismay at the majority's ruling. As Justice O'Connor writes in the dissenting opinion: ''any property may now be taken for the benefit of another private party . . . and the beneficiaries are likely to be those citizens with disproportionate influence and power in the political process.''

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Mr. Speaker, I again want to thank the Leadership of this House and Chairman SENSENBRENNER, and I would encourage all of my colleagues to pass this Resolution and speak united in one voice declaring liberty and justice for all.

Mr. CONYERS. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. NADLER), the ranking member on the Subcommittee on the Constitution.

Mr. NADLER. Mr. Speaker, I thank the gentleman for yielding me this time, and I am pleased that my colleagues have focused on the importance of the Supreme Court's Kelo decision. The power of eminent domain is an extraordinary power that must be used rarely and with great care. Even where the constitution might permit the exercise of this extraordinary power, government must take great care to respect the rights of families, of small businesses and of communities. This is not a power that should be used for the benefit of private parties who might be well connected, as Justice O'Connor said. It is a power that can be abused, and that has been abused.

I want to point out that the Supreme Court, in this decision, is essentially saying that power that communities have exercised, they can continue to exercise, where some thought that we ought to pull it back. For example, when President Bush was one of the owners of the Texas Rangers baseball team, they were able to get the town of Arlington, Texas, to condemn private property to give them land to build a baseball stadium. Ask the Mathes family about the abuse of power. The city condemned 13 acres of their land for George Bush's baseball team, and the Mathes family had to go to court to compensate them for the actual value of the land.

Now, I think we would agree that was not right, and the Supreme Court now says that that is okay. We cannot allow private individuals to be enriched at the expense of their neighbors by hijacking and abusing the power of government.

The Kelo decision raises a great many questions, and I want to commend my colleagues, the chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER), and the ranking member, the gentleman from Michigan (Mr. CONYERS), for introducing legislation and allowing the Committee on the Judiciary to consider the full impact of the court's decision and draw the proper line between the public interest and private enrichments. We need to protect families like the Mathes family, victimized by the Texas Rangers and the town government in Texas, and we need to protect our communities from the abuse of government power to benefit private interest.

Now, I am going to reluctantly vote against the resolution because, as the gentleman from Michigan (Mr. CONYERS) said, it says things about the decision that probably are not accurate. I do not think the decision said that you can use the power of eminent domain for the sole benefit of another private person. It might be the incidental benefit of a private person if you could concoct a theory of public benefit. I do not think it completely negates the public use requirements of the takings clause.

Having said that, the basic purpose of the resolution is a good one, and the basic purpose of the legislation that the chairman has introduced is a good purpose. But I hope we will hold a series of hearings on the Committee on the Judiciary. We should hold one hearing to determine from experts exactly what the Supreme Court said; how far it went and how far it did not go. When the dissent says it went this far, it does not mean that is what the majority meant. Dissents often overemphasize the implications of the majority decision.

So I think we should have one hearing on what the Supreme Court actually said and what we are faced with, and I think we should have another hearing on where we think we should draw the line. Communities need to be able to use eminent domain for legitimate economic development, but they should not be able to use it for private enrichment. How do you draw that line?

These are serious questions that we should consider adequately. I think we should hold a few hearings and craft careful legislation to limit the effect of the Supreme Court's decision, and I would hope that we could craft legislation carefully that we could all support in this House.

So, again, I commend Chairman SENSENBRENNER, and I am glad to be able to have the opportunity to do that after recent history. I commend Ranking Member CONYERS. But I will reluctantly vote against this resolution because, although I approve of its main thrust, I believe it says things about the court decision that are not quite accurate, and I look forward to working with my colleagues to fashion legislation that we can all support and that gets us what the Greeks called the proper mien to protect the rights of

communities for proper economic development, but protect the rights of individuals. But I do, once again, thank the gentleman for bringing this subject to our attention.

Mr. SENSENBRENNER. Mr. Speaker, I yield 10 seconds to the gentleman from Texas (Mr. DELAY), the distinguished majority leader.

Mr. DELAY. Mr. Speaker, I thank the gentleman for his generosity in yielding me this time.

Mr. Speaker, the Constitution of the United States was written as much for any other reason as to protect the private property rights of the American people. The Supreme Court last week, in the already infamous Kelo case, essentially rejected the very idea of private property rights at all.

I know some believe that the Supreme Court is some Citadel with all knowledge and all wisdom and that every decision they make is the right decision. But by this narrow 5–4 decision, our high court essentially set aside the most basic fundamental tenet of the social contract that underlies self-government, the inviolability of private property rights; the unchangeable principle of politics, morality, and common sense; that what is mine is mine, and what is yours is yours.

What the court decided last week was that what is mine is not really mine and what is yours is not really yours; that, in fact, private property only exists as a political expedient, a psychological contrivance wholly subject to the government's whim. The court ruled that private property, your home or your small business, may be taken by the government and given to someone else who, in the government's judgment, will put that property to better use.

This is not the taking of someone's property without compensation for specific public use, like a highway or a military base. Congress and States are explicitly granted such power in the Constitution. This is, instead, the government taking your home and giving it to some business because they will generate more tax revenue. Indeed, given the risible logic employed by the court's majority last week, there is no reason your city council cannot kick you out of your house and give it to a wealthier family who will add on to the home and, therefore, pay higher property taxes down the road.

Mr. Speaker, I am not a lawyer, so do not just take my word for it. Justice O'Connor, writing in dissent of this awful decision said: ''If predicted, or even guaranteed, positive side effects are enough to render transfer from one private party to another constitutional, then the words ''for public use'' in the Constitution do not realistically exclude any takings.'' Justice Thomas adds, ''If such economic development takings are for public use, any taking is, and the court has erased the Public Use Clause for our constitution.''

Both Justices O'Connor and Thomas went on to warn the result of this foolhardy decision would be that people most vulnerable to the government preying on their property would be the poor, the elderly, and racial minorities. No kidding. Those people with the least economic and political power, with the least means to fight back, and the most need for government protection of their God-given rights have been told by the Supreme Court that while property rights are sacred, some people's property rights are more sacred than others.

This is madness, Mr. Speaker, and it must not stand. The court's Kelo decision will go down in history as a travesty. It is not a debatable ideological overreach but a universally deplorable assault of the rights of man. The only bright lining to it is that this time the court may have finally gone too far and the American people will reassert their constitutional authority.

We can only hope, Mr. Speaker, that this resolution will be the first step in a long overdue process of constitutional renewal. Begin that process and vote ''yes'' on this resolution.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume to thank the Supreme Court for bringing us all together here in the House tonight. It is very unusual.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. FRANK), an active member for many years on the Committee on the Judiciary who is now on leave.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the distinguished ranking member for yielding me this time, and, like him and the ranking member of the subcommittee, I have some differences with the wording here. I was particularly struck by the second whereas. ''Whereas upon adoption, the 14th amendment extended the application of the fifth amendment to each and every State and local government.'' In fact, it did not. Not at adoption.

When the 14th amendment was adopted, it was not considered to extend it. And, in fact, it was what some would have called a liberal Supreme Court that decided to apply the Bill of Rights to the States through the 14th amendment. Now, I am glad they did, and I welcome the support in this resolution for that concept. I know not everybody on that side agrees with it.

Having said that, I am going to vote for the resolution, even though I disagree with some of the wording. I long ago had to come to the reluctant conclusion that voting for resolutions and literary criticism were two very different activities, and too high an aesthetic standard applied to resolutions would make me always vote no. So I tend to not pay too much attention to the whereases. I look at the resolves, and I agree with these resolves.

But let me rephrase the question, because this is the question the majority is asking. Remember, the Supreme Court, the five-member majority, made what I think is a wrong decision, but they did not take the property. You know who took the property? The elected government of the City of New London, people who were elected, and they did it pursuant to laws adopted by the elected legislature and governor of Connecticut. So what you are accusing the Supreme Court of, and I am agreeing with, is very simple: They were insufficiently activists.

Here is this Supreme Court majority letting elected officials do what they want. And the majority is asking an often-asked question: Where is judicial activism when we need it? Because people are not opposed to judicial activism, they are only opposed to judicial activism when they do not want the result. This is judicial activism you are calling for.

Let me read your resolves. ''State and local governments should only execute the power of eminent domain for those purposes.'' ''State and local governments must always justly compensate.'' It is State and local governments in the resolution that we are telling what to do. And your problem with the Supreme Court is that it is letting those pesky elected local and State governments do what they want.

My colleagues are saying, wait a minute, we cannot have elected officials just doing whatever they want. We cannot let elected officials deciding to do these things. If they violate constitutional rights, we want a Supreme Court that stops them. Well, so do I. But sometimes you call that activism. Because that is what you are asking for.

The Supreme Court has never taken a piece of property. Go right across the street. You can look. It has not gotten any bigger. I have been here 25 years, and they have not expanded one tree. What they did was allow locally elected and State elected officials to do it. So let me say that I agree with your complaint about insufficient judicial activism in this case. Let us just not think that that is a faucet you turn on and off.

The second issue is let us get consistent application of it. The gentleman from New York correctly mentioned a case where they took land in Texas for a baseball stadium. A number of Members here have been enjoying the new baseball team in Washington. We have seen a couple of outrageous assaults on the notion that Mr. Soros should be allowed to buy the team. Whoever believes in free enterprise ever thought they had the right to dictate who is the owner of a private team. That is an argument that you will lament for lack of judicial activism. But what they are doing here, the government of Washington, D.C., is doing exactly what you are saying is wrong here.

So I guess Members here are going to boycott that stadium. They are taking property down there on O Street. May not be property everybody here wants to go to, it may not be your farms and

your beaches, but it is private property, and the District of Columbia Government is going to take that private property over the objection of the owners to build that baseball stadium. So instead of trying to drive out some owner that you do not like, why not look into that situation?

But then there is finally an even more important aspect to this. In my earlier years on the then-Committee on Banking, we dealt with something called UDAG, Urban Development Action Grants, and I and some others, including a former Republican Member of this House, who went on to become the Mayor of Dallas, Mr. Bartlett, joined together to object to displacement.

□ 2145

We have had Federal programs that have given money to local governments for urban renewal, it was originally called, for various forms of advancement. So I would assume, and I have been upset with displacement of poor people with no replacement housing. It is considered a good thing if you remove blight. Do Members know what blight is? Blight is poor people with houses with peeling paint, and we have too often in the past funded the destruction of that housing and not funded its replacement.

Let me serve notice now, I will be, as we deal with legislation in the Committee on Financial Services, and hope others will do it as well, every piece of legislation that comes through here where we use public money in a way that would diminish the housing opportunities for low-income people, let us provide alternative opportunities, because here is the problem. The problem is this, they do not own. I think these are important principles.

But the resolution says it right: you do not let those with more resources benefit at the expense of those with fewer resources. The people with the fewest resources are poor people who rent.

So even though it is not the exact constitutional principle, I hope Members will join us when we say you are not going to use public money and public powers to destroy housing that low-income renters live in, because that will be in that spirit. And then we will go to a nice activist Supreme Court and ask them to enforce it.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from New York.

Mr. NADLER. Mr. Speaker, I must say the gentleman's logic is impeccable, and I think the gentleman has convinced me to vote for the resolution despite what I said before.

My question is this: According to principles of this resolution and of the draft legislation introduced by the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS), if that were to pass, do you think that would prevent or would have prevented the seizure of land for the Texas Rangers baseball stadium and it would prevent the seizure of land for the Washington National baseball stadium?

Mr. FRANK of Massachusetts. Mr. Speaker, if Federal money is involved, and Federal money is involved in a lot of ways.

By the way, I am a great believer in autonomy for Washington, D.C. I belive they should be able to do what they want to do; but the money does pass through here, so people better be very careful how they draft it, or they may knock out that stadium. But certainly that would be the case.

I never ever voted for funding for a public stadium. I am glad to see this because the biggest abuse of this is low- and middle-income taxpayers who are taxed to build public stadiums so people can make tens of millions of dollars having a good time playing ball. And, yes, I do believe if there were any Federal funds involved in either the Texas stadium, and that could include State funds depending upon their fungibility, but certainly it is the case, as I understand what is going on in Washington, D.C., it violates the principles here and it would be stricken by the minority and it would perhaps be stricken by the bill if Federal funds were involved.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. CANNON), the Chair of the Western Caucus.

(Mr. CANNON asked and was given permission to revise and extend his remarks.)

Mr. CANNON. Mr. Speaker, I find myself in the anomalous position of associating myself with the comments of the gentleman from Massachusetts (Mr. FRANK), and I hear some chuckles on the other side, and I think that is appropriate, as to, in particular, the constitutional history cited, the effect on the poor, and the problem with the aesthetics of this resolution, which I strongly support.

We have already heard the Supreme Court decision in Kelo v. City of New London represents a clear blow to private property rights. The Supreme Court has now established that local governments can seize private land if government and business interests think they have an idea for more profitable use for the property. If commercial development now meets the definition of ''public use,'' no private property is safe from government hands.

Worst of all, the groups most affected by the decision are the poorest and least likely to be able to defend themselves. The frightening prospect of the wealthy and connected preying on the poor does not escape the public.

The Daily Herald, my local newspaper, stated, ''The true beneficiaries of this deal are the private developers who are getting the land they want without the hassle of protracted real estate negotiations. Rather than trying to find a price at which the residents would sell or finding a willing seller somewhere else, the developers just got the city to do their dirty work. Eminent domain leaves little room for quibbling or sentimentality. One of the residents who challenged New London was an 87-year-old woman who was born in the house she lived in and planned to spend the rest of her life there.''

Historically, the fifth amendment has restrained government's ability to take away people's homes through eminent domain. Despite the holdings of the Court in this decision, State and local governments should not use the New London decision as cover to abuse eminent domain powers and trample cherished individual property rights.

But, unfortunately, this process has already begun. This mistaken ruling has already emboldened governments and developers seeking to take property from home and small business owners and local communities in Texas, Missouri, New Jersey, Wisconsin, and Tennessee; and other States are likely to follow.

I would encourage them to do a better job of protecting their citizens, their residents, and their voters rather than following the license now allowed them by the Supreme Court.

I believe it is incumbent upon Congress as a coequal branch of government to protect these local communities as well as countless others around the country. Thankfully, the gentleman from Wisconsin (Mr. SENSENBRENNER) has prepared a timely piece of legislation that will prevent any State or municipality from using economic development as a justification for exercising its power of eminent domain wherever Federal funds are involved in any way.

Mr. Speaker, I encourage the support of this resolution and the bill that will be introduced by the gentleman from Wisconsin (Mr. SENSENBRENNER) in the near future.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. BLUNT), the distinguished Republican whip.

(Mr. BLUNT asked and was given permission to revise and extend his remarks.)

Mr. BLUNT. Mr. Speaker, I rise today in support of the resolution. I also think I rise in support of four of the Supreme Court Justices who agreed with the spirit of the resolution, four of those Justices disagreeing with the other five in a principle of long-term property rights.

This ruling effectively rewrote the fifth amendment to the Constitution which says that private property cannot be taken for public use without just compensation. Private property cannot be taken for public use without just compensation.

The Bill of Rights clearly intended that the government's power to take someone's property was limited by two conditions: first, that just compensation be provided; and, second, that the property be taken and used for public

use. Five of the Supreme Court Justices have decided that that second condition would no longer apply. That second condition applied for 218 years without a problem, and suddenly it is gone.

I think Justice O'Connor in her dissent said it better than I might when she said: ''The specter of condemnation hangs over all property, nothing is to prevent the State from replacing any Motel 6 with a Ritz-Carlton, any home with a shopping mall, or any farm with a factory.''

When the Supreme Court decides that the public good benefits only by the best taxpayer, the highest tax use benefits the public, that is a hugely wrong step. I look forward to not only supporting this resolution, but I understand that the chairman and the ranking member of the Committee on the Judiciary intend to move legislation that will do what we can do in the Congress of the United States to see that the four members of the Court who upheld a long constitutional provision ultimately prevail.

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that we add 6 additional minutes to the time of each side.

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

There was no objection.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, just a few hours ago I voted for the amendment to the appropriations bill that addressed this question. But I rise this evening to further emphasize as a former member of a local city council that sometimes it is appropriate for property owners to have the hand of the Federal Government to protect their constitutional rights.

Although I might quarrel with the language of the resolution as it relates to the description of the Court's decision, there is no doubt that I quarrel with an understanding of being able to take private property for private use.

So I rise simply to support the idea of a remedy for those who have been harmed. I always believe that the Federal Government, using the Constitution, using the issue of due process, even though this falls under the question of taking, the taking clause, but simply giving those homeowners who were facing up against a large obstacle of government and corporate interest the right to protect their property.

In this instance, this was not a depressed area, the facts will determine. These are homeowners who have been providing or keeping their homes and all of a sudden because they are on choice property, they now become vulnerable to a heavy hand.

I believe this is a right direction, and I have joined the chairman and the ranking member of the Committee on the Judiciary in legislation that not only remedies or corrects the unlawful taking of the property in New London, Connecticut, but will protect Americans around the Nation, rural and urban areas, from overaggressive taking of eminent domain when taking for private purpose, and a government is taking your property for private purpose.

I ask that my colleagues do continue on this bipartisan ground because I believe that the first step we made was the appropriation announcement of our opposition to this particular decision; but clearly, clearly, I believe the Supreme Court made a misdirected decision in taking the property away from homeowners and due owners of their property for truly private purpose.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. POMBO), the chairman of the Committee on Resources.

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

Mr. Speaker, I have been waiting for this day for 13 years, and that is to have all of my colleagues down on the floor talking about protecting private property rights.

The Supreme Court did do us all a favor because this is a battle that has been going on across rural America for decades, where they have misused and abused Federal and State law to take private property away from property owners.

What this particular case does is it takes it right into urban and suburban America. It goes right into every homeowner in this country; and they say you are not safe in your home, we can take it away from you if we want to. That is exactly what they have been telling every farmer and rancher in this country for the last 30 years, that is, if we think your property is better used as critical habitat to recover species or to protect a wetland, we are going to take it, and there is nothing you can do about it.

Now Mr. and Mrs. America realize what the farmers and ranchers and property owners of this country have been going through for the last 30 years. The Supreme Court has now told you we do not care that it is your private property. We do not care. The Constitution does not count because if the city, the county, the State or the Federal Government decides that your property is a better use for something else, we are going to take it.

Yes, we have taken the debate, we have taken the battle right into suburban America. And you know who is really going to get hurt in all of this, the same kind of people who are hurt in rural America. It is not the big guys. It is not the big landowners that get it; it is the little guys who end up getting it because what this law, what this decision allows is it allows the city to decide who gets your property.

If they decide that someone else can make a better and higher use of your property, they will take it by eminent domain and give it to them. That is what it allows. It is not the big developer; it is not the rich corporation. It is the guy who does not even know who their city councilman is that is going to get it. It is the guy who cannot afford to hire a lobbyist, a lawyer, an attorney, a biologist, to go in and defend them.

Thank you for coming down here and defending property rights.

□ 2200

And I am thrilled that this House is going to finally pass legislation hopefully unanimously to protect Mr. and Mrs. America and their single family home. But I ask Members, when we bring a bill to the floor to protect the farmers and ranchers in this committee, to join me in passing that unanimously as well.

Mr. CONYERS. Mr. Speaker, I yield the balance of my time to the gentleman from Maryland (Mr. HOYER), the distinguished whip, to close the debate on our side.

Mr. HOYER. Mr. Speaker, I thank the gentleman from Michigan (Mr. CONYERS), my friend, the ranking member of the Committee on the Judiciary, very much for yielding me this time.

And I rise in recognition that there is a pretty broad consensus on this floor, which I share. As I sat here and listened to the debate of the gentleman from Massachusetts, I lamented that I am neither as smart nor as articulate nor as incisive nor as humorous as the gentleman from Massachusetts (Mr. FRANK). But then again, I thought that I fell in the category of 434 others of us on this floor as well. And I adopt the remarks of the gentleman from Massachusetts (Mr. FRANK) almost in their entirety, for I have reservations about some of the whereas clauses but recognize the whereas clauses are not the gravamen, as we lawyers would say, of this resolution.

The central portion of this resolution is to address whether or not government can decide that there is a public purpose for a taking of private property and thereby make it so. My own belief is that that ought not to be the case, that there ought to be better protection for individuals and particularly, as the previous gentleman said, usually smaller individuals in terms of their power and influence; individuals who may want to retain that home that their mom or dad bought, left to them and they live in and want their kids to live there as well and see a government who says, oh, no, we think this property can be used for a better purpose. The constitutional framers were careful in addressing that issue, careful in the sense they wanted to make sure that the king could not come in and say, ''I am going to take your property.'' That was not what they thought America ought to be. They thought it ought to be a country where only under law for public use could property be taken.

I seldom find myself in agreement with the legal opinions of the Supreme Court Justices Thomas or Scalia. Neither of them will be surprised of that,

I am sure, nor will some of my colleagues here. Nor, for that matter, do I often find myself in agreement with a number of the sponsors of this resolution. But I do tonight.

I believe, however, and I want to make this comment, as I have adopted the remarks of the gentleman from Massachusetts (Mr. FRANK), that when dealing with the court at any level, we frankly should be more temperate than we have been. I think this resolution, which I am going to support, is, nevertheless, premature. We have not had the opportunity to digest it, to analyze it, to determine how better we might state the resolution. But having said that, the resolution is here.

Tonight I do agree with the proponents of this legislation in disagreeing with the Supreme Court five-to-four decision. Since our Nation's founding, the protection of private property has been a bedrock principle of our society. It ought to remain so. The fifth amendment provides in relevant part, as has been quoted, ''nor shall private property be taken for public use without just compensation.'' That amendment, of course, does not prohibit all takings, nor should it. Instead, it permits the government to take private property so long as it has a good public use for the land and so long as it provides just compensation. However, in this decision, the Court's majority greatly weakened, in my opinion, this basic constitutional principle. It held that a public use could be defined more broadly as a ''public purpose.'' I agree with the gentleman from Massachusetts's (Mr. FRANK) finding irony in the positions with reference to activism on the courts, for after all in this case, the Court deferred to the legislature. But, in fact, the Constitutional Framers said not even the legislature, not even the people's representatives, could take property unless it was for a public use. I agree with that proposition and therefore disagree with this decision.

As Justice O'Connor wrote in dissent: ''Under the banner of economic development, all private property is now vulnerable to being taken and transferred to another private owner, so long as it might be upgraded.''

We do not want to leave our citizens vulnerable in that position. As a result, I will join my colleagues in voting for this resolution.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Wisconsin (Mr. SENSENBRENNER) has 10¾ minutes remaining, and the gentleman from Michigan (Mr. CONYERS) has 1 minute remaining.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker, I thank the gentleman from Wisconsin for yielding me this time and for bringing this resolution to the floor tonight.

This 5-to-4 decision by the Supreme Court in the Kelo case is one that will ultimately be very harmful to our freedom and our prosperity. Even a brief study of economics and world history shows that the most prosperous nations in world are those that have given the most freedom to their people and the greatest protection to private property. Some have said we do not need to worry about this decision because this new power will be used sparingly by local governments. Those who say that either do not believe very strongly in the right of private property or they do not realize how government at all levels can rationalize or justify almost anything, especially almost any taking of property.

People do not really get upset unless or until it is their property being taken. Yet we can never satisfy governments' appetite for money or land. They always want more.

Will your property be next?

The City of New London wanted more tax revenue than these small homes could provide. As I said, we can never satisfy governments' appetite for money or land.

Justice O'Connor wrote that there is now no realistic constraint on the taking of private property. Her words have already been quoted at length, but I will insert them in my statement.

In my home region of East Tennessee, government has taken huge amounts of land. Almost all has been taken from poor or lower-income families who would be wealthy today if they still had their beautiful land.

Justice Thomas said in his dissent, ''Something has gone seriously awry with this Court's interpretation of the Constitution. Though citizens are safe from the government in their homes, the homes themselves are not.'' He went on to say, ''The consequences of today's decision are not difficult to predict and promise to be harmful . . . Extending the concept of public purpose to encompass any economically beneficial goal guarantees that these losses will fall disproportionately on poor communities. Those communities are not only systematically less likely to put their lands to the highest and best social use, but are also the least politically powerful.''

Mr. Speaker, this decision by the U.S. Supreme Court is a very dangerous one and will end up being especially harmful to the poor and lower-income and working people of the country.

Thomas Jefferson once said, ''A government big enough to give you everything you want is a government big enough to take away everything you have.''

Justice O'Connor wrote that there is now no realistic constraint on the taking of private property.

She said: 'any property may now be taken for the benefit of another private party, but the fallout from this decision will not be random. The beneficiaries are likely to be those citizens with disproportionate influence and power in the political process . . . As for the victims, the government now has license to transfer property from those with fewer resources to those with more. The Founders cannot have intended this perverse result.'

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. KING), a member of the Committee on the Judiciary.

(Mr. KING of Iowa asked and was given permission to revise and extend his remarks.)

Mr. KING of Iowa. Mr. Speaker, I thank the chairman for yielding me this time, and I thank also the gentleman from Georgia for bringing this resolution before this Congress this evening and for acting as quickly as we all have.

It is a good feeling to be here with my colleagues on both sides of the aisle with the Committee on the Judiciary talking about defending the Constitution in concert instead of conflict. I appreciate this opportunity to do so.

And I found myself standing on the floor last night quoting Justice O'Connor and agreeing with Justice O'Connor, and it has been a little while. But she nailed it exactly right. What happened, though, in this case, in the Kelo case, was five of nine Justices amended our Constitution. That is exactly what they did. They amended our Constitution with their sliver thin majority opinion. Fifth amendment: ''nor shall private property be taken for public use without just compensation.'' They drew a line through the words ''for public use,'' and now the fifth amendment reads: nor shall private property be taken without just compensation; and, by the way, government will decide what just compensation is, who shall be compensated, and for what purpose, be it public or be it private.

The economic strength of the United States of America has been rooted in our property rights. We look across our history, and we see this Nation that we have and the wonderful economy that has grown. It has grown because we had collateral called ''real property.'' Real property that could be collateralized by bankers and financial institutions so investors and entrepreneurs could pledge that collateral and borrow the capital and build the businesses. That is what put the transcontinental railroad across this country. That is what has built the businesses on Wall Street and in Washington, D.C., in Iowa, and all across this land has been the guarantee of property rights. We look at a Third World country where there are no guarantees like that, and it is easy to see these people cannot borrow money against their collateral, they cannot ensure their property as collateral; so when they get a paycheck, they buy two or three bricks and they go home and they mix a little mortar and they lay two or three bricks up alongside that house, and over 30 years, they build a house two or three bricks at a time as opposed to paying for that mortgage payment one payment at a time. That is how much difference it makes to have property rights.

The victims of this, I happen to have brought along some pictures of these individuals. Here are three entities that are affected by this decision: Here

is Susette Kelo. She received notice of condemnation from the New London Development Corporation, which, by the way, is an entity that was empowered by the City of New London, a private corporation. This was the day before Thanksgiving in 2000, and ''we are going to take your home.''

And this: Bill Von Winkle's, one of the 15 properties condemned because of this decision. And Susanne and Matt Dery, both may lose their home. They have had that home for 20 years.

The difference of what happens between small towns and large towns too, in an incorporated community of 50 people with five council members representing 10 percent of that city, three of them, a majority of that, can decide that they do not like a particular blighted region like a single house and condemn that house and put up a convenience store. They can do so also in a large city by wiping out whole sections of communities, whether they be business interests or not.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. BEAUPREZ).

Mr. BEAUPREZ. Mr. Speaker, I thank the distinguished chairman for yielding me this time.

I especially want to commend the gentleman from Georgia (Mr. GINGREY) for bringing this resolution to the floor tonight, and I rise in strong support of it.

As has been cited repeatedly in this debate, the fifth amendment of the Constitution of the United States states clearly that private property cannot be ''taken for public use without just compensation.'' The recent egregious ruling by the Supreme Court in the Kelo versus the City of New London case ignores the word ''public'' and opens the doors for the government to deprive any individual of his or her private property for any reason, including to directly benefit a private individual or private corporation. Under the guise of economic development, State and local officials can now arbitrarily kick families out of their homes, farmers and ranchers off their land, and close small businesses that do not provide enough tax revenue for the city or the State. Mr. Speaker, that is unbelievable in the United States of America.

I believe in the same thing that our Founding Fathers addressed when drafting the Declaration of Independence and our Constitution. Government is morally obliged to serve the people, namely by protecting life, liberty, and, yes, private property. The Supreme Court should honor these values, and I applaud the gentleman from Georgia (Mr. GINGREY) and those other Members who are actively taking the initiative tonight to protect the fundamental private property rights of all Americans.

I urge every Member to support this resolution expressing the grave disapproval of the House of Representatives regarding the majority opinion of the Supreme Court in the Kelo versus the City of New London case.

□ 2215

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

Mr. Speaker, we have had a great debate on this resolution. I would like to close with a quote from the amicus brief filed by the National Association for the Advancement of Colored People in the Kelo case:

''In this case, public use has been defined so broadly that eminent domain authority has no practical limits. Allowing a taking simply because the party to whom the State wishes to transfer the property has a greater ability to maximize the value of the property fails to account for the rights of the individual property owners and would systematically sanction transfers from those with less resources at their disposal to those with more. Moreover, expanding the scope of public use to include the potential for economic development that may ultimately benefit the public would arguably include virtually any case, and thus render meaningless the judicial review of taking cases.''

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

Mr. Speaker, I believe that the debate that has gone on in this House for the better part of the last hour has very clearly shown the dangerous consequences of the majority opinion in the Kelo case. It is a decision that will have profound impact in terms of the relationship of the owners of private property with their government in this country for years to come, unless we take immediate action to limit or even reverse those consequences.

I would point out that the property that is probably the most at risk under the Kelo case is that which belongs to our religious institutions and other organizations that have been granted tax exempt status pursuant to State law.

The Kelo case holding essentially says that if a municipality can get more tax revenue out of a condemnation and sale to another private party, then the public purpose clause of the fifth amendment to the United States Constitution no longer applies. And what property is most vulnerable to that erroneous interpretation, but property which is tax exempt, belonging to our churches, our synagogues, our mosques, our private schools, our fraternal societies, and any other organization that has gotten a tax exemption because the legislature has determined that the public policy of the State is advanced by the granting of that exemption.

I believe that this decision may have the same effect in the long term as the Dred Scott decision, which started a civil war in our country because the Supreme Court made a serious mistake in the 1850s.

This resolution is the first step to express the outrage of Congress and the fact that Congress is standing up to protect the private property rights of the citizens who vote to send us to this Congress to act in their name.

The gentleman from Michigan (Mr. CONYERS) and I have introduced H.R. 3135, which takes away the Federal funding of municipalities that wish to use taxpayer dollars for this perverse purpose. There is a cosponsor sheet that I will have on the desk for those that wish to be a part of the crusade to legislate taking away Federal funding to municipalities and States that wish to do this.

We are on a crusade here. I would urge an ''aye'' vote on the resolution, but the Committee on the Judiciary will be very active in making sure that the door to the Federal Treasury is locked shut and locked shut tight so that no municipality will be coming to Washington to ask for money to finance goofy condemnations like the Supreme Court upheld in the Kelo case.

Mr. UDALL of Colorado. Mr. Speaker, I rise in support of this resolution expressing disapproval of the majority opinion of the U.S. Supreme Court in the case of Kelo et al v. New London et al.

That case involved the question of the scope of a local government's authority to use the power of eminent domain, and in particular whether local governments may condemn private houses in order to use the land for uses that are primarily commercial.

The question before the court was whether such use of eminent domain is consistent with the U.S. Constitution's Fifth Amendment—made applicable to the States by the 14th Amendment—which says ''nor shall private property be taken for 'public use without just compensation.'' Answering that question required the court to decide what qualifies as a ''public use.''

The case involved actions aimed at redevelopment of a particular neighborhood in New London, Connecticut to encourage new economic activities. Toward that end, a development corporation—technically a private entity although evidently under the city's control—prepared a development plan.

The city approved the plan and authorized the corporation to acquire land in the neighborhood. However, nine people who owned property there did not wish to sell to the corporation. The city of New London chose to exercise its right of eminent domain and ordered the development corporation, acting as the city's legally appointed agent, to condemn the holdout owners' lots. These owners were the petitioners in this case, with the lead plaintiff being Susette Kelo, who owned a small home in the development area.

The owners sued the city in Connecticut courts, arguing that the city had misused its eminent domain power, but lost. They then asked the U.S. Supreme Court to review the Connecticut Supreme Court's decision in favor of the city, arguing that it was not constitutional for the government to take private property from one individual or corporation and give it to another, simply because the other might put the property to a use that would generate higher tax revenue.

The Supreme Court agreed with the City of New London in a 5–4 decision. The majority decision, written by Justice John Paul Stevens, said that local governments should be afforded wide latitude in seizing property for land-use decisions of a local nature. The primary dissent, written by Justice Sandra Day

O'Connor, suggested that the use of this power in a reverse Robin Hood fashion—take from the poor, give to the rich—would become the norm, not the exception: ''Any property may now be taken for the benefit of another private party, but the fallout from this decision will not be random. The beneficiaries are likely to be those citizens with disproportionate influence and power in the political process, including large corporations and development firms.'' A separate dissent was written by Justice Clarence Thomas, while Justice Anthony M. Kennedy wrote a separate concurrence with the majority's ruling.

The court's decision in this case has attracted considerable comment and criticism. For example, the Rocky Mountain News said ''The 5-to-4 decision expands the already expansive definition of 'public use' to mean anything that might conceivably benefit the public through economic development. As Justice Sandra Day O'Connor said in her stinging dissent, the effect is to 'wash out any distinction between private and public use of property.' Other editorials and opinion columns were even harsher.

I am not a lawyer, and certainly no expert on this aspect of Constitutional law. But I find Justice O'Connor's analysis of the likely fallout of the decision persuasive and I share the concerns of many of those who have been critical of the decision, especially those related to the possible abuse of the power of eminent domain in situations such as the one involved in this case.

That is why I am voting for this resolution.

I do not fully agree with every word of it—especially the statement that the majority's decision in the ''Kelo'' case ''renders the public use provision in . . . the fifth amendment without meaning.''

But I definitely agree that, as the resolution states, ''State and local governments should only execute the power of eminent domain for those purposes that serve the public good . . . must justly compensate those individuals whose property is assumed through eminent domain . . . [and] any execution of eminent domain by State and local government that does not comply [with the conditions stated] constitutes an abuse of government power and an usurpation of the individual property rights as defined in the fifth amendment.''

I also am in sympathy with the parts of the resolution that state that ''eminent domain should never be used to advantage one private party over another,'' and that state and local governments should not ''construe the holdings'' in the Kelo case ''as a justification to abuse the power of eminent domain.''

And I certainly agree that ''Congress maintains the prerogative and reserve the right to address through legislation any abuses of eminent domain by State and local government.''

However, of course Congress can only take such action in ways that are themselves consistent with the Constitution, and in any event I think we should be reluctant to take actions to curb what some—perhaps even a temporary majority—in Congress might consider improper actions by a State or local government.

The States, through their legislatures or in some cases by direct popular vote, can put limits on the use of eminent domain by their agencies or governments. I think this would be the best way to address potential abuses, and I think we in Congress should consider taking action to impose our ideas of proper limits only as a last resort.

Mr. TIAHRT. Mr. Speaker, the U.S. Supreme Court this week effectively changed our Constitution by removing the protection of a fundamental right of a free people—the right to private possession of land and property. Our Founding Fathers knew how vital private land ownership is to a democratic society. Article V of the U.S. Constitution states, ''nor shall private property be taken for public use without just compensation.'' For centuries Americans have relied upon this article for protection against abusive land transfers from one person to another.

Yet last week, five Supreme Court justices ruled that private property can be taken by a government and then transferred to another private owner if such a taking will supposedly result in greater economic benefit to the community.

With a weak majority ruling, a massive blow has been dealt to Americans' basic right to own and manage private property, without fear of the government taking that property. History reminds us that nations that disregard the rights associated with private property ownership disregard other fundamental rights of the citizenry. In fact, our own Supreme Court at its inception in 1789 called eminent domain a ''despotic power.''

We have recognized there are times when governments need to purchase private land to build a road or construct a school for use by the general public, sometimes against a landowner's wishes. Our Founders believed that only under these extreme reasons should land be taken from a private property owner for the greater public good. However, the idea that a government would use this eminent domain power to take land from one private owner and transfer it to another private owner for economic reasons smells of Robin Hood gone corrupt.

Local governments and States will now be able to use this case to seize any land believed to make a higher profit if it were owned by a more entrepreneurial owner. Houses of worship, charitable organizations and other non-profits are extremely vulnerable to land grabs by greedy governments seeking more tax revenue.

Even the icon of the American spirit, the family farm, could effectively be forced to sell to another private owner who has grand plans for an economic development project. Farmers and ranchers whose families have worked the land for generations could have to unwillingly forfeit their heritage so a shopping mall can be constructed.

A mom-and-pop business could be forced to sell its property to a corporate competitor, or simply an entrepreneur who wants the land for other revenue-generating purposes. First-time home owners in poorer neighborhoods could easily be targeted for development projects against the will of the community. These are not over-hyped scenarios. The very case the Supreme Court ruled on this week forcefully removes longtime Connecticut homeowners out of their homes so a developer can build a hotel and office buildings.

This distorted ''public use'' definition is nothing short of public abuse. Under the Supreme Court's new definition, everyone's property is suddenly for sale, and the auctioneer is any government that wants more tax revenue.

If we do nothing and the Court's ruling goes unchallenged, the public good submits to the whim of the wealthy abetted by government's insatiable appetite for more money.

I urge my colleagues to join me today in supporting Mr. GINGREY's resolution that appropriately expresses outrage at this misguided decision by the Nation's highest court.

Mr. SENSENBRENNER. 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 Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and agree to the resolution, H. Res. 340.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SENSENBRENNER. 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

MAKING SUPPLEMENTAL APPROPRIATIONS FOR VETERANS MEDICAL SERVICES

Mr. WALSH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3130) making supplemental appropriations for fiscal year 2005 for veterans medical services.

The Clerk read as follows:

H.R. 3130

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2005:

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For an additional amount for ''Medical Services'', $975,000,000, to remain available until September 30, 2006.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. WALSH) and the gentleman from Texas (Mr. EDWARDS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. WALSH).

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

Mr. Speaker, this evening I bring to the floor a bill to provide urgently needed funding for the Department of Veterans Affairs. During the last week, it has become known to most of us that the Department is in dire straits with regard to funding for medical services. It has been pointed out to us in hearings that funding originally allocated for capital expenditures is being diverted to pay for medical services, and reserves which were intended to cover future requirements were instead needed this year.

Based upon information provided by the Secretary of Veterans Affairs in a hearing today before the Committee on

Veterans' Affairs, as well as information provided on Tuesday when he appeared before the Committee on Appropriations, I am asking the House to pass this supplemental appropriations bill today in the amount of $975 million. This amount is within the 302(a) allocation for 2005 available to the committee and therefore does not need to be offset.

In the coming weeks, the committee will work with the Department to determine the implications for fiscal year 2006 of their recent changes in workload and utilization. This will allow us to use the most accurate information available to ensure that sufficient funding is also provided when we complete the 2006 bill later this year.

To make it clear, this funding we are talking about tonight in this supplemental is just for 2005. I expect full cooperation and disclosure by the Department as we develop the final number for fiscal year 2006. I do not expect, nor will I accept, partial or vague information or misinformation. This process can only work well if we all work together. That is what I expect of everyone involved in solving this problem.

For today, the bill I bring to the floor provides the necessary resources to ensure that all veterans receive the medical care promised. This funding will also allow the Department to restore funding to its capital accounts to ensure that maintenance and repairs are completed and necessary equipment procured so that future care will not be placed in jeopardy nor held in abeyance.

I regret that the Congress and the committee was not informed of the very real problems at the Department earlier in the process. Having said that, I look forward to working together with my friend and colleague, the ranking member, the gentleman from Texas (Mr. EDWARDS); the Department of Veterans Affairs; the Office of Management and Budget; and the Members of the other body to be sure that we do not run into this situation again.

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

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

Mr. Speaker, I will vote for this emergency funding bill for veterans health care for two reasons: first, the VA desperately needs the $975 million right now to address a very serious shortfall in VA health care funding, a shortfall that I wish had never occurred; second, unfortunately, the House Republican leadership decided earlier this evening that the House, Republicans and Democrats alike, would not even be allowed to vote on the $1.5 billion emergency funding bill for VA health care that the Senate has already passed on a unanimous basis 96 to zero earlier this week.

For the record, I want to say that I believe the $975 million probably will not cover all of the hole that has been dug for veterans health care for this year. I hope I am wrong; but I was not wrong earlier this year, and I was not wrong last year when I said that the present VA budget would provide cuts in real health care services to veterans during a time of war.

Also I want to say for the record that I appreciate very much the leadership of the gentleman from New York (Mr. WALSH), whose commitment to America's veterans is genuine, deep, and consistent. Had he not called hearings this week and brought the VA leadership before the House in his Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies of the Committee on Appropriations, I do not think we would be here on this floor tonight debating additional emergency money for VA health care spending.

I want to commend my friend and colleague, the gentleman from Indiana (Mr. BUYER), who worked very hard to bring to light this immediate crisis that we are facing. His leadership on the House Committee on Veterans' Affairs was instrumental in us being here today.

Having said that, I believe the American people and America's veterans, Mr. Speaker, have a right to know how we got into this $1 billion hole for veterans health care during a time of war, and, most importantly, need to help us understand how not to get into this hole again.

This issue did not just come up. This problem did not just pop up overnight or this week or last week. For 2 years, respected national veterans organizations have been pleading with the administration and Congress to provide adequate funding for the VA health care system. Unfortunately, their pleas were often ignored by the Republican leadership in the House.

As far back as February of 2004, the Republican chairman of the House Committee on Veterans' Affairs, then the gentleman from New Jersey (Mr. SMITH), signed a bipartisan letter saying that unless we funded $2.5 billion more than the administration budget request for VA health care, real services for real veterans would have to be cut this year during a time of war. Did the House leadership salute the gentleman from New Jersey (Mr. SMITH) for standing up for veterans? No. In fact, they fired him. They did not just take away his chairmanship of the VA committee; they took him off the committee itself.

What was the crime of the gentleman from New Jersey (Mr. SMITH)? He refused to support an inadequate budget resolution for VA health care for 2005 which the Republican leadership had endorsed. He put his loyalty to America's veterans above blind partisan loyalty to the House leadership, and he was right to do so.

While America's veterans were honoring the gentleman from New Jersey (Mr. SMITH), the House Republican leadership was punishing him.

In the spring of 2004, House Republicans passed a fiscal year 2005 budget on a partisan basis, a budget that veterans groups, Democrats, and the gentleman from New Jersey (Mr. SMITH) had said would require more than $1 billion in cuts to veterans health care services this year. The insight of time has proven that Democrats, veterans groups, including the DAV, American Legion and VFW, were right. The House Republican leadership was wrong: wrong on veterans health care budget resolutions and wrong to put partisanship above loyalty to veterans and veterans health care.

Repeatedly over the past 2 years, House Democrats, myself included, have asked the Republican leadership to join on a bipartisan basis to stop real cuts in veterans health care services during a time of war. Over a year ago, we tried genuinely to increase the veterans health care budget for 2005. The leadership said no.

This year, veterans groups and Democrats pleaded with the Republican leadership to provide more adequate funding for veterans health care. On the 2006 budget resolution, they said no.

Then in May of this year, Democrats and veterans groups pleaded with the Republican leadership one more time to add additional VA health care spending to the Iraqi war supplemental appropriations bill. Once again, the leadership said no.

That was not the last time they said no. The gentleman from Wisconsin (Mr. OBEY) tried to add an amendment in the Committee on Appropriations increasing funding for VA health care so we would not get into this hole, cutting services for veterans during a time of war. Again, the answer was no.

That is not even the worst of it. The House leadership on a partisan basis pressured Republican colleagues of mine this year to vote for a House budget resolution, and, listen to this, vote for a House budget resolution that would cut present services for veterans by $14 billion over the next 5 years.

□ 2230

Let me repeat that in case anybody did not hear it or believe it, because it is a fact: the House leadership passed a budget resolution in this very room earlier this year that would require a $14 billion cut in present health care services to veterans. And, by the way, that includes over 100,000 veterans of the Iraqi and Afghanistan wars who have needed VA health care. I must wonder which Members of the House leadership will include in their Fourth of July speeches the fact that they pushed through this House a budget resolution this year to cut veterans' health care services by $14 billion over the next 5 years. I hope to join with my colleagues on a bipartisan basis in the years ahead to undo what would be a terribly harmful cut to our veterans and send a destructive message to our active duty servicemen and women serving in Iraq and Afghanistan.

Having said all of that, we come today to face a shortfall that the gentleman from New Jersey (Mr. SMITH),

the Republican chairman of the House Committee on Veterans Affairs predicted a year ago, and the VA, American Legion, VFW, and Democrats predicted a year ago. I wish we were voting for a $1.5 billion increase in emergency funding. I think our veterans deserve it. Certainly, the Senate, on a unanimous vote, 96 to 0, endorsed that level of funding.

But, thanks to the goodwill and the genuine leadership of people such as my colleague and friend, the gentleman from New York (Mr. WALSH), we have a chance to take a step forward today, an important step forward, in funding, more adequately funding veterans' health care, and for that I am grateful. I hope we can work together, as the gentleman mentioned a few minutes ago, on a bipartisan basis to see that we never, ever again dig this kind of a hole for veterans' health care in time of war or peace, but certainly we should never do it in time of war.

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

Mr. WALSH. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I certainly thank the chairman for yielding me this time.

I rise today in very strong support of the Veterans' Health Care Supplemental Appropriations Act. We are here tonight because the VA needs $975 million for the remaining 3 months of fiscal year 2005. Earlier today, Secretary Nicholson made it clear that the shortfall resulted from faulty, outdated and, quite honestly, unrealistic forecasting models.

I represent the highest number of veterans of any Member of this body. I have very often taken on my own party to fight for increased veterans' funding. And do you know what? They responded. We have consistently provided more than what the VA has requested over the 3 brief years that I have been here. This side of the aisle has recognized the problem, and we are acting swiftly to resolve it by passing the supplemental today. I commend the Republican leadership for their speedy response to a real need.

Mr. Speaker, I urge the other side of the aisle to stop the petty bickering and mud-slinging and ask everyone to support this very important bill. Republicans have increased veterans' funding over 43 percent since 2001. We will continue to fight to meet the needs of veterans' health care and other veterans' needs, because we provide solutions and action, not useless fingerpointing.

Mr. Speaker, earlier today, another Member from Florida engaged in some political diatribe in committee and said she could not understand why veterans vote for Republicans. Clearly, they vote for Republicans because we are very quick to respond to a need and that we produce solutions, not just useless rhetoric.

Mr. EDWARDS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. EVANS), the ranking member of the Committee on Veterans' Affairs.

Mr. EVANS. Mr. Speaker, I support this measure, but I believe that it does not go far enough. Already, the VA has acknowledged a $2.7 billion problem next fiscal year.

Health care for veterans today is being affected by budgetary shortfalls. Although the VA insists that $975 million is sufficient, there also argued as recently as just only 2 days ago that any additional funding was unnecessary.

I do not know what we tell the homeless people in this country who would get no assistance if the committee bill would be dropped. We want to know how much money we could have saved by closing down State nursing homes and all the other innovative programs that the VA has been in favor of. If we cannot run a first-class hospital system, then shame on us for not fighting for the defending people of our Nation as much as we fight for other wars for people from foreign lands.

I thank my colleagues and urge quick passage supplemental funding.

Mr. WALSH. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. BROWN), a member of the Committee on Veterans' Affairs.

Mr. BROWN of South Carolina. Mr. Speaker, I thank the gentleman from New York for yielding me this time.

No one wants to be told that the Department needs nearly $1 billion more than anticipated, but the Secretary of Veterans Affairs has frankly come forward and acknowledged that their budget model has been simply overpowered by a host of factors, including an unexpected surge in demand this year.

The numbers that we discuss is important, because they have a real impact in all of our districts and for our constituents who have served this great Nation. The consequences of chronologically underestimating the funding requirements, in my mind, are simply unacceptable.

As chairman of the Subcommittee on Health of the Committee on Veterans Affairs, my job now and our collective job tonight is to fix this problem. I want to commend my chairman, my good friend from Indiana (Mr. BUYER) for his leadership and having the courage to dig deep into this issue and address this in a head-on way. I also want to commend the gentleman from New York (Mr. WALSH) for his efforts in moving quickly to get this measure to the floor tonight. Together, with our Senate colleagues, I hope we can move forward in a bipartisan manner to get these much-needed funds into the hands of those who provide the quality care to our veterans every day across this great Nation.

I think it is critical that we continue the dialogue with the VA that we have started so that we can ensure that the health care needs of our veterans continue to be met in a reliable and timely fashion. Equally important, I want to continue to work with the Secretary and the administration to refine the budget process for coming years, making sure that we avoid similar shortfalls in the future.

As the chairman of the Subcommittee on Health, I want to assure all of the veterans that are out there tonight that we are going to be absolutely sure that their health care needs are met in a timely manner.

With that in mind, Mr. Speaker, I would urge my colleagues here in the House to support this resolution.

Mr. EDWARDS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. REYES), a member of the Committee on Veterans' Affairs.

Mr. REYES. Mr. Speaker, I rise in support of H.R. 3130, the day-late-and-dollar-short legislation.

Where were we last year when Secretary Principi said that he was underfunded by $1.3 billion? Where were we in March when I sat here in this very same seat and asked to fund $1.3 billion out of the supplemental fund? Earlier tonight, we could have funded our veterans at the same level as the Senate did last night, at $1.5 billion, but no, we could not do it the right way, we could not do the right thing.

So tonight as an American, I am angry; as a veteran, I am outraged; and as a Member of Congress, I am ashamed. Angry, outraged, and ashamed that our only option is a supplemental of $975 million when we need $1.5 billion. I am angry because in this House, if you need an emergency supplemental, no problem. If you need another one, no problem. Need yet another emergency supplemental? Again, no problem. But do not even think about an emergency amendment of $1.3 billion for veterans' health care. No, all $300 billion has been spoken for, and no veteran need apply.

Mr. Speaker, I am outraged as a veteran because, like emergency supplementals, if you need a tax cut, no problem. Need another one? No problem. Want a third? No problem again. What a deal. The richest 1 percent in this country get a gold mine; our veterans get the shaft.

As a Member of Congress, Mr. Speaker, I am ashamed and frustrated. Why? Because we have consistently failed to stand up for our veterans and have failed to stand up to an administration that continues to mislead and deceive, an administration that adopted Pinocchio as their mascot and has trampled on the rights and the needs of our veterans. Just once, I wish we would do the right thing for our veterans: fund them at $1.5 billion.

I do support this legislation, a day late and a dollar short.

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

I just am thunderstruck by the rhetoric that I just heard. Stomping and trampling on the rights of our veterans? That is really beneath the dignity of this institution. Everyone I

know, and I know most Members in this body, has the greatest respect for our veterans, the greatest respect. The gentleman asked the rhetorical question, I believe it was a rhetorical question, where were we last year when Secretary Principi asked for an additional $1.3 billion? Mr. Speaker, we were there. When we completed our budget, our appropriation for 2005, we put an additional $1.3 billion in, based on that request.

So let us try to dampen the rhetoric and stick to the facts.

Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. GILCHREST), one of our Nation's veterans.

Mr. GILCHREST. Mr. Speaker, I thank the chairman of the subcommittee for yielding me this time, and I thank him for bringing this supplemental to the floor this evening. I am also encouraged that I am sure all of my colleagues will vote for this today.

I want to make sure that another voice is heard. I am a veteran, as there are many veterans on this floor. I have been in Navy hospitals, I have been in veterans' hospitals, and I have gone through the veterans' health care system.

I also want to say that in the last 10 years, in my district, there have been three health care clinics for veterans built just in those 10 years that provide excellent care. We have a veterans' hospital for the psychiatric problems that veterans often experience that go from Alzheimer's to posttraumatic stress syndrome from Vietnam and other conflicts, to people with schizophrenia. Nothing is perfect. There are no utopias on the planet. We need to provide this supplement until the end of this fiscal year, and make sure we do not make the same mistake in the next fiscal year. But we have done a great deal, and we will continue to work hard for the veterans of this country, and we have.

Mr. EDWARDS. Mr. Speaker, I yield 2½ minutes to the gentleman from Maine (Mr. MICHAUD), a member of the House Committee on Veterans' Affairs.

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

Mr. Speaker, I strongly support addressing the funding crisis that is hurting veterans, so I will vote for this measure this evening, but I am deeply disappointed that we are not providing the VA with an additional $1.5 billion. Because this amount is less than the $1.5 billion offered by the Senate, veterans will be in limbo, forced to wait for the care that they have earned. I will vote ''yes'' because I want veterans to get a measure of relief as soon as possible, but we can do better in this House, and we all know it.

Mr. Speaker, we should not even be here. We would not be here if the VA, the administration, and the leadership had listened to the veterans groups and the members of the Committee on Veterans Affairs who warned about this problem in recent years. Let us make no mistake: this shortfall is definitely hurting our veterans.

At Togus VA Medical Center, they ran out of money for medical care, so they had to divert their maintenance fund. Now, when their own brick building is crumbling, they cannot fix the problem. Instead, workers had to put up scaffolding to keep bricks from falling on the heads of sick veterans and their medical staff. This is a disgrace. This is what this shortfall is doing for our veterans.

We also know that even the funding that will be approved this evening still leaves a major gap. For example, I am concerned that this supplemental may not address the shortfall funding for mental health services. Today, I asked Secretary Nicholson whether the $975 million would cover the gap in service for mental health care, including substance abuse.

□ 2245

He would not give me a clear yes or no answer. So we are left wondering again if this supplemental will solve the full shortfall in veterans health care. I am also concerned that the supplemental offered does not deal with the half a million veterans who are barred from seeking care from the VA. Since January of 2003, this administration has instituted a policy of banning a group of veterans referred to as Priority 8 veterans from enrolling in health care. This is wrong.

So in closing, I will vote to support this measure because it is the first step in correcting the outrageous problem, but it should never have been in the first place.

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

I would just like to respond to a couple of the points made by the gentleman who just spoke. The first is that we have provided in the 2005 bill $2.11 billion for mental health for our veterans. That is a very substantial amount of money. And in the 2006 budget, we have proposed $2.2 billion, and we fenced it so that that money cannot be used for any other purpose. That has never been done before in a veterans appropriations bill. And I am very proud that our subcommittee took that action, and it was a bipartisan action.

The second point is that we have before us a straightforward stand-alone supplemental bill that provides just under $1 billion for the Veterans Administration health administration for this year, for 2005, only for 2005. And so it is very simple. If we pass it, and send it to the Senate they can act on it tonight or tomorrow as a stand-alone bill, identical bill, and the President could sign it tomorrow before the Fourth of July, and that is what I hope happens because I believe we will get broad support. I cannot imagine anyone voting against this bill.

But the Senate bill, and the Senate has not passed a bill that includes this funding. They have not. Out of committee they have passed an interior appropriations bill for the 2006 fiscal year that has a $1.5 billion attachment to it for veterans affairs. That bill is a 2006 bill. It will not even take effect in law until 2006, which will not help the 2005 budget at all. This is the vehicle to use. And I am very hopeful that once we pass it and send it to the Senate with a strong unanimous or bipartisan voice from the House that it will become law.

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

Mr. EDWARDS. Mr. Speaker, I yield 1 minute to the gentlewoman from Oregon (Ms. HOOLEY), also a member of the House Veterans Affairs' Committee.

Ms. HOOLEY. Mr. Speaker, I thank the gentleman for yielding who has been such a champion of veterans.

Mr. Speaker, veterans care is in a state of crisis. As the gentleman from Wisconsin (Mr. OBEY) pointed out earlier in the evening, veterans at the Portland VA Medical Center in Oregon have arrived at the short-stay unit only to see this sign which says, ''We regret to inform you that due to budget issues, we can no longer supply meals to patients. Please bring a meal from home if you are going to be in the short-stay unit. We apologize for any inconvenience.''

Well, this is not about the food. But it is about our health care for veterans. We have had to close beds because we are 150 people short at the VA hospital. This is no way to treat our heroes. The Portland VA does a wonderful job. It is not their fault. This is our responsibility.

I have been working on this issue for years calling for more funding for VA health care. If the leadership had allowed a vote on an amendment I tried to offer with the gentleman from Washington (Mr. BAIRD) to add $1.3 billion to the supplemental for VA health care, we would have dealt with this issue months ago. This did not have to happen. Not one soldier who puts his or her life on the line should have to worry about health care.

While I am glad that we are finally acknowledging the financial needs of the VA, I cannot help but be disappointed that even now, when we know they are desperate for additional funding, we are still not giving them all of the money they need to serve our veterans.

As a result of this budget shortfall, the Portland VA Medical Center is delaying all nonemergency surgery by at least six months. For example, veterans in need of knee replacement surgery won't be treated because of the budget shortfall. Recent visitors to the short care stay unit were surprised to see a handwritten sign declaring that ''due to budget issues, we can no longer supply meals to patients,'' and asking patients to bring a meal from home.

The facility is reducing staff as a cost-cutting measure and is now short at least 150 hospital staff, including nurses, physicians, and social workers. As a result of budget cuts for staffing, the VA has cut the number of medical

beds available to care for veterans. And for fiscal year 2005, the facility needed $13 million for medical and clinical equipment but only received $2 million.

But this should not come as a surprise to us. All you have to do is visit the VA health care facilities to see the overcrowded waiting rooms, the worn equipment, to know that they need additional funding. And we've been saying this for years.

Just this March, the Republican leadership of the House refused to allow us to debate and vote on an amendment that I tried to offer that would have added $1.3 billion to the Supplemental Appropriations bill specifically for Veterans Health Care. Had we been allowed to debate whether the VA needed supplemental funding in March, or any of the numerous other times that House Democrats have tried to raise the issue, we could have dealt with this problem long before it became a crisis.

Not one soldier who puts his or her life on the line should have to worry about getting health care when he or she returns from battle. But how are we supposed to provide adequate health care to these new veterans when we can't even meet the needs of our current veterans? Our veterans deserve better.

Mr. EDWARDS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, tonight we are scrambling around to make up for a shortfall in veterans funding that was caused by the poor planning of this administration. The VA medical system cares for the brave men and women who have risked life and limb to serve this country without questioning why. Let us not forget that the VA's medical system serves as a back up to the Defense Department during national emergencies and as a Federal support organization during major disasters.

Please consider my district, the city of San Diego. Our VA Medical Center is well managed, but is being forced to divert millions of its maintenance funds to partially cover its operating expenses while our communities' veterans sit on waiting lists of over 750 patients.

Mr. Speaker, we are the keepers of the promise to America's veterans. We are obligated to address this funding crisis quickly and prevent it from happening again. The lives of countless men and women who defend it, or our own lives, may very well depend on it.

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

Mr. Speaker, we should not be in this hole. We did not have to be in this hole. I am glad we are taking a partial step to get out of this hole, a hole that we put veterans in, veterans who have served our country in combat, veterans who have been unfortunately denied care this year that they had a right to receive because of inadequate funding in the past. I am glad we are moving forward.

I wish we were moving forward with a $1.5 billion emergency funding bill passed unanimously by the United States Senate. I do not know why the House leadership felt 96 Members of the Senate, including the Senate Republican leadership, were being too generous to veterans. I do not think they were being too generous to veterans. But I am glad we are taking a step forward. And I do genuinely appreciate the gentleman from New York (Mr. WALSH) and the gentleman from Indiana's (Mr. BUYER) work on this effort.

The most important thing we need to do tonight is learn the lesson of how we got in this hole and how not to get into it again. I have heard some say, well, we have increased veterans funding over the last few years so we should be happy with that and veterans should not complain about it, in effect. But the fact is that there has been an increase of 250,000 veterans a year each year for the last 4 or 5 years into the VA health care system.

You add that to VA health care inflation, drug cost inflation, and the fact is that we have not kept up with even current services for veterans in the budgets we have passed in the last 2 years. For some, not so much in tonight's debate, but in other debates this week, who have suggested, well, these are Democrats being partisan, well, some of those charges were leveled when we said a year ago and 5 months ago and 2 months ago that this budget was going to provide a shortfall for funding.

But let us take it out of the debate of Republicans versus Democrats. Let us go to the respected Disabled American Veterans. Alan Bowers, the national commander of the DAV said, not last week or last month, he said on March 23 of 2004 about the 2005 budget resolution, ''The VA will be required to delay medical care for some veterans and deny it all together for other sick and disabled veterans just to enable it to meet inflationary costs.''

To the veterans of this Nation it is incomprehensible that our government cannot afford to fund their medical care and benefit programs at a time it can afford generous tax cuts costing hundreds of billions of dollars more.

Let us go beyond the Disabled American Veterans. Let us look at the legislative directors of Paralyzed Veterans of America, the AMVETS, the Veterans of Foreign Wars. This is what they said about the 2005 budget resolution passed on a partisan basis in this House over the objection of Democrats. They said passage of the budget resolution as presented ''would be a disservice to those men and women who serve this country and who are currently serving in Iraq, Afghanistan and around the world in our fight against terrorism.''

No Member of this House questions any other Member's respect for veterans. But we are not talking about good feelings tonight. Good feelings and good intentions do not fund veterans health care. We are talking about budget priorities. And we on the Democratic side of this House believe that adequate funding for veterans health care should trump tax cuts for billionaires. It seems to me that the leadership of America's major veterans organizations agree with us.

I hope, perhaps, from this day forward we can go together on a bipartisan basis to see that we do not ever, ever, ever again cut real services for America's veterans during a time of war.

I encourage my colleagues to vote for this resolution, despite my deep disappointment that the House Republican leadership would deny us even the right to vote on the $1.5 billion emergency funding for veterans hospitals that 96 Senators in a unanimous vote said was needed by our Nation's former service men and women.

Mr. WALSH. Mr. Speaker, I yield the balance of my time to the gentleman from Indiana (Mr. BUYER), the distinguished chairman of the Veterans Affairs' Committee and himself a veteran of the Gulf War.

Mr. BUYER. Mr. Speaker, I thank the gentleman from New York (Mr. WALSH) for his leadership in bringing this supplemental, being responsive to the administration's requests. I would also like to thank the gentleman from Texas (Mr. EDWARDS), the ranking member, for working cooperatively with the gentleman from New York as he has done since he assumed this position. The gentleman's leadership is important and it is valuable.

Yesterday, the gentleman from Texas (Mr. EDWARDS) and I kind of joked with each other when I came up to the gentleman and I said, what is the powerball? And the gentleman looked at me and said, what? And I said what is the powerball, because if the gentleman could actually guess what the number should be for the veterans budget, the gentleman should also know what the powerball is. We kind of had fun, we had some laughter amongst each other because what we are dealing with is hard. It is difficult. There are people that are a lot smarter than me and that have Ph.D.s in how to do the actuarial studies.

And it is rather interesting that the VA, for the longest time, I want to share with my colleagues what had been done was that the VA would formulate the health care portion of their budgets using historical trend analysis, inflation, and then they would also take into consideration new initiatives. Then the VA said, well, we ought to change that. Let us improve workload projection capabilities, and let us do some better forecasting.

And so they go out and they hire Milliman Incorporated, which is an outside actuarial firm that provides expertise and guidance to the top private health companies in America. Well, that sounded like a pretty good idea to do. Then what we learned on June 23 in the Full Committee on Veterans' Affairs as we get into the issue on health care modeling, I know you say, my gosh, why are you talking about this? This is pretty important. What we learn about the modeling is, is that

model wrong that the VA is using to protect the budgets? How come we get into these positions? What we learned is it is not necessarily that the model is in error. The model that is used in the private sector and that is used to guide the VA is adjusted for these private firms on an annual basis.

The VA uses this model and stresses it. They stress the model to project between 2.5 and 3.5 years out. Now, that is not right. So what we are going to do, and the gentlemen from New York (Mr. WALSH) and the gentleman from Texas (Mr. EDWARDS) and myself and the gentleman from South Carolina (Mr. BROWN) and the gentleman from Maine (Mr. MICHAUD), we are going to work together here because we are going to stop this stuff going on. If they recognize that the data is old and stale and that their assumptions are not right and they are not doing annual risk adjustments, then we are going to have to do it for them. Right?

So it is important for us to continue our oversight. So when this was brought out in the hearing last week, the administration, the testimony of Dr. Perlin was we have some work around solutions. Well, we listened to it. And then we began to talk among ourselves, Republicans and Democrats alike, listening to evidence and stories from our own districts and said, you know, this does not feel right and we should take some action.

□ 2300

The administration responded. What we said to the administration was, and I share with my colleagues in the Senate because their immediate response, we were not even done with our hearing in the House and the Senate calls a press conference and says we are going to fund it at 1.5 or 1.6.

They are making up numbers over in the Senate. We are not going to make up numbers here in the House. I have heard some of my dear friends on the Democrat side say, I am really disappointed it is not $1.5 billion. Where do you get $1.5 billion? We cannot make it up.

If our responsibility to the taxpayer is to get the number right, then let us get the number right. So when we asked the Secretary to come over and testify and he did this morning, we said we want an exact number and that is exactly what he delivered to us.

So of the $975 million supplemental, this morning he said I need $273 million to fund health care for returning Operation Iraqi Freedom, Operation Enduring Freedom veterans, including members of the Guard and Reserve. They also needed $226 million to continue funding of the shared Federal and State VA long-term care nursing home program. They need another $200 million to fund unanticipated increases in the health care for priorities 1 through 6 veterans. He needed $95 million to fund unanticipated energy, fuel, and utility costs. He needed $84 million to buy emergency medical equipment and $39 million to pay for the increase in health care benefits for dependents of 100 percent service connected veterans as the need has increased at a rate greater than expect.

And there is another number that no one has talked about. You know what it is? Accounts receivables. So I asked the VA, you came and told us you need $975 million. What is your accounts receivables? What in the final quarter of 2005 do you anticipate that you are going to collect? $325 million.

So basically what we have, if you are in business we have a cashflow problem. We also have a shortfall. So they have accounts receivables out there and they have a bogey, a deficit. So when we say okay, we are going to do an infusion. So we do an infusion of $975 million, you know what? The number is higher than that. Because it is $975 million plus the $325 million of accounts receivables. It is $1.3 billion is the infusion. That is the monies available for the VA in the final quarter. That is the exact number.

So I am hopeful that when we pass this bill, and I agree with the gentleman from New York (Chairman Walsh). I do not think there is going to be one vote against this because we will all speak together in a unified voice. We will send this to the other body and say this bill comes to a total of $1.3 billion in available resources that the VA can use in the final quarter and those monies that you cannot use we will move over into 2006. We will continue to work on the 2006 number. We will work on that budget amendment.

The next thing we will do is the VA is working on the 2007 budget because they have responsibilities to get that transferred soon to OMB. We will get all this worked out because this Secretary owns that 2007 budget and he owns the 2006 budget and he owns this mistake and he understands that.

I urge all of my colleagues in a bipartisan fashion and in a big voice, let us wake up the other body. We pass it tonight. They can pass exactly what we have here, and we can make a tremendous impact on the veterans community. Let us pass this bill.

I congratulate the gentleman from New York (Mr. WALSH).

Ms. SCHAKOWSKY. Mr. Speaker, I rise to express my great disappointment about the fact that the Republican majority has refused to allow Representative EDWARDS the opportunity to offer his bill to provide $1.5 billion in emergency funding for veterans health care. Instead, we are being asked tonight to vote up or down on a bill that will provide only part of the funds that are desperately needed to provide essential care to those who served our country so well. Full funding is critically needed by the Veterans' Administration to overcome its massive budget shortfall caused by the Bush Administration's war in Iraq and the Republicans' shameful budget.

Last Friday, the Washington Post reported that the Bush Administration finally acknowledged that it is short $1 billion for covering current needs at the Department of Veterans Affairs, despite repeated efforts by House Democrats to adequately fund VA healthcare. Even that admission is likely to be short of the mark. Earlier today, the Chairman of the Senate Veterans' Affairs Committee reiterated that the Senate would quickly pass a $1.5 billion emergency supplemental if the House would first approve the measure. Unfortunately, the Republican majority has offered a bill that provides only $975 million, and then denied us the opportunity to offer an amendment to increase that level. To shortchange our veterans during a time of war is not only shocking, it is greatly disrespectful to the brave men and women who have volunteered their service to defend our country.

The shortfall that the VA is experiencing has resulted in some VA medical facilities no longer scheduling appointments for veterans, others not filling vacancies of medical and nursing staff, and others having to close operating rooms or not replace basic medical equipment, such as hospital beds.

Because of the Republicans' refusal to provide sufficient funding, many of the 50,000 veterans who are currently waiting in line for medical appointments will be forced to continue their wait. It is shameful that the Republicans in Congress have once again failed our veterans. It is apparent that the Republicans do not represent the priorities of the American people. At a time of war, Americans want the Congress to offer bipartisan support and services for our veterans and their families. They do not want us to shortchange military families and they certainly believe that taking care of our Nation's veterans should be a higher priority than providing tax breaks for millionaires. The Republicans should have done the right thing and worked with the Democrats on this nonpartisan issue.

Mr. HOLT. Mr. Speaker, I rise today in support of this supplemental, but not of the process that brought it to the floor.

Last Friday, the Washington Post reported that the Bush Administration acknowledged that it is short $1 billion for covering current needs at the Department of Veterans Affairs this year, despite repeated efforts by House Democrats to fund VA healthcare. In response, the Senate voted unanimously on Wednesday to give the VA an extra $1.5 billion this year to cover the health care shortfall. But House Republicans today offered just $975 million, meaning additional work will have to be done to correct this serious problem.

But the problem we face is larger than dollars and cents. There is an emerging credibility gap, one that Secretary of Veterans Affairs Nicholson would do well to address and quickly. It simply strains credulity to suggest, as some in the House have this week, that neither the Secretary nor his staff could have foreseen this problem. Mr. Nicholson's predecessor, former VA Secretary Anthony Principi, who is currently chairing the Base Realignment and Closure Commission, certainly had no difficulty giving the Congress honest assessments on the VA's needs. Indeed, Secretary Principi was too forthright for White House officials, who were undoubtedly both embarrassed and angered by his candor during the last Congress.

You remember the story, I'm sure. At the annual VA budget hearing on February 4, 2004, in response to a question by my friend and colleague from Illinois, Mr. Evans, then-

Secretary Principi acknowledged that he needed at least $1.2 billion more to meet the medical needs of America's veterans than President Bush had requested in his Fiscal Year 2005 budget submission to Congress. My friend from Illinois showed his usual courage and tenacity, and fought to get Secretary Principi the money they both knew—the money we all knew—was needed to properly care for our veterans. And even if this supplemental funding is provided, there will still be at least a $600 million shortfall in VA funding this fiscal year.

What does this shortfall mean in human terms? It means not enough psychiatric nurses to care for veterans with post-traumatic stress disorder (PTSD) and other psychiatric disorders. It means some veterans will not get prosthetic devices they need to function in the real world. It means that hospital administrators will have to raid medical care accounts in order to pay for equipment repairs to keep air conditioners functioning and electrical systems working. It means longer clinic waiting times for veterans seeking appointments. All of these shortages are both unacceptable and avoidable.

If we can find the money to buy the hardware to send our men and women into battle, there's no excuse for us not to find the money to pay for their wounds of war after they come home. Shortchanging America's veterans on America's birthday is truly a manifestation of Tom Paine's sunshine patriotism. I urge my colleagues to not only support this supplemental, but to demand that the President and the House leadership provide the full funds the VA needs to care for our wounded warriors.

Ms. SOLIS. Mr. Speaker, I rise in strong support of the supplemental appropriations for veterans' medical care. This measure corrects the $1 billion shortfall in veterans' health care funding, which was belatedly acknowledged by the Bush Administration last week. House Democrats have been standing with America's veterans fighting to increase support for veterans' health care. Republicans have consistently chosen other priorities and voted against veterans' healthcare, leading to a shortfall that did not have to happen.

This measure is a first step to correcting this gross underfunding of our veterans' health care system. However, additional steps need to be taken to comprehensively address this serious problem. I am troubled that many of our Nation's veterans are unable to receive the health care they need in a timely fashion. Without adequate funding, veterans will continue to stand in line, waiting for the services they have earned. Let us keep our promises to our veterans and servicemembers who have fought for our country. I will continue to fight for funding that meets our active and retired military personnel's health care needs.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of the supplemental appropriation of $975,000,000 that will fill the huge gap that was left by the Administration's FY 2005 request for the Veteran's Administration health care system. While my veteran constituents such as a 23-year old male who now suffers from kidney and liver failure due in part to administrative failings in the Veterans Healthcare Administration. The paltry funding levels set by the Administration and codified by the Republican Congressional Leadership have caused young soldiers like my constituent to suffer unnecessarily and cause their parents to shed tears. I just visited this young man at the Walter Reed Medical Center last week, and his condition reminded me of the very irresponsible work of this Administration.

Hundreds of thousands of veterans just like my young constituent are being told that they cannot enroll in VA health care. When the current Administration decided to ban new Priority 8 veterans from enrolling in January 2003, it estimated that by 2005 the number of affected veterans would be 522,000. Some veterans' hospitals are reporting shortages of medical supplies. Furthermore, the number of Operation Iraqi Freedom veterans lined up for treatment is expected to rise dramatically as the poorly managed war effort causes physical and mental ailments to increase exponentially.

In the 18th Congressional district of Texas alone there are more than 38,000 veterans and they make up almost ten percent of this district's civilian population over the age of 18. Yet, despite these large numbers we often forget about our veterans. We do this in part because our men and women of the armed services come home from war and lead normal productive lives; often our veterans go unnoticed in the general population. However, our veterans are not normal people; they are truly extraordinary individuals who have changed the course of our lives in ways that we may not even realize. I hope we will always keep this thought in mind; we cannot forget to celebrate our veterans, for if we forget to honor them, we forget all that makes this nation truly great.

There are over 26,550,000 veterans in the United States, the great majority of whom rely upon these services to maintain a healthy standard of living. In the 18th Congressional District alone there are there are more than 38,000 veterans and they make up almost ten percent of the district's civilian population over the age of 18. These veterans rely upon the great services offered at the Michael E. DeBakey VA Medical Center in Houston. Of course any great medical facility is only as good as its health care personnel.

Mr. Speaker, today's vote is the first step to correcting an enormous underfunding of our veterans. However, this amount does not match that offered by the other body—therefore, the problem has not been solved, and soldiers like my young constituent at Walter Reed will continue to suffer the dire and potentially fatal consequences.

This body must increase funding to $1.5 billion so that our debt to those who have sacrificed for us is paid. Even if my colleagues pass this measure, these men and women will not receive the benefits before July 4! The amount offered by the House Republicans did not match the figure that passed in the other body. It is truly shameful that we must watch our Republican colleagues give piecemeal care to our veterans when the needs are so urgent.

For the reasons above stated, I support this measure, but I ask that my colleagues continue to press for full funding at the level passed in the other body

Mr. WALSH. 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 New York (Mr. WALSH) that the House suspend the rules and pass the bill, H.R. 3130.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. WALSH. 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. DELAY. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 198) and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the concurrent resolution.

The Clerk read as follows:

H. CON. RES. 198

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, June 30, 2005, or Friday, July 1, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, July 11, 2005, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Thursday, June 30, 2005, Friday, July 1, 2005, or Saturday, July 2, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, July 11, 2005, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

CONDITIONAL ADJOURNMENT TO TUESDAY, JULY 5, 2005

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns on this legislative day, it adjourn to meet at 6 p.m. on the third constitutional day thereafter, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 198, in which case the House shall stand adjourned pursuant to that concurrent resolution.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, JULY 13, 2005

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, July 13, 2005.

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

There was no objection.

PERMISSION FOR COMMITTEE ON INTERNATIONAL RELATIONS TO HAVE UNTIL MIDNIGHT, FRIDAY, JULY 8, 2005, TO FILE REPORT ON H.R. 2601, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2006 AND 2007

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the Committee on International Relations have until midnight July 8, 2005, to file the report on H.R. 2601, the State Department Authorization bill.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Resolution 344, by the yeas and nays;

House Resolution 340, by the yeas and nays;

H.R. 3130, by the yeas and nays.

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

EXPRESSING THE SENSE OF THE HOUSE THAT A CHINESE STATE-OWNED ENERGY COMPANY COULD TAKE ACTION THAT WOULD THREATEN THE UNITED STATES

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 344.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. 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. 344, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 398, nays 15, not voting 20, as follows:

[Roll No. 360]

YEAS—398

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Coble
Conaway
Conyers
Cooper
Costa
Costello
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—15

Baird
Blumenauer
Davis, Tom
Dicks
Inslee
Kirk
Larsen (WA)
Lungren, Daniel E.
McDermott
Moran (VA)
Paul
Shays
Smith (WA)
Stark
Thomas

NOT VOTING—20

Berman
Clay
Cole (OK)
Cox
Cramer
Everett
Fattah
Gerlach
Harman
Higgins
Johnson, Sam
Kingston
McCaul (TX)
Murtha
Pelosi
Peterson (PA)
Ross
Schiff
Solis
Waters

□ 2327

Mr. BLUMENAUER and Mr. BAIRD changed their vote from ''yea'' to ''nay.''

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker during rollcall vote No. 360 on H. Res. 344, I was unavoidably detained.

Had I been present, I would have voted "yea."

EXPRESSING THE GRAVE DISAPPROVAL OF THE HOUSE REGARDING MAJORITY OPINION OF SUPREME COURT IN KELO V. CITY OF NEW LONDON

The SPEAKER pro tempore (Mr. SIMPSON). The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 340.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr.

SENSENBRENNER) that the House suspend the rules and agree to the resolution, H. Res. 340, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 365, nays 33, answered ''present'' 18, not voting 17, as follows:

[Roll No. 361]

YEAS—365

Abercrombie
Aderholt
Akin
Alexander
Andrews
Baca
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cox
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green (WI)
Green, Gene
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Honda
Hooley
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larson (CT)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
McCarthy
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Musgrave
Myrick
Napolitano
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sánchez, Linda T.
Sanders
Saxton
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Young (AK)
Young (FL)

NAYS—33

Allen
Baird
Case
DeGette
Dicks
Dingell
Fattah
Green, Al
Grijalva
Hastings (FL)
Hostettler
Inslee
Jackson (IL)
Jones (OH)
Kilpatrick (MI)
Larsen (WA)
Lee
Levin
Lowey
Matsui
McDermott
Miller (NC)
Moran (VA)
Nadler
Oberstar
Pastor
Payne
Rothman
Sherman
Stark
Watson
Waxman
Wynn

ANSWERED ''PRESENT''—18

Ackerman
Blumenauer
Capuano
Granger
Holt
Kaptur
McCollum (MN)
Neal (MA)
Olver
Paul
Sabo
Sanchez, Loretta
Schakowsky
Snyder
Tierney
Turner
Watt
Wu

NOT VOTING—17

Berman
Clay
Cramer
Everett
Harman
Higgins
Johnson, Sam
Kingston
McCaul (TX)
Murtha
Pelosi
Peterson (PA)
Reynolds
Ross
Schiff
Solis
Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 2335

Mr. ROTHMAN changed his vote from ''yea'' to ''nay.''

Mr. FARR changed his vote from ''nay'' to ''yea.''

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. REYNOLDS. Mr. Speaker, on rollcall No. 361, I was unavoidably detained. Had I been present, I would have voted ''yea.''

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 361 on H. Res. 340, I was unavoidably detained. Had I been present, I would have voted ''yea.''

MAKING SUPPLEMENTAL APPROPRIATIONS FOR VETERANS MEDICAL SERVICES

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3130.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. WALSH) that the House suspend the rules and pass the bill, H.R. 3130, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 14, as follows:

[Roll No. 362]

YEAS—419

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

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

NOT VOTING—14

Berman
Clay
Cramer
Everett
Harman
Higgins
Kingston
Murtha
Pelosi
Peterson (PA)
Ross
Schiff
Solis
Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 2344

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 362 on H.R. 3130 I was unavoidably detained. Had I been present, I would have voted "yea."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2355

Mr. TOWNS. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2355.

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

There was no objection.

CONGRATULATING SAN ANTONIO SPURS FOR WINNING 2005 NATIONAL BASKETBALL ASSOCIATION CHAMPIONSHIP

Ms. FOXX. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the resolution (H. Res. 339) congratulating the San Antonio Spurs for winning the 2005 National Basketball Association Championship, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 339

Whereas on June 23, 2005, the San Antonio Spurs won the National Basketball Association's (NBA) Championship with an 81–74 victory over the Detroit Pistons;

Whereas the Spurs' win resulted in their third NBA championship title in franchise history;

Whereas the Spurs competed against the Pistons to win the series 4–3;

Whereas the Detroit Pistons and their coach, Larry Brown, put up a battle worthy of a championship series;

Whereas under the guidance of Coach Gregg Popovich, the Spurs' Tim Duncan, Manu Ginobili, Tony Parker, Robert Horry, Bruce Bowen, Nazr Mohammed, Brent Barry, Beno Udrih, Rasho Nesterovic, Glenn Robinson, Devin Brown, and Tony Massenburg played valiantly to bring the NBA trophy back home to San Antonio;

Whereas congratulations are due as well to the Spurs' owners, Peter and Julianna Holt, and all of the other people in the Spurs' organization.

Whereas Tim Duncan was for the third time named the finals' Most Valuable Player following the Spurs' victory;

Whereas Coach Gregg Popovich is only one of two active coaches to win three championship titles and only the fifth in league history; and

Whereas San Antonio has the best hometown crowd in the league and the Alamo City is the perfect setting for a championship celebration: Now, therefore, be it

Resolved, That the House of Representatives congratulates the San Antonio Spurs and Coach Gregg Popovich for another exciting basketball season and for winning the 2005 National Basketball Association Championship.

Ms. FOXX. Mr. Speaker, this resolution congratulates the San Antonio Spurs—and especially, 3-time NBA Finals Most Valuable Player Tim Duncan, the pride of Wake Forest University, which is located in my district—for winning the 2005 NBA championship.

Mr. CUELLAR. Mr. Speaker, I rise today to congratulate the San Antonio Spurs for winning their third National Basketball Association Championship in seven years. The 2005 World Champion Spurs deserve recognition for this achievement, and the class and sportsmanship they displayed in victory.

The Spurs won their third championship against a most worthy opponent, the tough and determined defending champion Detroit Pistons. In this seven-game series, both the Spurs and the Pistons blew each other out for two games apiece, but in the last three games each team showed the championship-caliber mettle that made this series a classic.

The Spurs displayed the skills, determination, and courage to overcome an opponent displaying the same qualities and playing with the same philosophy. This provided for scintillating games five, six, and seven, in which each team would give no ground, and the winner deserved the victory.

This final, championship round featured two juggernauts of team defense, and the results showcased the simple beauty of the game the focus not strictly on the hype of individual scoring and acrobatic plays. The pride and joy of the Spurs and Coach Gregg Popovich is cohesive and tenacious defense that takes victory for its own.

The San Antonio Spurs are champions not only on the court, but off. The Spurs are the paragon of professionalism and teamwork, and while this may not sell for the casual fan, it sells very well for the fans in San Antonio and South Texas who admire these values. The San Antonio Spurs are both a vital member of the community and a community concept viewed with pride by all San Antonians.

Mr. Speaker, I am proud to enter the names of these champions into the RECORD: Tim Duncan; Manu Ginobili; Tony Parker; Bruce Bowen; Nazr Mohammed; Robert Horry; Brent Barry; Devin Brown; Rasho Nesterovic; Beno Udrih; Tony Massenburg; Glenn Robinson; Head Coach Gregg Popovich, and Chairman Peter Holt.

I congratulate them on this momentous victory, and thank them for the pride and happiness they bring to all San Antonio.

Mr. GONZALEZ. Mr. Speaker, I rise in support of House Resolution 339, which honors the newly crowned champions of the NBA, the San Antonio Spurs. The Spurs have just won their third title in seven years. In a hard fought victory, the Spurs eventually triumphed over the defending NBA champions the Detroit Pistons in a back and forth series that culminated in a decisive seventh game. I must also honor the spirit of the Detroit Pistons who did not quit after the Spurs routed them in the first two games nor when the Spurs won the crucial game five. Even though the Pistons very reluctantly surrendered the title, they pushed the series to the full seven games, the first NBA finals to go the distance in 11 years.

Every significant structure must have a sound and strong foundation, and the Spurs are the model of stability in professional sports as the principal owners, Peter and Julianna Holt, allow the people they hire to run the team without interference. Coach Greg Popovich and General Manager R.C. Buford have created an atmosphere that fosters the

spirit of winning basketball and epitomizes the ideals of teamwork, cooperation, and the axiom that the whole is more than the sum of the parts. It is a style that demands sharing the ball, team defense, relentless effort and, above all, selfless play.

Moreover, the international composition of the team reflects the increasingly diversified, more tightly knit world in which we live. General Manager, R.C. Buford, spends a great deal of his time in gyms all over the world looking for the next Manu Ginobili, the Argentine swingman whose acrobatic drives into the lane electrified fans and dazzled the opposition. Given the range of languages and cultures of the Spurs, Coach Popovich has done an amazing job of integrating his players into a formidable and cohesive whole.

Mr. Speaker, I agree with San Antonio native Dean Aguillen, a die-hard Spurs fan and one of my constituents, when he says that ''The greatness of the Spurs players who hail from Argentina, the Virgin Islands, France, Slovenia, New Zealand, and from across the U.S. have made San Antonio the capital of the international basketball world.''

Naturally, the city of San Antonio has longed embraced the Spurs and considers them family. Spurs basketball suits the Alamo City as a place where substance matters much more than style and people hold others to their words. When the Spurs say they will give their all, they do. So, it is never a surprise when the colors of silver and black sweep the city come springtime as the Spurs work deeper and deeper into the playoffs.

So, I would like to honor Tim Duncan, Tony Parker, Manu Ginobili, Bruce Bowen, Nazr Mohammed, Rasho Nesterovic, Robert Horry, Devin Brown, Beno Udrih, Brent Barry, and Tony Massenburg. I would also like to recognize Greg Popovich who has now moved into elite coaching company with his third title.

The Spurs truly embody our national motto, e pluribus unum, which of course means out of the many come one. All of San Antonio is very proud of the Spurs and of this momentous accomplishment.

Mr. BONILLA. Mr. Speaker, I rise today to recognize the outstanding achievement of the San Antonio Spurs and congratulate them for winning the 2005 National Basketball Association Championship on June 23. This is the third time in the past five years that National Championship trophy has come home to San Antonio. This was a dramatic seven game series against the Detroit Pistons, and hard fought at every step along the way. Under the guidance of Coach Greg Popovich, the Spurs' Tim Duncan, Manu Ginobili, Tony Parker, Robert Horry, Bruce Bowen, Nazr Mohammed, Brent Barry, Beno Udrih, Rasho Nesterovic, Glenn Robinson, Devin Brown, and Tony Massenburg played valiantly to bring the NBA trophy back home to the fans of San Antonio. In fact, Tim Duncan earned recognition as the final's most valuable player for the third time due to his performance, leadership and character. In life it's not just whether you win, it's how you play the game. America has seen how the Spurs are a true team of character, no ball hogs, no billboard tattoos, no nose rings. It is a team that worked like a well oiled machine. No longer can anyone in the NBA say ''nice guys finish last''.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2985. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2985) ''An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and for other purposes.'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ALLARD, Mr. DEWINE, Mr. COCHRAN, Mr. STEVENS, Mr. DURBIN, Mr. JOHNSON and Mr. BYRD, to be the conferees on the part of the Senate.

The message announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 3104. An act to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

H.R. 3021. An act to reauthorize the Temporary Assistance for Needy Families block grant program through September 30, 2005, and for other purposes.

THE ACCOMPLISHMENTS OF THE 109TH CONGRESS

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

Mr. HASTERT. Mr. Speaker, this week marks a significant time in the history of the House of Representatives, and in the future of the American people.

Just 6 months into the 109th Congress, we have made some great strides. And this week we mark a milestone.

You see, by the end of today, for the first time in nearly 20 years, the House of Representatives will have completed all of its appropriations bills before the July 4th holiday. It is an unprecedented success, and I want to thank and congratulate the gentleman from California (Mr. LEWIS), chairman; the gentleman from Wisconsin (Mr. OBEY); and the Committee on Appropriations for all their hard work and long hours.

I am especially proud of Members under the House Republican leadership for their input and support for our overall agenda.

Just like families must live within their budgets, the Federal Government must live within its means. We have passed appropriations bills that have been fiscally responsible while recognizing our national priorities.

We set out important goals in our budget: to provide overall increases only to defend America at home and abroad. We have kept that promise.

Earlier this spring, we passed a wartime supplemental that gives our troops the tools they need to fight the war on terror. That same legislation, which is now law, includes provisions to protect our borders from terrorists by establishing Federal driver's license guidelines and beefing up our deportation laws.

We passed a budget that continues to cut the deficit. It also requires us to slow the growth of entitlement programs for the first time since 1997. For the first time, we are going to reform these programs and we are going to save our taxpayers more money by eliminating waste and fraud and abuse.

By restraining spending and by cutting the deficit, Republican policies are helping to keep our economy strong.

Currently, our Nation's unemployment stands at 5.1 percent. That is the lowest it has been since before the September 11 attacks. More Americans, especially minorities, own homes now than ever before. Federal revenues are coming in well above estimates, which means the deficit will be lower than expected.

And just yesterday we learned that overall economic growth was 3.8 percent for the first quarter of 2005, higher than expected.

□ 2350

America's economy has now had 14 straight quarters of growth.

On the domestic front, we passed legislation that will maintain our status as the world leader. We have passed legislation which the President signed into law which would curb class action lawsuits. This is a problem that has been devastating to our small businesses across this country. Many of them spend on average $150,000 per year on litigation expenses. Our legislation will bring relief to those mom and pop small businesses.

We passed a bankruptcy bill that will help curb the number of abusive and frivolous bankruptcy filings. That bill is now law. While the bill allows relief to those who truly need it, it is going to rein in those fraudulent bankruptcies that drive up the cost of credit to hard-working Americans who pay their bills.

We have moved to ease America's energy crisis. I am sure you have all heard from constituents upset about raising gas prices. In the long term, the comprehensive energy bill passed in this House will ease our dependence on foreign oil and curb high gas prices. It would also create nearly half a million jobs. I am pleased that the Senate this week passed their version of the bill, and I urge the Senate to quickly appoint conferees so that House and Senate negotiators can develop a compromise and send it to the President for his signature.

We have passed and are now awaiting Senate action on legislation that permanently ends the death tax. Many of our small businesses are wrapped up in a loved one's estate. Figures show that

70 percent of family businesses do not survive a second generation. Ending the death tax penalty will do much to keep our economy moving.

House and Senate negotiators have been working on a compromise for a transportation bill that would make much-needed improvements to Federal highways. Tonight they came to an agreement, both on a bipartisan and bicameral agreement, to move that bill forward. Economists estimate that for every $1 billion spent to improve our highways, 40,000 jobs will be created.

On all of these accomplishments, I want to thank those Members on the other side of the aisle who chose to work together to get good things done for the American people.

Our work is far from done. Next month we should complete work on conference reports, on job creation bills like the highway bill and the energy bill, as well as legislation dealing with CAFTA. We also plan to take up the PATRIOT Act, reauthorization of the Voting Rights Act and the taking of people's private property by the government. And soon we will begin the steps of reforming Social Security for coming generations.

I am proud that this House under Republican leadership has stayed focused on a real agenda. We are doing what we can to improve conditions for America's families and to foster job creation, economic growth and innovation. We are getting the work done.

One of my heroes, Ronald Reagan, once said, ''Government can and must provide opportunity, not smother it; foster productivity, not stifle it.'' That has been the goal of our Republican Conference each time the American people have sent us back into leadership.

In the end, I really do believe that we will be judged by our work and our accomplishments for the American people. The partisan sniping that has become the mainstay of Washington does nothing for the farmer back home in the cornfields of Illinois, the housewife in Philadelphia, Pennsylvania or the struggling family in Greenville, Mississippi. We help the American people most by showing leadership, by taking action, by keeping our promises.

This 109th Congress is off to an unprecedented start, and I thank our Members for their perseverance, their dedication and their commitment to the people of the United States of America. God bless you all.

TRIBUTE TO STEVEN FRANCIS GAUGHAN

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, too often today we call people ''heroes'' when in fact their actions do not rise to the level of the heroic. Tonight, however, I want to say a few words to honor the memory of a true hero, Prince George's County, Maryland, police officer Steven Francis Gaughan, who was killed in the line of duty on June 21 trying to protect the community that he loved.

Officer Gaughan was a 15-year veteran of the police force, and was a member of a special unit that tracks and arrests drug dealers and violent criminals. According to all who knew him, Steven was devoted to his work, his church, sports teams and family; his wife, Donna, his son, Daniel, and his daughter, Rachel. To Donna, his children and all his family and friends, I extend on behalf of all of us our deepest sympathies.

Let me close, Mr. Speaker, by quoting the Washington Post, which stated: ''Steven's exemplary courage, and his profound sacrifice, stand as painful reminders of how little is truly routine about police work, and of the debt of gratitude that officers are owed by society. His death is a blow to the community, but by his bravery he set an example and left a legacy that will not be soon forgotten.''

Mr. Speaker, Steven Gaughan was a hero, and he will be deeply missed. May God bless his soul and comfort his family.

NEED TO FIX SOCIAL SECURITY NOW

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Mr. Speaker, Social Security is an issue that needs our attention now. We are dedicated to a solution. We are dedicated to securing the funds we have promised to today's seniors and securing funds for future generations.

Allowing workers to place part of their Social Security money in a personal account with their name on it ensures that Congress will have to find the money elsewhere.

It is time to stop the raid on Social Security. We are reaching out across the aisle in an attempt to address this issue in a bipartisan manner, Mr. Speaker. However, members of the minority have chosen to mislead and obstruct, rather than work together to help the American people.

Congress has been spending Social Security money on programs other than Social Security. A philosopher once said, ''The ultimate test of a moral society is the kind of world it leaves to its children.'' How can we call ourselves moral and effective legislators if we simply deny the problem and leave the mess for future generations to clean up? But how can we do this if Congress keeps raiding the Social Security cookie jar.

On March 6, the minority leader stated on Fox News Sunday, ''We must stop raiding the Social Security trust fund of its money to pay for other things.'' The minority leader has since changed her tune. This week she stated that ''there is nothing wrong with Social Security lending money with the prospect of returning it.''

The minority should join the effort to strengthen Social Security, and help secure the retirement security of future generations.

PROVIDING FULL FUNDING FOR VETERANS HEALTH CARE

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, for a long time I have shared the neighborhood with the Houston Veterans Hospital.

Today, Mr. Speaker, just a few minutes ago, we rose to the floor of the House to cure the unpardonable, and that is, of course, the mistaken numbers and the failure to provide the right kind of information to be able to provide the right dollars to serve America's veterans. $1.5 billion is what the Senate passed.

Frankly, the need is $1 billion and more, with the number of returning Iraqi veterans and Afghanistan veterans, those who have been maimed and injured on the fields of battle.

It certainly is a shame that we came to the last hours and finally were able to provide for those veterans who were willing to give the ultimate sacrifice. Right now in the Nation's hospitals, veterans are languishing all over America. Families of enlisted personnel are suffering because of the lack of funds for TRICARE. I even know today a young man who is a veteran who is suffering in one of our Nation's military hospitals because of insufficiencies in our local hospital in Houston.

Mr. Speaker, they need more resources, they need more staff, they need our commitment. I hope the majority will not have us end up in the same predicament by allowing this to happen again. I hope we will work through and provide full funding for veterans and veterans health care in America.

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SOCIAL SECURITY

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

Mr. PRICE of Georgia. Mr. Speaker, the money set aside for Social Security should be spent on Social Security. Americans know this only makes sense. The money set aside for Social Security should be spent on Social Security.

Others, however, do not believe in this principle. In March of this year, the minority leader was against robbing the Social Security trust fund. On Fox News she stated it crystal-clear. She said, ''We must stop robbing the Social Security trust fund of its money to pay for other things.''

Today, the minority leader finds nothing wrong with sticking her hand in the Social Security cookie jar. In a recent interview she said, ''There is nothing wrong with Social Security lending money with the prospect of returning it.'' Prospect of returning it? That is not good enough. It is that kind of thinking that has gotten us into our current trouble.

Mr. Speaker, this is exactly why Americans should be able to put part of their Social Security money in a personal account with their name on it.

Raiding the Social Security trust fund is not a solution. It is irresponsible, and it pushes the consequences to our children and grandchildren, consequences that we should fix now.

NO PLACE LIKE THE UNITED STATES OF AMERICA

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

Mr. POE. Mr. Speaker, ''We hold these truths to be self-evident, that all men are created equal. They are endowed by their Creator with certain unalienable rights. That among these are life, liberty, and the pursuit of happiness.'' Words of Thomas Jefferson in our Declaration of Independence.

As we end this evening tonight, Mr. Speaker, at midnight, and we go into the July Fourth weekend, we must remember these words of the Declaration of Independence and know that liberty has always cost, as we should remember the words of President Kennedy when he said, ''Let every Nation know, whether it wishes us well or ill, that we will pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and success of liberty.''

We are involved in a war against terrorism. We have lost over 1,700 Americans in this war; but we must remember, Mr. Speaker, that we must be vigilant. We must remember the words of Ronald Reagan, that ''those people who cry peace, peace, do not understand that there can be no peace as long as there is one American somewhere dying for the rest of us.''

So this July Fourth weekend, we must fly the flag, wear the red, white and blue, and thank the good Lord that there is no place like the United States of America.

TREATMENT OF ENEMY COMBATANTS AT GUANTANAMO BAY

(Mr. GOHMERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOHMERT. Mr. Speaker, in recent weeks, there have continued to be reckless, anti-American comments made by some who even work in this very Capitol building.

The truth has been emerging more recently of our soldiers' incredibly hospitable treatment of our enemies. Though there is still some rhetoric denouncing our amazingly humane treatment of combatants, others have begun to change their comments, congratulating our servicemembers on their progress since they were called Nazis and cruel.

The fact is, our treatment has not had to progress. Our servicemembers were never Nazis, were not cruel. Their humane treatment of evil combatants who throw urine and fecal matter or semen and spit on them has been unparalleled in combatant history. The constant demonizing of our servicemembers has been played and replayed by our enemies abroad and has done more damage to us, our servicemembers, and our reputation than any isolated members themselves may have done.

Some liberals have worried about what might happen in the future to American POWs because of our treatment at Guantanamo. Let me give a quick reminder. They killed thousands of people on 9/11, innocent people. They took people they captured and took hostage, put them on their knees with blindfolds, and sawed and cut off their heads. These are not nice people. They have not been nice before anybody ever heard of Guantanamo. Quit beating yourselves up. We have got to learn that we are in a battle for our lives against evil men who do not admire weakness among their enemies.

APPOINTMENT OF HON. FRANK R. WOLF TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH JULY 11, 2005

The SPEAKER pro tempore (Mr. MCHENRY) laid before the House the following communication from the Speaker:

WASHINGTON, DC, JUNE 30, 2005.

I hereby appoint the Honorable FRANK R. WOLF or, if he is not available to perform this duty, the Honorable TOM DAVIS to act as Speaker pro tempore to sign enrolled bills and joint resolutions through July 11, 2005.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

COMMUNICATION FROM THE HONORABLE RANDY ''DUKE'' CUNNINGHAM, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable RANDY ''DUKE'' CUNNINGHAM, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 28, 2005.

Hon. J. DENNIS HASTERT,
Speaker,
House of Representatives,
Washington, DC

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VII of the Rules of the House of Representatives, that I have been served with a subpoena, issued by a Federal Grand Jury for the Southern District of California, for documents.

After consulting with counsel, I have determined that compliance with the Subpoena is consistent with the precedents and privileges of the House.

Sincerely,

RANDY ''DUKE'' CUNNINGHAM,
Member of Congress.

VACATING FILING OF REPORT ON H.R. 1158

The SPEAKER pro tempore. Without objection, the filing of the report by the Committee on Science to accompany H.R. 1158, and the referral thereof to the Committee of the Whole House on the State of the Union, are vacated.

There was no objection.

HOUSE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

January 7, 2005:

H.R. 241. An act to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the Indian Ocean tsunami.

March 25, 2005.

H.R. 1160. An act to reauthorize the Temporary Assistance for Needy Families block grant program through June 30, 2005, and for other purposes.

March 31, 2005.

H.R. 1270. An act to amend the Internal Revenue Code of 1986 to extend the Leaking Underground Storage Tank Trust Fund financing rate.

April 15, 2005.

H.R. 1134. An act to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of certain disaster mitigation payments.

April 29, 2005.

H.R. 787. An act to designate the United States courthouse located at 501 I Street in Sacramento, California, as the ''Robert T. Matsui United States Courthouse''.

May 5, 2005.

H.J. Res. 19. An act providing for the appointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 20. An act providing for the appointment of Robert P. Kogod as a citizen regent of the Board of Regents of the Smithsonian Institution.

May 11, 2005.

H.R. 1268. An act making Emergency Supplemental Appropriations for Defense, the Global War on Terror, and Tsunami Relief for the fiscal year ending September 30, 2005, and for other purposes.

May 31, 2005.

H.R. 2566. An act to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

June 17, 2005.

H.R. 1760. An act to designate the facility of the United States Postal Service located at 215 Martin Luther King, Jr. Boulevard in Madison, Wisconsin, as the ''Robert M. La Follette, Sr. Post Office Building''.

SENATE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following date, he had approved and signed bills of the Senate of the following titles:

February 28, 2005.

S. 5. An act to amend the procedures that apply to consideration of interstate class action to assure fairer outcomes for class members and defendants, and for other purposes.

March 21, 2005.

S. 686. An act to provide for the relief of the parents of Theresa Marie Schiavo.

March 25, 2005.

S. 384. An act to extend the existence of the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group for 2 years.

April 20, 2005.

S. 256. An act to amend title 11 of the United States Code, and for other purposes.

April 27, 2005.

S. 167. An act to provide for the protection of intellectual property rights, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COOPER (at the request of Ms. PELOSI) for June 29 after 8:30 p.m. through 6:00 p.m. today on account of official business regarding a BRAC hearing in Atlanta, Georgia.

Mr. HIGGINS (at the request of Ms. PELOSI) for today after 8:00 p.m. on account of a death in the family.

Mr. BACHUS (at the request of Mr. DELAY) for today until 5:00 p.m. on account of attending a BRAC hearing.

Mr. EVERETT (at the request of Mr. DELAY) for today on account of attending a BRAC regional hearing and meeting with the Governor of Alabama.

Mr. KINGSTON (at the request of Mr. DELAY) for today on account of attending a BRAC hearing and attending to his father's illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. ENGEL, for 5 minutes, today.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles,which were thereupon signed by the Speaker:

H.R. 120. An act to designate the facility of the United States Postal Service located at 30777 Rancho California Road in Temecula, California, as the ''Dalip Singh Saund Post Office Building''.

H.R. 324. An act to designate the facility of the United States Postal Service located at 321 Montgomery Road in Altamonte Springs. Florida, as the ''Arthur Stacey Mastrapa Post Office Building''.

H.R. 1001. An act to designate the facility of the United States Postal Service located at 301 South Heatherwilde Boulevard in Pflugerville, Texas, as the ''Sergeant Byron W. Norwood Post Office Building''.

H.R. 2326. An act to designate the facility of the United States Postal Service located at 614 West Old County Road in Belhaven, North Carolina, as the ''Floyd Lupton Post Office''.

H.R. 3104. An act to provide an extension of highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

H.R. 3021 An act to reauthorize the Temporary Assistance for Needy Families block grant program through September 30, 2005, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1282. An act to amend the communications Satellite Act of 1962 to strike the privatization criteria for INTELSAT separated entities, remove certain restrictions on separated and successor entities to INTELSAT, and for other purposes.

ADJOURNMENT

Mr. POE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Pursuant to the previous order of the House of today, the House stands adjourned until 6 p.m. on Tuesday, July 5, 2005, unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 198, in which case the House shall stand adjourned pursuant to that concurrent resolution.

Thereupon, (at 12 o'clock and 7 minutes a.m. Friday, July 1, 2005, legislative day of June 30, 2005), pursuant to the previous order of the House of today, the House adjourned until 6 p.m. on Tuesday, July 5, 2005, unless it sooner has received a message transmitting its adoption of House Concurrent Resolution 198, in which case the House shall stand adjourned pursuant to that concurrent resolution.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2480. A communication from the President of the United States, transmitting a request for FY 2005 supplemental appropriations for the Department of Veterans Affairs; (H. Doc. No. 109–39); to the Committee on Appropriations and ordered to be printed.

2481. A letter from the Attorney, Office of Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule — Small Business Programs — received June 16, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2482. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Hazardous Waste Management System; Modification of the Hazardous Waste Manifest System; Correction [FRL-7925-1] (RIN: 2050-AE21) received June 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2483. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Dyes and/or Pigments Production Wastes; Land Disposal Restrictions for Newly Identified Wastes; CERLA Hazardous Substance Designation and Reportable Quantities; Designation of Five Chemicals as Appendix VIII Constituents; Addition of Four Chemicals to the Treatment Standards of F039 and the Universal Treatment Standards; Correction. [RCRA-2003-0001; FRL-7924-9] (RIN: 2050-AD80) received June 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2484. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio; Redesignation of Cincinnati to Attainment of the 1-Hour Ozone Standard and Approval of Ozone Maintenance Plan; Approval of Volatile Organic Compound Emissions Control Regulations; and Approval of Motor Vehicle Emissions Budgets [R05-OAR-2005-OH-0004; FRL-7925-3] received June 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2485. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Determination of Attainment for Atlanta 1-Hour Severe Ozone Nonattainment Area and Severe Area Vehicle Miles Traveled [R04-OAR-2005-GA-0002; R04-OAR-2005-GA-0003; R04-OAR-2004-GA-0003-200517; FRL-7924-2] received June 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2486. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Georgia, Redesignation of Atlanta Severe 1-Hour Ozone Nonattainment Area to Attainment for Ozone; Maintenance Plan; Motor Vehicle Emission Budgets; Revisions to Rules for Air Quality [R04-OAR-2005-GA-0002; R04-OAR-2005-GA-0003; R04-OAR-2004-GA-0003-200517; FRL-7924-7] received June 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2487. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Cannelton and Tell City, Indiana) [MB Docket No. 04-436; RM-11112] received May 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2488. A letter from the Special Assistant to Chief Financial Officer, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Sections 0.11, 0.231, and 1.8002 of the Commission's Rules [MB Docket No. 04-251] received

May 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2489. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Refugio, Sinton, and Taft, Texas) [MB Docket No. 04-299; RM-10958] received May 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2490. A letter from the Acting Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — List of Approved Spent Fuel Storage Casks; Standardized NUHOMS -24P, -52B, -61BT, -32PT, -24PHB, and -24PTH Revision (RIN: 3150-AH72) received June 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BOEHNER: Committee on Education and the Workforce. H.R. 940. A bill to amend the Longshore and Harbor Workers' Compensation Act to clarify the exemption for recreational vessel support employees, and for other purposes; with an amendment (Rept. 109–161). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. HYDE (for himself, Mr. PAYNE, Mr. SMITH of New Jersey, Mr. LANTOS, Mr. ROYCE, Mr. TANCREDO, Mr. WOLF, Ms. JACKSON-LEE of Texas, Mr. RANGEL, and Mr. CAPUANO):

H.R. 3127. A bill to impose sanctions against individuals responsible for genocide, war crimes, and crimes against humanity, to support measures for the protection of civilians and humanitarian operations, and to support peace efforts in the Darfur region of Sudan, and for other purposes; to the Committee on International Relations.

By Mr. WAXMAN (for himself, Mr. SHAYS, Mr. DAVIS of Illinois, Mr. FOLEY, Mr. FRANK of Massachusetts, Mr. KOLBE, Mr. HOYER, Mr. ENGEL, Ms. BALDWIN, Mr. VAN HOLLEN, and Ms. NORTON):

H.R. 3128. A bill to affirm that Federal employees are protected from discrimination on the basis of sexual orientation and to repudiate any assertion to the contrary; to the Committee on Government Reform.

By Mr. DELAY:

H.R. 3129. A bill to protect foster children and provide appropriate sentencing for child sex predators, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALSH:

H.R. 3130. A bill making supplemental appropriations for fiscal year 2005 for veterans medical services; to the Committee on Appropriations. considered and passed.

By Mr. UPTON (for himself and Mr. TOWNS):

H.R. 3131. A bill to amend the Public Health Service Act with respect to the Healthy Start Initiative; to the Committee on Energy and Commerce.

By Mr. SENSENBRENNER (for himself, Mr. GREEN of Wisconsin, Mr. DELAY, Mr. FOLEY, Mr. CHABOT, Mr. POE, Ms. GINNY BROWN-WAITE of Florida, Mr. GILLMOR, Mr. POMEROY, Mr. CRAMER, and Mr. GRAVES):

H.R. 3132. A bill to make improvements to the national sex offender registration program, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOLEY (for himself and Mr. CRAMER):

H.R. 3133. A bill to provide for the registration of sex offenders and for appropriate notification of their whereabouts, and for other purposes; to the Committee on the Judiciary.

By Mr. TOM DAVIS of Virginia (for himself and Mr. NUSSLE):

H.R. 3134. A bill to amend title 40, United States Code, to require the Federal Real Property Council to carry out a pilot program for the expeditious disposal of underutilized Federal real property, and to improve the economy and efficiency of Federal real property; to the Committee on Government Reform.

By Mr. SENSENBRENNER (for himself, Mr. CONYERS, Mr. DELAY, Mr. BLUNT, Ms. WATERS, Mr. COBLE, Mr. SMITH of Texas, Mr. GALLEGLY, Mr. GOODLATTE, Mr. CHABOT, Mr. DANIEL E. LUNGREN of California, Mr. JENKINS, Mr. CANNON, Mr. BACHUS, Mr. HOSTETTLER, Mr. FLAKE, Mr. PENCE, Mr. FORBES, Mr. KING of Iowa, Mr. FEENEY, Mr. ISSA, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. ADERHOLT, Mr. ALEXANDER, Mrs. BIGGERT, Mr. BOEHNER, Mr. BONILLA, Mrs. BONO, Mr. BRADLEY of New Hampshire, Mr. BUYER, Mr. DAVIS of Tennessee, Mr. DEFAZIO, Mr. DOOLITTLE, Mrs. DRAKE, Mrs. EMERSON, Mr. FOSSELLA, Ms. FOXX, Mr. GIBBONS, Mr. GRAVES, Ms. HARRIS, Mr. HAYWORTH, Mr. HERGER, Ms. HERSETH, Mrs. JOHNSON of Connecticut, Mr. JONES of North Carolina, Mr. KIRK, Mr. KLINE, Mr. MACK, Mr. MCCAUL of Texas, Mr. MCCOTTER, Miss MCMORRIS, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. NORWOOD, Mr. OTTER, Mr. PETERSON of Pennsylvania, Mr. POMBO, Mr. RAMSTAD, Mr. RYUN of Kansas, Mr. SIMPSON, Mr. TAYLOR of North Carolina, Mr. TIAHRT, Mr. WALDEN of Oregon, Mr. CRENSHAW, Mr. BURGESS, Mr. BONNER, Mr. POE, Mr. HEFLEY, Mr. KENNEDY of Minnesota, Mr. RADANOVICH, Mrs. MILLER of Michigan, Mr. SHIMKUS, Mr. FILNER, Mr. GINGREY, Mr. DUNCAN, Mr. REICHERT, Ms. JACKSON-LEE of Texas, Mr. BROWN of South Carolina, Mr. WESTMORELAND, Mr. SODREL, Ms. GINNY BROWN-WAITE of Florida, Mr. GILLMOR, Mr. CUNNINGHAM, Mr. WILSON of South Carolina, Mr. MILLER of Florida, Mr. OSBORNE, Mr. PEARCE, Mrs. JO ANN DAVIS of Virginia, Mrs. BLACKBURN, and Mr. PRICE of Georgia):

H.R. 3135. A bill to protect private property rights; to the Committee on the Judiciary.

By Mr. EDWARDS (for himself and Mr. OBEY):

H.R. 3136. A bill making emergency supplemental appropriations for the Department of Veterans Affairs for fiscal year 2005 for veterans medical services; to the Committee on Appropriations.

By Mr. NORWOOD (for himself, Mr. BOYD, Mr. HYDE, Mr. COBLE, Mr. SMITH of Texas, Mr. JENKINS, Mr. BACHUS, Mr. MCINTYRE, Mr. GALLEGLY, Mr. HOSTETTLER, Mr. ISSA, Mr. FORBES, Mr. KING of Iowa, Mr. FRANKS of Arizona, Mr. WESTMORELAND, Mr. GINGREY, Mr. PRICE of Georgia, Mr. KINGSTON, Mr. DEAL of Georgia, Mr. LINDER, Mr. SULLIVAN, Mr. GARRETT of New Jersey, Mr. HAYWORTH, Mr. ROYCE, Mr. BASS, Ms. HART, Mr. DUNCAN, Mr. JONES of North Carolina, Mr. MCCAUL of Texas, Mr. GARY G. MILLER of California, Mr. CULBERSON, Mr. SIMPSON, Mrs. MUSGRAVE, Mr. BURTON of Indiana, Mr. OTTER, Mr. HOEKSTRA, Mrs. MYRICK, Mr. LEWIS of Kentucky, Mrs. KELLY, Mr. PITTS, Mr. FORD, Mr. KELLER, Mr. WELDON of Florida, Mr. GRAVES, and Mr. GOODE):

H.R. 3137. A bill to provide for enhanced Federal, State, and local assistance in the enforcement of the immigration laws, to amend the Immigration and Nationality Act, to authorize appropriations to carry out the State Criminal Alien Assistance Program, and for other purposes; to the Committee on the Judiciary.

By Mr. MICA (for himself, Mr. PASCRELL, Mr. FOSSELLA, Mr. BILIRAKIS, Mr. ISRAEL, Ms. NORTON, Mr. PAYNE, Mr. MCCOTTER, Ms. CORRINE BROWN of Florida, Mr. TANCREDO, and Ms. DELAURO):

H.R. 3138. A bill to award posthumously a Congressional gold medal to Constantino Brumidi; to the Committee on Financial Services.

By Mr. LIPINSKI (for himself and Mr. INGLIS of South Carolina):

H.R. 3139. A bill to amend the Public Health Service Act to provide for the public disclosure of charges for certain hospital and ambulatory surgical center services and drugs; to the Committee on Energy and Commerce.

By Ms. BEAN (for herself, Mr. DAVIS of Alabama, Mr. FRANK of Massachusetts, Mrs. MALONEY, Mr. GUTIERREZ, Mr. WATT, Mr. ACKERMAN, Mr. FORD, Mr. CROWLEY, Mr. CLAY, Mrs. MCCARTHY, Mr. LYNCH, Ms. WASSERMAN SCHULTZ, and Ms. MOORE of Wisconsin):

H.R. 3140. A bill to expand the protections for sensitive personal information in Federal law to cover the information collection and sharing practices of unregulated information brokers, to enhance information security requirements for consumer reporting agencies and information brokers, and to require consumer reporting agencies, financial institutions, and other entities to notify consumers of data security breaches involving sensitive consumer information, and for other purposes; to the Committee on Financial Services.

By Mr. KIRK:

H.R. 3141. A bill to direct the President to terminate the designation of Brazil as a beneficiary developing country for purposes of title V of the Trade Act of 1974; to the Committee on Ways and Means.

By Mr. ALLEN (for himself, Mr. DUNCAN, Mr. THOMPSON of California, Mr. INSLEE, Mr. MCNULTY, Mr. PALLONE, and Mr. MCDERMOTT):

H.R. 3142. A bill to declare that it is the policy of the United States not to maintain a long-term or permanent military presence in Iraq; to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each

case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARRETT of South Carolina (for himself, Mr. GINGREY, Mrs. MUSGRAVE, Mr. HOSTETTLER, Mr. BRADY of Texas, Mr. GARRETT of New Jersey, Mr. AKIN, Mr. WICKER, Mr. GOODE, Mr. KUHL of New York, Mr. MILLER of Florida, Mr. ISTOOK, Mr. CHOCOLA, Mr. WILSON of South Carolina, Mrs. CUBIN, Mr. FLAKE, Mr. BROWN of South Carolina, Mr. WELDON of Florida, Mr. PENCE, Mr. WAMP, Mr. GUTKNECHT, Mr. FEENEY, Mr. ROYCE, Mr. TERRY, Ms. HART, Mr. JONES of North Carolina, Mr. CHABOT, Mrs. MYRICK, Mr. CANTOR, Mr. ROHRABACHER, Mr. TANCREDO, Mr. BISHOP of Utah, Mr. MCHENRY, and Mr. SOUDER):

H.R. 3143. A bill to require agencies to review all major rules within 10 years after issuance, including a cost-benefit analysis using a standard government-wide methodology, and for other purposes; to the Committee on Government Reform.

By Mr. BARTLETT of Maryland (for himself, Mr. GINGREY, Mr. BLUNT, Ms. PRYCE of Ohio, Mr. BEAUPREZ, Mr. GUTKNECHT, Mr. NORWOOD, Mr. OSBORNE, Mr. MARSHALL, Mr. CULBERSON, Mr. WELLER, Mr. ROHRABACHER, Mr. PRICE of Georgia, Mr. HEFLEY, Mr. BILIRAKIS, Mr. ENGLISH of Pennsylvania, Mr. CANNON, Mr. GILCHREST, and Mr. DEAL of Georgia):

H.R. 3144. A bill to amend the Public Health Service Act to provide for a program at the National Institutes of Health to conduct and support research in the derivation and use of human pluripotent stem cells by means that do not harm human embryos, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BASS (for himself, Mr. FERGUSON, Mr. SIMMONS, Mr. VAN HOLLEN, Mr. RAMSTAD, Mr. BRADLEY of New Hampshire, and Mr. MORAN of Kansas):

H.R. 3145. A bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part; to the Committee on Education and the Workforce.

By Mrs. BLACKBURN (for herself and Mr. WYNN):

H.R. 3146. A bill to promote deployment of competitive video services and eliminate redundant and unnecessary regulation; to the Committee on Energy and Commerce.

By Ms. GINNY BROWN-WAITE of Florida (for herself, Mr. GREEN of Wisconsin, Mr. OWENS, Mr. FOLEY, Ms. HARRIS, Mr. FITZPATRICK of Pennsylvania, and Mr. JONES of North Carolina):

H.R. 3147. A bill to amend title 38, United States Code, to improve the Veterans Beneficiary Travel Program of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. GINNY BROWN-WAITE of Florida (for herself, Mr. GREEN of Wisconsin, Mr. MARIO DIAZ-BALART of Florida, Mr. MCHENRY, Mr. FEENEY, Mr. KIRK, and Mr. FOLEY):

H.R. 3148. A bill to amend chapter 8 of title 5, United States Code, to establish the Joint Administrative Procedures Committee; to the Committee on Rules, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself and Mr. FARR):

H.R. 3149. A bill to withdraw the Los Padres National Forest in California from location, entry, and patent under mining laws, and for other purposes; to the Committee on Resources.

By Mr. ISSA (for himself, Mr. SMITH of Texas, and Mr. DREIER):

H.R. 3150. A bill to amend section 276 of the Immigration and Nationality Act to impose mandatory sentencing ranges with respect to aliens who reenter the United States after having been removed, and for other purposes; to the Committee on the Judiciary.

By Mr. CARDIN (for himself and Mr. RAMSTAD):

H.R. 3151. A bill to amend part D of title XVIII of the Social Security Act to remove the exclusion of benzodiazepines from required coverage under the Medicare prescription drug program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARNAHAN:

H.R. 3152. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of qualified hybrid motor vehicles; to the Committee on Ways and Means.

By Mrs. CUBIN (for herself, Mrs. WILSON of New Mexico, Mr. BEAUPREZ, Mr. MATHESON, Mr. UDALL of New Mexico, Mr. UDALL of Colorado, Mr. SALAZAR, Mr. CANNON, Mr. BISHOP of Utah, Ms. DEGETTE, Mrs. MUSGRAVE, Mr. PEARCE, and Mr. TANCREDO):

H.R. 3153. A bill to reauthorize the Upper Colorado and San Juan River Basin endangered fish recovery implementation programs; to the Committee on Resources.

By Mrs. CUBIN (for herself, Mr. BAIRD, Mr. MATHESON, Mr. BAKER, Mr. LAHOOD, Mr. BONNER, Mr. DAVIS of Alabama, Mr. GINGREY, and Mr. WELDON of Florida):

H.R. 3154. A bill to provide incentives for pharmaceutical companies, biotechnology companies, and medical device companies to invest in research and development with respect to antibiotic drugs, antivirals, diagnostic tests, and vaccines that may be used to identify, treat, or prevent an infectious disease, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DAVIS of California:

H.R. 3155. A bill to establish a pilot program to encourage certification of teachers in low-income, low-performing public elementary and secondary schools by the National Board for Professional Teaching Standards, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. DAVIS of California (for herself, Mr. WAXMAN, and Mr. DINGELL):

H.R. 3156. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to dietary supplements; to the Committee on Energy and Commerce.

By Mr. DINGELL:

H.R. 3157. A bill to require certain actions to be taken against countries that manipulate their currencies, and for other purposes; to the Committee on Ways and Means.

By Mr. DUNCAN (for himself and Mr. WAMP):

H.R. 3158. A bill to designate the Cherokee Overhill Territory in Polk, McMinn, Monroe, and Meigs Counties in Tennessee as a National Heritage Area; to the Committee on Resources.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. JEFFERSON, Mr. MCCRERY, Mr. TURNER, Mrs. JONES of Ohio, Mrs. JOHNSON of Connecticut, Mr. CARNAHAN, Mr. MCGOVERN, Mr. UDALL of Colorado, Mr. JENKINS, Mr. MILLER of North Carolina, Mr. MILLER of Florida, Mr. ANDREWS, Mr. MENENDEZ, Mr. NEAL of Massachusetts, Mr. WOLF, Mr. LEWIS of Georgia, Mr. ROSS, Mr. BAKER, Mr. PAUL, Mr. DAVIS of Alabama, Ms. HERSETH, and Mr. BOEHLERT):

H.R. 3159. A bill to amend the Internal Revenue Code of 1986 to modify the rehabilitation credit and the low-income housing credit; to the Committee on Ways and Means.

By Ms. ESHOO (for herself, Mr. ENGLISH of Pennsylvania, Ms. BALDWIN, Ms. DELAURO, Mr. BROWN of Ohio, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Ms. HART, Mr. HONDA, Ms. JACKSON-LEE of Texas, Mr. KILDEE, Mr. KIND, Mr. LANTOS, Ms. LEE, Mr. LEWIS of Georgia, Mrs. LOWEY, Ms. MCCOLLUM of Minnesota, Mr. MCNULTY, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Ms. SCHAKOWSKY, Ms. SLAUGHTER, and Mr. WAXMAN):

H.R. 3160. A bill to protect public health by clarifying the authority of the Secretary of Agriculture to prescribe performance standards for the reduction of pathogens in meat, meat products, poultry, and poultry products processed by establishments receiving inspection services and to enforce the Hazard Analysis and Critical Control Point (HACCP) System requirements, sanitation requirements, and the performance standards; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FERGUSON (for himself, Mr. HOYER, Mr. ANDREWS, Mr. SMITH of New Jersey, Mr. RANGEL, Mr. CARDIN, Mr. MCNULTY, Mr. BOUCHER, Mrs. MILLER of Michigan, and Mr. STARK):

H.R. 3161. A bill to amend title XVIII of the Social Security Act to provide for coverage under part B for medically necessary dental procedures; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOLEY (for himself, Mr. FARR, Mr. ENGLISH of Pennsylvania, Mr. GARRETT of New Jersey, and Mr. CANNON):

H.R. 3162. A bill to amend the Internal Revenue Code of 1986 to restore the 80-percent deduction for meal and entertainment expenses; to the Committee on Ways and Means.

By Mr. GOODE:

H.R. 3163. A bill to amend the Help America Vote Act of 2002 to delay for 48 months the deadlines by which States must comply with the election administration requirements of title III of such Act, and for other purposes; to the Committee on House Administration.

By Mr. GORDON (for himself and Mr. COOPER):

H.R. 3164. A bill to amend the Internal Revenue Code of 1986 to make geothermal heat pump systems eligible for the energy credit; to the Committee on Ways and Means.

By Mr. AL GREEN of Texas (for himself, Mr. OWENS, Ms. JACKSON-LEE of Texas, Mr. GENE GREEN of Texas, and Mr. WAXMAN):

H.R. 3165. A bill to amend the Occupational Safety and Health Act to provide for criminal liability for willful safety standard violations resulting in the death of contract employees; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Ms. WOOLSEY, Mr. MORAN of Virginia, Mr. MCDERMOTT, Mr. KILDEE, Ms. LEE, Mrs. DAVIS of California, and Mr. BLUMENAUER):

H.R. 3166. A bill to provide compensation to livestock operators who voluntarily relinquish a grazing permit or lease on Federal lands where conflicts with other multiple uses render livestock grazing impractical, and for other purposes; to the Committee on Resources, and in addition to the Committees on Agriculture, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOEKSTRA:

H.R. 3167. A bill to amend the Internal Revenue Code of 1986 to require that each employer show on the W-2 form of each employee the employer's share of taxes for old-age, survivors, and disability insurance and for hospital insurance for the employee as well as the total amount of such taxes for such employee; to the Committee on Ways and Means.

By Mr. JONES of North Carolina:

H.R. 3168. A bill to amend the Public Health Service Act to provide for Centers for Clinical Discovery through grants from the Director of the Agency for Healthcare Research and Quality; to the Committee on Energy and Commerce.

By Mr. KELLER:

H.R. 3169. A bill to provide the Secretary of Education with waiver authority for students who are eligible for Pell Grants who are adversely affected by a natural disaster; to the Committee on Education and the Workforce.

By Mr. KING of Iowa:

H.R. 3170. A bill to establish a Livestock Identification Board to create and implement a mandatory national livestock identification system; to the Committee on Agriculture.

By Ms. ZOE LOFGREN of California (for herself, Ms. PELOSI, Ms. SOLIS, Mrs. CAPPS, Ms. SCHAKOWSKY, Ms. ROYBAL-ALLARD, Ms. SLAUGHTER, Mrs. MALONEY, Ms. JACKSON-LEE of Texas, Ms. MOORE of Wisconsin, Mr. CONYERS, Mr. RANGEL, Mr. FRANK of Massachusetts, Mr. GEORGE MILLER of California, Mr. DINGELL, Mr. BERMAN, Mr. BOUCHER, Mr. NADLER, Mr. SCOTT of Virginia, Mr. WATT, Ms. WATERS, Mr. MEEHAN, Mr. DELAHUNT, Mr. WEXLER, Mr. WEINER, Mr. SCHIFF, Ms. LINDA T. SÁNCHEZ of California, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Mr. WAXMAN, Mr. GRIJALVA, Mr. HINOJOSA, Ms. MATSUI, Mr. PALLONE, Mr. FILNER, Mr. BUTTERFIELD, Mr. PASTOR, Mr. BISHOP of Georgia, Mr. MCDERMOTT, Ms. MILLENDER-MCDONALD, Mrs. LOWEY, Mr. HONDA, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. BOSWELL, Mrs. JONES of Ohio, Ms. LEE, Mr. CASE, Mr. DICKS, Ms. NORTON, Ms. KILPATRICK of Michigan, Mr. COSTA, Mr. KENNEDY of Rhode Island, Mr. GUTIERREZ, Mr. OLVER, Mr. OWENS, Mr. PAYNE, Mr. BRADY of Pennsylvania, Mr. MEEKS of New York, Ms. WOOLSEY, Mr. SANDERS, Mr. HINCHEY, Mrs. MCCARTHY, Mr. STARK, Mr. MCNULTY, Ms. WATSON, Ms. MCCOLLUM of Minnesota, Ms. BALDWIN, Mr. MORAN of Virginia, Mr. HIGGINS, Mr. INSLEE, Mr. HOLT, Ms. CARSON, Mrs. TAUSCHER, Mr. MARKEY, Ms. DELAURO, Mr. WYNN, Mr. ACKERMAN, Mr. KILDEE, Mr. LARSON of Connecticut, Mr. CUELLAR, Mr. MCGOVERN, Ms. HERSETH, Mr. PETERSON of Minnesota, Mr. EVANS, Mr. CUMMINGS, Mr. OBERSTAR, Mr. CLAY, Ms. LORETTA SANCHEZ of California, Ms. ESHOO, Ms. CORRINE BROWN of Florida, Mrs. CHRISTENSEN, Mr. LIPINSKI, Mr. MOORE of Kansas, Ms. BERKLEY, Ms. BORDALLO, Mr. GENE GREEN of Texas, Ms. DEGETTE, Ms. MCKINNEY, Mr. EMANUEL, Ms. HARMAN, Mr. ABERCROMBIE, Mr. CROWLEY, Mr. LEWIS of Georgia, Ms. VELÁZQUEZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. DAVIS of California, Ms. KAPTUR, Ms. SCHWARTZ of Pennsylvania, Ms. BEAN, Ms. HOOLEY, Mr. LANTOS, Mr. BLUMENAUER, Mr. PRICE of North Carolina, and Mr. DAVIS of Illinois):

H.R. 3171. A bill to reauthorize the Violence Against Women Act of 1994; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Education and the Workforce, Ways and Means, Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself and Mr. MCDERMOTT):

H.R. 3172. A bill to amend title 49, United States Code, to repeal the security screening opt-out program for airport operators; to the Committee on Homeland Security.

By Mrs. MCCARTHY (for herself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BOSWELL, Mr. MCNULTY, Ms. HERSETH, Mr. GRIJALVA, Mr. OWENS, Mrs. JONES of Ohio, Ms. JACKSON-LEE of Texas, Mr. FRANK of Massachusetts, Mr. ALLEN, Ms. MATSUI, Mr. PASCRELL, Mr. MOORE of Kansas, Mr. LEACH, Mr. MCGOVERN, Mr. WEXLER, Mr. MORAN of Virginia, and Mrs. CAPPS):

H.R. 3173. A bill to create a pilot program to increase the number of graduate educated nurse faculty to meet the future need for qualified nurses, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MCDERMOTT (for himself, Mr. DICKS, Mr. OWENS, Mr. CUMMINGS, Mr. SMITH of Washington, Mr. CLAY, Mr. MEEK of Florida, Mr. INSLEE, Ms. KILPATRICK of Michigan, Ms. CARSON, Mr. JEFFERSON, Ms. WATSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Mr. WATT, Mr. RANGEL, Mr. SCOTT of Virginia, Mr. TAYLOR of Mississippi, Ms. SOLIS, Mr. JACKSON of Illinois, Mr. CONYERS, Mr. BAIRD, Mr. LARSEN of Washington, Mr. HONDA, and Mr. GRIJALVA):

H.R. 3174. A bill to direct the Secretary of the Army to carry out without delay a thorough review of the cases of all 28 individuals convicted in the court-martial arising from a disturbance at Fort Lawton, Seattle, Washington, on August 14, 1944, and to require the Secretary to correct the military records (including the record of the court-martial in such case) of any individual as necessary to rectify error or injustice; to the Committee on Armed Services.

By Mr. MCDERMOTT (for himself, Mr. RANGEL, Mr. PAYNE, Ms. MCCOLLUM of Minnesota, Mr. LEWIS of Georgia, Mr. CONYERS, Mr. MCNULTY, Mrs. CHRISTENSEN, Mr. MEEKS of New York, and Ms. MILLENDER-MCDONALD):

H.R. 3175. A bill to implement measures to help alleviate the poor living conditions in Africa; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MENENDEZ:

H.R. 3176. A bill to amend the Caribbean Basin Economic Recovery Act to provide preferential treatment for certain apparel articles that are both cut (or knit to shape) and sewn or otherwise assembled in one or more beneficiary countries under that Act from fabrics or yarn not widely available in commercial quantities; to the Committee on Ways and Means.

By Mr. GEORGE MILLER of California:

H.R. 3177. A bill to prohibit registered lobbyists from making gifts to Members of Congress and to congressional employees, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON (for herself and Mr. WAXMAN):

H.R. 3178. A bill to amend the Safe Drinking Water Act to ensure that the District of Columbia and States are provided a safe, lead-free supply of drinking water; to the Committee on Energy and Commerce.

By Mr. ORTIZ:

H.R. 3179. A bill to reauthorize and amend the Junior Duck Stamp Conservation and Design Program Act of 1994; to the Committee on Resources.

By Mr. PAUL:

H.R. 3180. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for qualified attorney fees in computing minimum tax; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 3181. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income qualified attorney fees; to the Committee on Ways and Means.

By Mr. POMBO (for himself and Mrs. TAUSCHER):

H.R. 3182. A bill to reauthorize the Water Desalination Act of 1996, and for other purposes; to the Committee on Resources, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. DAVIS of Florida, Mrs. MALONEY, Mr. MARIO DIAZ-BALART of Florida, Mr. BISHOP of Georgia, Mr. GONZALEZ, Mr. HASTINGS of Florida, Mr. PLATTS, Mr. GORDON, Mr. WEINER, Mr. LANTOS, Mr. CASE, Mr. MEEK of Florida, Ms. LEE, Mr. TIERNEY, Mr. MCDERMOTT, Mr. LINCOLN DIAZ-BALART of Florida, Mr. SCHIFF, Mr. SANDERS, Mr. CANNON, Mr. REYES, Mrs. MCCARTHY, Mr. JEFFERSON, Mr. BROWN of Ohio, Mr. FOLEY, Ms. WOOLSEY, Ms. NORTON, Mr. MENENDEZ, Mr. FRANK of Massachusetts, Mr. UDALL of Colorado, Mr. LAHOOD, Mr. MCGOVERN, Mr. SHAYS, and Mr. ISRAEL):

H.R. 3183. A bill to amend title 5, United States Code, to provide to assistant United

States attorneys the same retirement benefits as are afforded to Federal law enforcement officers; to the Committee on Government Reform.

By Ms. ROS-LEHTINEN (for herself and Mr. LANTOS):

H.R. 3184. A bill to ensure that countries that have signed a Small Quantities Protocol also sign, ratify, and implement the Additional Protocol and provide access by IAEA inspectors to their nuclear-related facilities and to direct the United States Permanent Representative to the IAEA to make every effort to rescind and eliminate the Small Quantities Protocol and ensure compliance by all Member States of the IAEA with IAEA obligations and the purposes and principles of the Charter of the United Nations; to the Committee on International Relations.

By Ms. ROYBAL-ALLARD (for herself, Mrs. MALONEY, Ms. SOLIS, Mr. MORAN of Virginia, Mr. GEORGE MILLER of California, Mr. VAN HOLLEN, Ms. WATSON, Mr. HONDA, Mr. KILDEE, Mr. MOORE of Kansas, Mr. UDALL of New Mexico, Ms. WOOLSEY, Mrs. CAPPS, Ms. LORETTA SANCHEZ of California, Mrs. TAUSCHER, Ms. MATSUI, Ms. LINDA T. SÁNCHEZ of California, Mrs. NAPOLITANO, Ms. LEE, Ms. BALDWIN, Ms. MILLENDER-MCDONALD, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CORRINE BROWN of Florida, Ms. JACKSON-LEE of Texas, Ms. DELAURO, Ms. VELÁZQUEZ, Ms. KAPTUR, Mr. HINCHEY, Mr. SERRANO, and Ms. BERKLEY):

H.R. 3185. A bill to promote the economic security and safety of victims of domestic and sexual violence, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYUN of Kansas (for himself, Mr. AL GREEN of Texas, Mr. NEY, Mr. JONES of North Carolina, Mr. NEUGEBAUER, Mr. REYES, Mr. ORTIZ, and Mr. TIBERI):

H.R. 3186. A bill to amend the Department of Housing and Urban Development Act to exclude amounts received as a military basic housing allowance from consideration as income for purposes of eligibility for federally assisted low-income housing programs; to the Committee on Financial Services.

By Mr. SAXTON:

H.R. 3187. A bill to authorize the acquisition of land and interests in land to improve the conservation of, and to enhance the ecological values and functions of, coastal watersheds and estuarine areas to benefit both the environment and the economies of coastal communities, and for other purposes; to the Committee on Resources.

By Ms. SCHAKOWSKY (for herself, Mr. CONYERS, Ms. JACKSON-LEE of Texas, Ms. ZOE LOFGREN of California, Mrs. NAPOLITANO, Mr. GUTIERREZ, Ms. SOLIS, Mrs. CAPPS, Mr. FILNER, Mr. HONDA, Mr. HINOJOSA, Mr. LANTOS, Mr. KIND, Mr. MOORE of Kansas, Ms. ROYBAL-ALLARD, Ms. SLAUGHTER, Mrs. MALONEY, Ms. MOORE of Wisconsin, Mr. WAXMAN, Mr. BERMAN, Ms. DELAURO, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MCCOLLUM of Minnesota, Ms. LEE, Ms. WATSON, Ms. LINDA T. SÁNCHEZ of California, Ms. BORDALLO, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. BACA, Ms. BALDWIN, Ms. BERKLEY, Mr. BLUMENAUER, Mr. BROWN of Ohio, Mr. DAVIS of Illinois, Ms. CARSON, Mrs. CHRISTENSEN, Mr. CROWLEY, Ms. DEGETTE, Mr. DOGGETT, Ms. ESHOO, Mr. FARR, Mr. FRANK of Massachusetts, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HINCHEY, Mr. JACKSON of Illinois, Mr. JEFFERSON, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. KUCINICH, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MATSUI, Mr. MEEK of Florida, Mr. MEEKS of New York, Mr. MORAN of Virginia, Mr. NADLER, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBERSTAR, Mr. OWENS, Mr. PALLONE, Mr. PAYNE, Mr. RUSH, Ms. LORETTA SANCHEZ of California, Mr. SERRANO, Mr. STARK, Mr. STUPAK, Mr. TOWNS, Ms. WASSERMAN SCHULTZ, Mr. WEINER, Mr. WEXLER, Ms. WOOLSEY, and Mr. WU):

H.R. 3188. A bill to amend the Immigration and Nationality Act to provide protection for immigrant victims of violence; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, Agriculture, Financial Services, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey:

H.R. 3189. A bill to promote the development of democratic institutions and full respect for human rights in the countries of Central Asia; to the Committee on International Relations.

By Mr. SMITH of New Jersey (for himself, Mr. ROYCE, Ms. ZOE LOFGREN of California, Mr. SAM JOHNSON of Texas, Mr. TOM DAVIS of Virginia, Mr. WOLF, Mr. ROHRABACHER, Mr. PAYNE, Mr. PENCE, Mr. GREEN of Wisconsin, Ms. ROS-LEHTINEN, Mr. CROWLEY, and Ms. LORETTA SANCHEZ of California):

H.R. 3190. A bill to promote freedom and democracy in Viet Nam; to the Committee on International Relations.

By Mr. SMITH of New Jersey (for himself and Mr. PAYNE):

H.R. 3191. A bill to provide multilateral debt cancellation for Heavily Indebted Poor Countries, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself, Mr. GEORGE MILLER of California, Mr. OWENS, Ms. WOOLSEY, and Mr. LANTOS):

H.R. 3192. A bill to provide for a paid family and medical leave insurance program, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of Colorado:

H.R. 3193. A bill to designate as wilderness certain lands within the Rocky Mountain National Park in the State of Colorado; to the Committee on Resources.

By Ms. VELÁZQUEZ:

H.R. 3194. A bill to amend the Internal Revenue Code of 1986 to provide incentives for employer-provided employee housing assistance, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VISCLOSKY (for himself, Mr. KILDEE, Mr. BERRY, Mr. RANGEL, Mr. RUPPERSBERGER, Ms. SOLIS, Mr. GRIJALVA, Mr. MCDERMOTT, Mr. TOWNS, Mr. LYNCH, Mr. MCGOVERN, and Mr. TANNER):

H.R. 3195. A bill to amend title 38, United States Code, and title 10, United States Code, to provide for an opportunity for active duty personnel to withdraw an election not to participate in the program of educational assistance under the Montgomery GI Bill; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WAXMAN (for himself, Mr. MARKEY, Mr. BROWN of Ohio, Ms. SCHAKOWSKY, Mr. GENE GREEN of Texas, Mr. ALLEN, Mr. GEORGE MILLER of California, Mr. PALLONE, Mr. BERRY, Ms. SLAUGHTER, Mr. STUPAK, Mr. MCDERMOTT, Mr. HINCHEY, Mr. FRANK of Massachusetts, Mr. OBERSTAR, Mr. ANDREWS, Mr. MEEKS of New York, Mr. DELAHUNT, Mr. MCNULTY, Mr. BERMAN, Mr. WEXLER, Ms. WOOLSEY, Ms. HERSETH, Mr. MCGOVERN, Mr. GRIJALVA, Mr. SANDERS, Mr. WEINER, Mr. CONYERS, Mr. KUCINICH, Mr. KENNEDY of Rhode Island, Mr. OLVER, and Mr. ABERCROMBIE):

H.R. 3196. A bill to amend the Public Health Service Act to expand the scope of information required for the data bank on clinical trials of drugs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WELDON of Pennsylvania (for himself, Mr. THOMPSON of Mississippi, Mr. ETHERIDGE, Mr. BROWN of Ohio, Mrs. CHRISTENSEN, and Mr. KING of New York):

H.R. 3197. A bill to authorize the Secretary of Homeland Security to regulate the production, storage, sale, and distribution of ammonium nitrate on account of the prior use of ammonium nitrate to create explosives used in acts of terrorism and to prevent terrorists from acquiring ammonium nitrate to create explosives; to the Committee on Homeland Security.

By Mr. WEXLER (for himself, Mr. HONDA, Mr. GRIJALVA, and Mrs. MALONEY):

H.R. 3198. A bill to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II; to the Committee on the Judiciary.

By Mr. ISTOOK (for himself, Mr. BISHOP of Georgia, Mr. ADERHOLT, Mr. AKIN, Mr. ALEXANDER, Mr. BACHUS, Mr. BAKER, Mr. BARRETT of South Carolina, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. BEAUPREZ, Mr. BISHOP of Utah, Mr. BONILLA, Mr. BONNER, Mr. BOOZMAN, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. BROWN of South Carolina, Ms. GINNY BROWN-WAITE of Florida, Mr. BURGESS, Mr. BURTON of Indiana, Mr. CALVERT, Mr. CARTER, Mr. CHABOT, Mr. CHOCOLA, Mr. COBLE, Mr. COLE of Oklahoma, Mr. CONAWAY, Mrs. CUBIN, Mr. CULBERSON, Mr. DAVIS of Kentucky, Mrs. JO ANN DAVIS of Virginia, Mr. DEAL of Georgia, Mr. DELAY, Mr. DOOLITTLE, Mr. DUNCAN, Mrs. EMERSON, Mr. ENGLISH of Pennsylvania, Mr. EVERETT, Mr. FEENEY, Mr. FLAKE, Mr. FORBES, Ms. FOXX, Mr. FRANKS of Arizona, Mr. GARRETT of New Jersey, Mr. GIBBONS, Mr. GINGREY, Mr. GOODE, Mr. HALL, Ms.

HARRIS, Mr. HAYWORTH, Mr. HEFLEY, Mr. HENSARLING, Mr. HERGER, Mr. HOEKSTRA, Mr. HUNTER, Mr. ISSA, Mr. SAM JOHNSON of Texas, Mr. JONES of North Carolina, Mr. KING of Iowa, Mr. KINGSTON, Mr. KUHL of New York, Mr. LAHOOD, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. LUCAS, Mr. MARCHANT, Mr. MCCAUL of Texas, Mr. MCCRERY, Mr. MCHENRY, Mr. MCINTYRE, Mr. MILLER of Florida, Mrs. MUSGRAVE, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. NORWOOD, Mr. OTTER, Mr. PEARCE, Mr. PENCE, Mr. PETERSON of Pennsylvania, Mr. PITTS, Mr. PLATTS, Mr. PRICE of Georgia, Mr. RADANOVICH, Mr. RAHALL, Mr. RENZI, Mr. ROGERS of Kentucky, Mr. ROGERS of Michigan, Mr. ROGERS of Alabama, Mr. RYUN of Kansas, Mr. SESSIONS, Mr. SHIMKUS, Mr. SHUSTER, Mr. SMITH of New Jersey, Mr. SOUDER, Mr. STEARNS, Mr. SULLIVAN, Mr. TANCREDO, Mr. TAYLOR of North Carolina, Mr. TAYLOR of Mississippi, Mr. TERRY, Mr. TIAHRT, Mr. WAMP, Mr. WELDON of Florida, Mr. WESTMORELAND, Mr. WHITFIELD, Mr. WICKER, Mr. WILSON of South Carolina, Mr. JINDAL, Mr. DAVIS of Tennessee, and Mr. HAYES):

H.J. Res. 57. A joint resolution proposing an amendment to the Constitution of the United States protecting religious freedom; to the Committee on the Judiciary.

By Mr. MICA (for himself, Mr. YOUNG of Alaska, Mr. DANIEL E. LUNGREN of California, Mr. COSTELLO, and Mr. DEFAZIO):

H. Con. Res. 196. Concurrent resolution honoring the pilots of United States commercial air carriers who volunteer to participate in the Federal flight deck officer program; to the Committee on Homeland Security.

By Ms. LEE (for herself, Mr. BLUMENAUER, Mr. CONYERS, Mr. DEFAZIO, Mr. GRIJALVA, Mr. HINCHEY, Ms. KILPATRICK of Michigan, Mr. KUCINICH, Mr. MCDERMOTT, Mr. GEORGE MILLER of California, Mr. OLVER, Mr. SANDERS, Mr. SERRANO, Mr. SHERMAN, Ms. SOLIS, Mr. STARK, Ms. WOOLSEY, Ms. MCKINNEY, Mr. RUSH, Mr. DELAHUNT, Mr. LEWIS of Georgia, Mr. CUMMINGS, Ms. WATERS, Mr. HONDA, Mr. JACKSON of Illinois, Mr. PAYNE, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Mr. TOWNS, Mr. DAVIS of Illinois, Ms. JACKSON-LEE of Texas, Mr. WATT, Mr. AL GREEN of Texas, Mr. MORAN of Virginia, and Ms. SCHAKOWSKY):

H. Con. Res. 197. Concurrent resolution declaring that it is the policy of the United States not to enter into any base agreement with the Government of Iraq that would lead to a permanent United States military presence in Iraq; to the Committee on International Relations.

By Mr. DELAY:

H. Con. Res. 198. Concurrent resolution providing for an adjournment or recess of the two Houses; considered and agreed to.

By Mr. HASTINGS of Florida:

H. Con. Res. 199. Concurrent resolution supporting the goals and ideals of the International Polar Year; to the Committee on Science.

By Ms. ZOE LOFGREN of California:

H. Con. Res. 200. Concurrent resolution expressing the sense of Congress that secondary schools should consider starting school after 9:00 in the morning; to the Committee on Education and the Workforce.

By Mr. ORTIZ (for himself and Mr. WELDON of Pennsylvania):

H. Con. Res. 201. Concurrent resolution welcoming the Prime Minister of Singapore, His Excellency Lee Hsien Loong, on the occasion of his visit to the United States, expressing gratitude to the Government of Singapore for its support in the reconstruction of Iraq and its strong cooperation with the United States in the campaign against terrorism, and reaffirming the commitment of Congress to the continued expansion of friendship and cooperation between the United States and Singapore; to the Committee on International Relations.

By Mr. PASCRELL (for himself, Mr. BILIRAKIS, Mrs. MALONEY, and Mr. MICA):

H. Con. Res. 202. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony to honor Constantino Brumidi on the 200th anniversary of his birth; to the Committee on House Administration.

By Mr. RANGEL (for himself and Mrs. JOHNSON of Connecticut):

H. Con. Res. 203. Concurrent resolution expressing the sense of the Congress that the United States should work expand membership in the Agreement on Government Procurement of the World Trade Organization and should urge the People's Republic of China to enter into immediate negotiations to join that agreement, and for other purposes; to the Committee on Ways and Means.

By Mr. CLEAVER (for himself, Mr. BUTTERFIELD, Mr. CLAY, Mr. AL GREEN of Texas, Ms. CARSON, Mr. MEEKS of New York, Ms. LEE, Ms. WASSERMAN SCHULTZ, and Mr. CROWLEY):

H. Res. 347. A resolution condemning the Government of Mexico for printing and distributing blatantly racist postage stamps and urging Mexican President Vincente Fox to immediately cease printing and distributing the postage stamps and recall from circulation those postage stamps currently on the market; to the Committee on International Relations.

By Mr. ISSA (for himself, Mr. RAHALL, Mr. LAHOOD, Mr. DINGELL, and Mr. BOUSTANY):

H. Res. 348. A resolution congratulating the people of Lebanon on successfully conducting democratic parliamentary elections in May and June 2005; to the Committee on International Relations.

By Mr. FATTAH:

H. Res. 349. A resolution recognizing the importance of addressing extreme poverty in Africa, recognizing the devastating impact that HIV/AIDS has had on the African economy, recognizing the need for the development of a safe blood supply in Africa, and congratulating the city of Philadelphia, Pennsylvania for hosting the ''Live 8 2005'' concert; to the Committee on International Relations.

By Mr. STUPAK (for himself, Mr. SWEENEY, Mr. BASS, Mr. MCNULTY, Mr. SMITH of Washington, Mr. DINGELL, Mr. ALLEN, Mr. MCDERMOTT, Mr. MICHAUD, Mr. PETERSON of Minnesota, and Mr. KILDEE):

H. Res. 350. A resolution expressing appreciation to the people and Government of Canada for their long history of friendship and cooperation with the people and Government of the United States and congratulating Canada as it celebrates ''Canada Day''; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 49: Mr. WAXMAN and Mr. LOBIONDO.

H.R. 97: Mr. ALEXANDER and Mr. NORWOOD.

H.R. 111: Mr. GUTKNECHT.

H.R. 127: Mr. FATTAH.

H.R. 147: Mr. SANDERS, Ms. CORRINE BROWN of Florida, and Mr. POMBO.

H.R. 188: Mrs. MCCARTHY, Mr. PETERSON of Minnesota, and Mr. HOLT.

H.R. 229: Mr. KINGSTON, Ms. HART, Mr. GENE GREEN of Texas, Mr. CUMMINGS, Ms. WATSON, Mr. LEWIS of Georgia, Mr. KUCINICH, and Mr. WEXLER.

H.R. 282: Mr. BROWN of Ohio, Mr. GALLEGLY, Mr. AKIN, Mr. ENGLISH of Pennsylvania, Mr. TAYLOR of North Carolina, and Mr. LAHOOD.

H.R. 292: Mr. PEARCE.

H.R. 303: Mr. GILLMOR, Mr. GERLACH, Mr. JEFFERSON, and Mr. GIBBONS.

H.R. 558: Mr. EDWARDS and Mr. GERLACH.

H.R. 602: Mr. GERLACH.

H.R. 615: Mr. JENKINS, Mr. BOREN, and Mr. WESTMORELAND.

H.R. 653: Ms. WATSON and Mr. WEXLER.

H.R. 698: Mr. ALEXANDER.

H.R. 713: Mr. FOLEY.

H.R. 759: Ms. MOORE of Wisconsin.

H.R. 772: Mr. MICHAUD, Mr. KANJORSKI, Mr. VAN HOLLEN, Mr. CRAMER, Mr. KUHL of New York, Mr. ABERCROMBIE, Ms. HART, Mr. REYES, Mr. BAIRD, Mr. TANNER, and Mr. DELAHUNT.

H.R. 783: Mr. STUPAK, Mr. JEFFERSON, and Mr. LANGEVIN.

H.R. 817: Mr. EHLERS, Mr. HASTINGS of Florida, Ms. SOLIS, Mr. CUMMINGS, Ms. NORTON, Mr. TERRY, Mr. BROWN of Ohio, Ms. BALDWIN, Mr. BISHOP of New York, Mr. LARSEN of Washington, Mr. DOYLE, Mr. LARSON of Connecticut, Mr. KUCINICH, Mr. CLYBURN, Mr. BILIRAKIS, and Mr. LANGEVIN.

H.R. 818: Mr. ROHRABACHER.

H.R. 822: Mr. SCOTT of Virginia.

H.R. 827: Mrs. BONO, Mr. BASS, Mr. BILIRAKIS, and Mr. PICKERING.

H.R. 864: Mr. MCDERMOTT and Mr. STARK.

H.R. 896: Ms. SOLIS and Mr. CARDOZA.

H.R. 898: Mr. NUSSLE.

H.R. 916: Mr. HALL, Mr. ALLEN, Mr. FILNER, Mr. CRAMER, Mrs. MUSGRAVE, Mr. BROWN of Ohio, and Mr. ABERCROMBIE.

H.R. 920: Mr. TIAHRT.

H.R. 923: Mr. FOLEY.

H.R. 930: Mr. LINDER and Mr. CHOCOLA.

H.R. 939: Mr. WEXLER.

H.R. 945: Mr. FATTAH.

H.R. 947: Mrs. EMERSON.

H.R. 949: Mr. PAYNE, Mr. WEXLER, Ms. KAPTUR, Ms. WOOLSEY, Ms. BERKLEY, Mr. MEEKS of New York, Ms. ROYBAL-ALLARD, Mr. BERMAN, Mrs. CAPPS, Mr. HONDA,Mr. GRIJALVA, Mrs. CHRISTENSEN, Mr. SCHIFF, Mr. HINCHEY, and Mr. GENE GREEN of Texas.

H.R. 968: Mr. JINDAL, Mr. ABERCROMBIE, Mr. MATHESON, and Mr. RUSH.

H.R. 988: Mr. SAXTON, Mrs. CUBIN, Mr. LIPINSKI, and Mr. SABO.

H.R. 1020: Mr. NADLER.

H.R. 1070: Mrs. MYRICK.

H.R. 1079: Mr. MCHENRY.

H.R. 1088: Mr. ALEXANDER.

H.R. 1100: Mr. PICKERING, Mr. DEAL of Georgia, and Mr. KLINE.

H.R. 1106: Mr. OLVER.

H.R. 1130: Mr. ANDREWS.

H.R. 1156: Mr. OXLEY.

H.R. 1159: Ms. DEGETTE.

H.R. 1172: Mr. GONZALEZ, Mr. GRIJALVA, Mr. AL GREEN OF TEXAS, AND MS. WOOLSEY.

H.R. 1175: Mr. PICKERING.

H.R. 1176: Mr. BURTON of Indiana and Mr. GREEN of Wisconsin.

H.R. 1191: Mr. ISRAEL.

H.R. 1200: Mr. JACKSON of Illinois.

H.R. 1216: Mr. ANDREWS and Mr. TANCREDO.

H.R. 1222: Mr. MEEK of Florida.

H.R. 1245: Mr. DAVIS of Florida.

H.R. 1259: Mr. MEEK of Florida, Ms. MILLENDER-MCDONALD, Mr. WATT, and Ms. LEE.

H.R. 1264: Ms. BALDWIN.
H.R. 1288: Mr. CUNNINGHAM, Mr. ISSA, Mr. RADANOVICH, Mr. FRANKS of Arizona, Mr. MURPHY, Mr. RYAN of Wisconsin, and Mrs. EMERSON.
H.R. 1298: Ms. ZOE LOFGREN of California, and Mr. ENGLISH of Pennsylvania.
H.R. 1306: Mr. CLAY, Mr. GILLMOR, Mr. LINDER, Mr. OXLEY, Mr. HINOJOSA, Mr. SHUSTER, Mr. GIBBONS, Mr. ISSA, Mr. ROHRABACHER, Mr. HOSTETTLER, Mr. BURTON of Indiana, Mr. STUPAK, Mrs. MYRICK, Mr. CRAMER, and Mr. LOBIONDO.
H.R. 1312: Mr. EMANUEL.
H.R. 1323: Mr. OWENS and Mr. HOLT.
H.R. 1350: Mr. WAMP.
H.R. 1372: Ms. SCHWARTZ of Pennsylvania, Mr. SALAZAR, and Mrs. MCCARTHY.
H.R. 1390: Mr. FILNER, Mr. GUTIERREZ, Ms. ZOE LOFGREN of California, Mr. SANDERS, and Mr. WAXMAN.
H.R. 1402: Mr. DOGGETT.
H.R. 1409: Mr. SABO and Mr. CLYBURN.
H.R. 1426: Mr. KING of New York.
H.R. 1435: Mr. EVANS and Mr. LEVIN.
H.R. 1494: Mr. PETERSON of Minnesota.
H.R. 1498: Mr. PAYNE and Ms. KILPATRICK of Michigan.
H.R. 1504: Mr. SNYDER, Mr. HONDA, and Mr. GORDON.
H.R. 1510: Mr. DENT.
H.R. 1523: Mr. GEORGE MILLER of California and Mr. KILDEE.
H.R. 1549: Ms. WOOLSEY, Mr. RYUN of Kansas, Mr. ABERCROMBIE, Mr. MCCOTTER, Mr. BEAUPREZ, Mr. GRAVES, Mr. CARNAHAN, Mr. ISSA, Mrs. DRAKE, Mr. WYNN, Mr. WAXMAN, Mr. MARSHALL, Mr. GREEN of Wisconsin, Mr. BOYD, and Mrs. JONES of Ohio.
H.R. 1591: Mr. ALLEN, Mr. FARR, and Mr. NEAL of Massachusetts.
H.R. 1592: Mr. ALLEN and Mr. FARR.
H.R. 1615: Mr. MILLER of North Carolina, Mr. TIERNEY, Mr. MEEKS of New York and Mr. MORAN of Virginia.
H.R. 1632: Mr. ROSS.
H.R. 1645: Mr. DOYLE.
H.R. 1648: Ms. EDDIE BERNICE JOHNSON of Texas and Ms. KAPTUR.
H.R. 1663: Mr. BLUMENAUER.
H.R. 1668: Ms. ROYBAL-ALLARD, Mr. OWENS, and Mr. CUMMINGS.
H.R. 1671: Mr. MOORE of Kansas.
H.R. 1689: Mrs. NORTHUP.
H.R. 1704: Mr. ISRAEL, Mr. SHAW, Ms. LORETTA SANCHEZ of California, and Mr. PITTS.
H.R. 1707: Mr. KUCINICH.
H.R. 1708: Mr. CLEAVER.
H.R. 1736: Mr. CARDOZA and Mr. REHBERG.
H.R. 1745: Ms. MATSUI.
H.R. 1748: Mr. WELDON of Florida.
H.R. 1749: Mr. MELANCON and Mr. GIBBONS.
H.R. 1790: Mrs. JO ANN DAVIS of Virginia.
H.R. 1850: Mr. CAPUANO.
H.R. 1861: Mr. DEFAZIO.
H.R. 1898: Mr. TIAHRT, Mr. NUSSLE, Mr. MEEK of Florida, and Mr. GONZALEZ.
H.R. 1946: Mr. LEVIN and Mr. PRICE of North Carolina.
H.R. 1951: Mrs. DRAKE, Mr. PASTOR, and Mrs. JO ANN DAVIS of Virginia.
H.R. 1957: Mr. MCCAUL of Texas and Mr. POMBO.
H.R. 1981: Mr. BRADY of Pennsylvania and Mr. HOLT.
H.R. 1986: Mr. BARTLETT of Maryland.
H.R. 1994: Mr. THOMPSON of Mississippi, Mr. WYNN, and Mr. MEEK of Florida.
H.R. 1996: Mr. BROWN of Ohio, Mr. BRADY of Pennsylvania, Ms. WOOLSEY, Mr. LIPINSKI, Mr. FARR, and Mr. CASTLE.
H.R. 1998: Mrs. MUSGRAVE.
H.R. 2048: Mrs. JONES of Ohio, Mr. FOLEY, and Mr. GIBBONS.
H.R. 2061: Mr. EVERETT, Mr. BONNER, Mr. DEAL of Georgia, and Ms. HERSETH.
H.R. 2076: Mr. FARR.
H.R. 2121: Mr. WELLER, Mr. BACHUS, Mr. RUPPERSBERGER, Mr. BAKER, Mr. MEEK of Florida, and Mr. MOORE of Kansas.
H.R. 2207: Mr. MORAN of Virginia.
H.R. 2209: Mr. RAHALL and Mr. SABO.
H.R. 2218: Mr. PASTOR, Mr. HINCHEY, and Mr. GONZALEZ.
H.R. 2229: Mr. SOUDER.
H.R. 2238: Mr. STRICKLAND and Mr. MCCOTTER.
H.R. 2290: Mr. MARCHANT, Mr. MCCAUL of Texas, and Mr. BOEHNER.
H.R. 2317: Mr. RADANOVICH and Ms. HERSETH.
H.R. 2320: Mr. UPTON.
H.R. 2322: Mr. GUTIERREZ.
H.R. 2327: Mr. ISSA and Mr. ORTIZ.
H.R. 2343: Mr. ENGEL.
H.R. 2355: Mr. TOM DAVIS of Virginia.
H.R. 2356: Mrs. EMERSON, Mr. GINGREY, Mr. RAHALL, Mr. AKIN, Mr. ROGERS of Alabama, Mr. GONZALEZ, Mr. ABERCROMBIE, Mr. BRADY of Pennsylvania, Mr. MORAN of Virginia, Mr. EDWARDS, Mr. FRANK of Massachusetts, Mr. FARR, Mr. MCCOTTER, and Mr. YOUNG of Florida.
H.R. 2358: Mr. LIPINSKI and Mr. COSTA.
H.R. 2363: Mr. TERRY, Mr. PUTNAM, and Mr. ROGERS of Kentucky.
H.R. 2386: Mr. MCCAUL of Texas, Mr. DEAL of Georgia, Mr. BLUMENAUER, Mr. BLUNT, Mr. BASS, Mr. PRICE of North Carolina, and Ms. ROS-LEHTINEN.
H.R. 2412: Mr. RANGEL.
H.R. 2423: Ms. HART and Mr. TANNER.
H.R. 2458: Mr. WESTMORELAND.
H.R. 2470: Mr. OTTER, Mr. HENSARLING, Mr. RYUN of Kansas, Mr. PENCE, Mr. MACK, Mr. INGLIS of South Carolina, Mr. KINGSTON, Mr. DOOLITTLE, Mr. SAM JOHNSON of Texas, Mr. CASE, Mr. ROGERS of Michigan, Mr. GREEN of Wisconsin, Mr. AKIN, Mr. PITTS, Ms. HARRIS, Mr. CULBERSON, Mr. ISTOOK, Mrs. MUSGRAVE, and Mr. BARTLETT of Maryland.
H.R. 2498: Mr. GILLMOR.
H.R. 2510: Mr. SHERMAN.
H.R. 2526: Mr. LARSON of Connecticut, Mr. MORAN of Virginia, Mr. BERMAN, Mr. RYAN of Ohio, and Mr. WAXMAN.
H.R. 2533: Mr. MARSHALL and Mr. OTTER.
H.R. 2564: Mr. POMEROY and Mr. RUPPERSBERGER.
H.R. 2567: Mr. LARSEN of Washington.
H.R. 2588: Mr. SHERWOOD.
H.R. 2642: Mr. TAYLOR of Mississippi, Mr. CRAMER, Mr. BERRY, Mr. THOMPSON of California, Ms. HARMAN, Mr. BOREN, Mr. PETERSON of Minnesota, Mr. DAVIS of Tennessee, and Mr. SALAZAR.
H.R. 2658: Mr. DOOLITTLE.
H.R. 2669: Mr. FITZPATRICK of Pennsylvania.
H.R. 2671: Mr. MCINTYRE.
H.R. 2679: Mr. GINGREY.
H.R. 2680: Mr. WEXLER, Mr. SANDERS, Mr. BRADY of Pennsylvania, and Mr. HINCHEY.
H.R. 2682: Mr. GONZALEZ, Mr. GERLACH, and Mr. WOLF.
H.R. 2683: Mr. WYNN, Mr. MEEK of Florida, and Mr. CASE.
H.R. 2684: Mr. PRICE of Georgia.
H.R. 2686: Mr. BROWN of South Carolina, Mr. ENGLISH of Pennsylvania, and Mr. EHLERS.
H.R. 2687: Mr. BERMAN.
H.R. 2717: Mr. OLVER and Mr. ROTHMAN.
H.R. 2727: Mr. DICKS.
H.R. 2730: Mr. ROTHMAN, Mr. GENE GREEN of Texas, Mr. SKELTON, Mr. BERMAN, Mr. CASE, Mr. BISHOP of New York, Mr. RANGEL, Mr. DENT, and Mr. NORWOOD.
H.R. 2735: Mr. BRADLEY of New Hampshire.
H.R. 2787: Mr. ROGERS of Kentucky.
H.R. 2793: Mr. SCHIFF, Mr. HAYES, Mrs. CHRISTENSEN, and Mr. STARK.
H.R. 2794: Mr. BROWN of South Carolina, Mr. DEFAZIO, and Ms. BALDWIN.
H.R. 2807: Mr. TANNER, Ms. JACKSON-LEE of Texas, and Mr. LEWIS of Kentucky.
H.R. 2876: Mr. FORBES, Mr. JINDAL, Mr. SPRATT, Ms. HERSETH, Mr. RAHALL, and Mr. LANGEVIN.
H.R. 2930: Mr. OBEY, Mr. GREEN of Wisconsin, and Mr. LIPINSKI.
H.R. 2945: Ms. SCHAKOWSKY, Mr. MCGOVERN, Mr. BURTON of Indiana, Mr. MCCAUL of Texas, Mr. FITZPATRICK of Pennsylvania, Mr. PAYNE, and Mr. CUMMINGS.
H.R. 2946: Ms. JACKSON-LEE of Texas, Mr. WEXLER, and Mr. OWENS.
H.R. 2947: Mr. MEEKS of New York and Mr. JEFFERSON.
H.R. 2960: Mr. BERMAN.
H.R. 2965: Mr. GONZALEZ, Mrs. NORTHUP, Mr. FRANKS of Arizona, Mr. OXLEY, Mr. NUNES, Mrs. CUBIN, Ms. PRYCE of Ohio, Mr. TIAHRT, Mr. BRADY of Texas, Mr. GOHMERT, Mr. WATT, Mr. ENGLISH of Pennsylvania, and Mr. GOODE.
H.R. 2966: Mr. SOUDER, Mrs. CHRISTENSEN, and Mr. GRIJALVA.
H.R. 2989: Mr. LAHOOD, Mr. MARSHALL, Mr. WALSH, Ms. SCHAKOWSKY, Mr. KOLBE, Mr. FERGUSON, Mr. SENSENBRENNER, Mr. SIMMONS, Mr. ETHERIDGE, Mr. SAXTON, Mr. HUNTER, Mr. BAKER, Mr. SHAYS, Mr. HYDE, and Mr. PAUL.
H.R. 3000: Mr. MEEKS of New York.
H.R. 3004: Ms. HART and Mr. TURNER.
H.R. 3011: Mr. ROGERS of Kentucky and Mr. ALEXANDER.
H.R. 3038: Mr. PAYNE.
H.R. 3041: Mrs. MALONEY.
H.R. 3046: Mr. SANDERS.
H.R. 3050: Mr. JEFFERSON, Mr. OWENS, Mr. BERMAN, and Mr. MCNULTY.
H.R. 3055: Mr. GENE GREEN of Texas.
H.R. 3065: Mr. GRAVES.
H.R. 3073: Mr. POE.
H.R. 3086: Ms. SOLIS.
H.R. 3095: Mr. NUSSLE.
H.R. 3096: Mr. MORAN of Virginia.
H.R. 3100: Mr. POE.
H.J. Res. 55: Mr. FRANK of Massachusetts, Mr. FATTAH, and Ms. BALDWIN.
H. Con. Res. 43: Mr. TIBERI.
H. Con. Res. 90: Ms. WATSON, Mr. SHERMAN, and Mr. WHITFIELD.
H. Con. Res. 125: Mr. BILIRAKIS, Mr. KINGSTON, Mr. BOUSTANY, and Mr. MANZULLO.
H. Con. Res. 128: Mrs. NAPOLITANO.
H. Con. Res. 151: Mr. ACKERMAN, Mr. BISHOP of New York, and Mrs. MCCARTHY.
H. Con. Res. 175: Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. SCOTT of Virginia and Mr. RUPPERSBERGER.
H. Con. Res. 178: Mr. LYNCH, Mr. SHADEGG, Mr. DAVIS of Illinois, Mrs. MYRICK, Mr. CALVERT, Mr. WEXLER, Mr. BRADY of Pennsylvania, Mr. BOOZMAN, Mr. WELDON of Florida, and Mr. BARTLETT of Maryland.
H. Con. Res. 186: Mr. PAUL.
H. Con. Res. 194: Mr. ALEXANDER.
H. Res. 97: Mrs. MYRICK.
H. Res. 103: Mr. FATTAH.
H. Res. 123: Mr. WELLER and Mr. MANZULLO.
H. Res. 158: Mr. FATTAH.
H. Res. 259: Ms. WATERS.
H. Res. 286: Mr. BRADY of Pennsylvania, Mr. BERMAN, and Ms. CARSON.
H. Res. 289: Mr. PUTNAM, Mr. ROSS, Mrs. CHRISTENSEN, Mr. DOGGETT, Mr. MARKEY, and Mr. MCDERMOTT.
H. Res. 295: Mr. FATTAH.
H. Res. 308: Mr. WAMP and Mr. ROGERS of Kentucky.
H. Res. 311: Ms. WOOLSEY and Mr. KUCINICH.
H. Res. 325: Mrs. MCCARTHY.
H. Res. 326: Mr. WOLF and Mr. WHITFIELD.
H. Res. 332: Mr. BISHOP of New York.
H. Res. 336: Mr. HOLDEN, Mr. BISHOP of Georgia, Ms. JACKSON-LEE of Texas, Mr. TERRY, Mr. ETHERIDGE, Mr. CARDOZA, Mr. SMITH of New Jersey, Ms. ZOE LOFGREN of California, Mr. LEVIN, Mr. OXLEY, Mr. GREEN of Wisconsin, and Mr. RAMSTAD.
H. Res. 340: Mr. FRANKS of Arizona, Mr. REHBERG, Mr. DENT, Mr. BACHUS, Mr. YOUNG of Florida, Mr. TAYLOR of North Carolina, Mr. LAHOOD, Mr. MARCHANT, Mr. ALEXANDER, Mr. ROGERS of Alabama, and Mrs. BIGGERT.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2355: Mr. TOWNS.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3058

OFFERED BY: MR. RANGEL

AMENDMENT NO. 22: At the end of the bill (before the short title) insert the following:

SEC. ____. None of the funds made available in this Act may be used to implement, administer, or enforce the economic embargo of Cuba, as defined in section 4(7) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Public Law 104–114), except that the foregoing limitation does not apply to the administration of a tax or tariff.

H.R. 3058

OFFERED BY: MR. VAN HOLLEN

AMENDMENT NO. 23: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement the revision to Office of Management and Budget Circular A–76 made on May 29, 2003.

H.R. 3058

OFFERED BY: MR. BROWN OF OHIO

AMENDMENT NO. 24: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used by the Council of Economic Advisers to produce an Economic Report of the President regarding the average cost of developing and introducing a new prescription drug to the market at $800 million or more.