Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
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
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—13

Cannon
Davis (FL)
Evans
Farr
Gerlach
Holden
Hyde
Johnson, Sam
Kanjorski
King (IA)
Poe
Sherwood
Slaughter

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there is 1 minute remaining in this vote.

□ 1759

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FRANK OF MASSACHUSETTS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. FRANK) 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 2-minute vote.

The vote was taken by electronic device, and there were—ayes 145, noes 274, not voting 13, as follows:

[Roll No. 339]

AYES—145

Ackerman
Allen
Andrews
Barrow
Bass
Bean
Berkley
Berman
Berry
Bilbray
Bishop (NY)
Blackburn
Blumenauer
Bono
Boswell
Bradley (NH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson
Chabot
Clay
Cleaver
Coble
Conyers
Cooper
Cummings
Davis (CA)
Davis (IL)
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dingell
Doggett
Duncan
Emerson
Fitzpatrick (PA)
Flake
Foxx
Frank (MA)
Gibbons
Goodlatte
Green (WI)
Gutknecht
Hart
Hefley
Herseth
Higgins
Hinchey
Holt
Hoyer
Jackson (IL)
Johnson (CT)
Jones (NC)
Jones (OH)
Kelly
Kennedy (MN)
Kennedy (RI)
Kilpatrick (MI)
Kline
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lowey
Lungren, Daniel E.
Lynch
Markey
Matheson
McCollum (MN)
McCotter
McDermott
McKinney
Meehan
Melancon
Michaud
Millender-McDonald
Miller, George
Moore (WI)
Musgrave
Myrick
Neal (MA)
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Otter
Owens
Pallone
Pascrell
Paul
Payne
Pelosi
Peterson (MN)
Petri
Pitts
Platts
Ramstad
Renzi
Rothman
Royce
Rush
Ryan (WI)
Sabo
Sánchez, Linda T.
Sanders
Sensenbrenner
Shays
Simmons
Skelton
Smith (NJ)
Spratt
Stark
Stupak
Sullivan
Tancredo
Tiberi
Tierney
Udall (NM)
Upton
Velázquez
Visclosky
Walden (OR)
Waters
Watson
Watt
Waxman
Weiner
Westmoreland
Whitfield
Woolsey
Wynn

NOES—274

Abercrombie
Aderholt
Akin
Alexander
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Becerra
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carnahan
Carter
Case
Castle
Chandler
Chocola
Clyburn
Cole (OK)
Conaway
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Tom
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Everett
Fattah
Feeney
Ferguson
Filner
Foley
Forbes
Ford
Fortenberry
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Harris
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hinojosa
Hobson
Hoekstra
Honda
Hooley
Hostettler
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (IL)
Johnson, E. B.
Kaptur
Keller
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren, Zoe
Lucas
Mack
Maloney
Manzullo
Marchant
Marshall
Matsui
McCarthy
McCaul (TX)
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meek (FL)
Meeks (NY)
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neugebauer
Northup
Nunes
Ortiz
Osborne
Oxley
Pastor
Pearce
Pence
Peterson (PA)
Pickering
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryun (KS)
Salazar
Sanchez, Loretta
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sessions
Shadegg
Shaw
Sherman
Shimkus
Shuster
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Stearns
Strickland
Sweeney
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Towns
Turner
Udall (CO)
Van Hollen
Walsh
Wamp
Wasserman Schultz
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—13

Cannon
Davis (FL)
Evans
Farr
Gerlach
Holden
Hyde
Johnson, Sam
Kanjorski
Poe
Sherwood
Simpson
Slaughter

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that 1 minute remains in this vote.

□ 1805

Mr. WU and Mr. TOWNS changed their 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. PEARCE) assumed the Chair.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 889) ''An Act to authorize appropriations for the Coast Guard for fiscal year 2006, to make technical corrections to various laws administered by the Coast Guard, and for other purposes.''.

The SPEAKER pro tempore. The Committee will resume its sitting.

SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

The Committee resumed its sitting.

AMENDMENT NO. 21 OFFERED BY MR. STEARNS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. STEARNS:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to carry out any provision of section 203 of the Voting Rights Act of 1965 (42 U.S.C. 1973aa-1a).

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from Florida (Mr. STEARNS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

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

Since 1975, the Bilingual Election Assistance Provisions of the Voting Rights Act have forced States and political subdivisions to accommodate multiple languages at the polls. The provisions prohibit States from providing voting material only in the English language.

While all of us enjoy hearing a wide variety of languages spoken here in the United States, I think that official government functions of the government ought to be conducted in English. Let me repeat that. I think the official government functions of this government ought to be conducted in English.

Let me state that my amendment is not about immigration, intimidation or discrimination. It is about assimilation. This is also an amendment about States' rights. States or political subdivisions can provide voting assistance in other languages if they want to, but I do not believe this is good for the United States to mandate.

The United States of America is a Nation of immigrants. We are the original melting pot. Importantly, though, the first motto of the United States of America was E pluribus unum: ''Out of many, one.'' This motto symbolizes the integration of the 13 independent colonies into one united country. The motto assumed even further meaning as Americans welcomed ever more immigrants from many lands to our shores. And one of the most unifying elements of one Nation is a common language.

Since our Nation's founding, there have been people who would literally suffer life and limb to be an American citizen. And I think that if you have the good fortune to be able to vote in the United States, then it is not too much to ask that this be accomplished in English. You can bring your own assistance to the polls if you need it, but I do not think the United States Government should be forced to pay for such assistance.

So, in my opinion, section 203 of the Voting Rights Act would exacerbate isolation and segregation. If individuals are not nudged, not pushed by the circumstances of daily living, including voting, to get out and master the basics of the English language, then they are denied all the rich opportunities that life in this great Nation offers. Further, depending upon how you got here, it is generally expected that you have a command of the English language. If you are born here and you obtain voting age and are limited for some reason in English proficiency, then I consider this quite a failing of the schools. And for most naturalized proceedings, you must pass a limited English proficiency requirement. Of course, democracy does not end at the polling place, so if one faces a language barrier to voting, then I suspect that he or she is secluded from enjoying all the full rights and privileges of democracy in the United States.

And, finally, Mr. Chairman, this amendment is about applying our scarce resources wisely in this country. The Bilingual Election Assistance Provisions come at no small cost to our States, our counties and our small towns.

For example, does a language with several dialects, such as Chinese, trigger the assistance requirement? Then the statute says that the jurisdiction's obligation is to ascertain the dialects that are commonly used by members of the applicable language minority group in the jurisdiction and to provide oral assistance in such dialects. Does a language that is unwritten trigger the requirement? Then oral assistance and publicity are required. We simply cannot, Mr. Chairman, afford to translate government documents and transactions into every possible conceivable language.

Now, if my amendment passes and becomes the law of the land, what would happen? Here is what: Voters not confident of their command of the English language would do what all of us would do, bring in their friends and neighbors and ask for help and assistance. Until 1975, there was no government duty to provide ballot translation, but a voter could certainly bring an interpreter of his choice to the voting booth.

I think that all eligible voters should knowledgeably, vigorously seeking knowledge, exercise their franchise. But let us just be a Nation that votes united, not divisively.

And I would say in conclusion, Mr. Chairman, States should not have to print ballots in all these various languages. Let us just have the ballots printed in English.

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 is recognized for 5 minutes.

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

I rise in opposition to the amendment of my good friend, whom I admire in an extraordinary fashion, Mr. STEARNS.

One of the great advancements, Mr. Chairman, in our American democracy and of our American democracy was precisely the Voting Rights Act that made it possible, in effect, for millions of American citizens, minority American citizens, to have access to that sacred right that is voting. It is important, Mr. Chairman, that we keep in mind that this is not an immigration debate, as Mr. STEARNS said. We are talking about American citizens and only about American citizens.

There are, Mr. Chairman, millions of native born American citizens that speak languages other than English. For example, there are over 4 million native born American citizens from Puerto Rico who speak Spanish. Many speak English; others do not. They speak primarily Spanish. It is our belief and it was a great advancement of American democracy to say that American citizens whose primary language is not English should also be able to understand ballots, even the most complicated or simple of ballot initiatives, petitions, ballots with candidates.

□ 1815

What this section of the Voting Rights Act says is when there is a community that has a significant number of people whose language is other than English, that that community should have access to ballots in their language of preference, in their language of most fluency.

In addition to the fact that there are millions of American citizens who are native born and who speak languages other than English, our laws also establish and call for elderly resident aliens, residents of the United States, immigrants, who have resided legally in the United States for more than 15 years, our law says that they can take the exam to become a citizen of the United States in their native language.

So there are many elderly American citizens, naturalized American citizens, who are allowed, according to our laws, the laws of our Congress, to take their naturalization exam to become a proud American citizen in languages other than English. They should also, Mr. Chairman, be allowed to vote, and they should also be allowed to understand even the most complicated of ballot initiatives. So that is what the law does.

Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. HONDA).

Mr. HONDA. Mr. Chairman, I would like to associate myself with the comments of my colleague from Florida (Mr. LINCOLN DIAZ-BALART).

Mr. Chairman, as Chair of the Congressional Asian Pacific American Caucus, I rise also today to oppose the Stearns amendment.

Section 203 of the Voting Rights Act provides protection to enable every American citizen to exercise their most fundamental and important right, the right to vote. In short, voting is power.

Unfortunately, even today, many minority voters face impediments or barriers to voting, including language barriers. The Stearns amendment will eliminate funding for enforcement of section 203. When that happens, States and localities will be free to discriminate against tax-paying American citizens and impede their right to vote.

Section 203 has support from both Democrats and Republicans in Congress and from Ronald Reagan to Bill Clinton to George W. Bush.

The Tri-Caucus strongly believes that VRA continues to effectively combat discrimination and protect the

gains achieved for minority voters. For instance, the U.S. Department of Justice has reported that, in one year, registration rates among Spanish and Filipino-speaking American citizens grew by 21 percent and registration among Vietnamese-speaking American citizens increased over 37 percent after San Diego County started providing language assistance.

In Apache County, Arizona, the Department's enforcement activities have resulted in a 26 percent increase in Native American turnout in four years, allowing Navajo Code talkers, veterans, and the elderly to participate in elections for the first time.

The Stearns Amendment to H.R. 5672 would undermine the Voting Rights Act reauthorization process and effectively disenfranchise language minority voters through the appropriations process.

Mr. Chairman, I strongly urge my colleagues to vote "no" on the Stearns amendment (#21) to H.R. 5672, the Science, State, Justice, Commerce Appropriations Act for FY 2007.

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

Mr. Chairman, as I stated, this is a great advancement in our democracy that we should be proud of. We are talking only about the rights of American citizens. American citizens whose primary language is other than English should also be able to vote.

As a Nation, we took an important step forward that, as I say, we all should be proud of when we facilitated that sacred right to vote to American citizens whose primary language, whose most fluent language, is one other than English.

Mr. Chairman, I yield the balance of my time to my dear friend, the gentlewoman from Texas (Ms. JACKSON-LEE).

The CHAIRMAN. The gentlewoman from Texas is recognized for 30 seconds.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentleman for yielding.

Mr. Chairman, I think the focus of the debate has gone awry. You are right. It is not an immigration issue. It is a citizen issue.

But I do want to tell my colleagues that many people have fled persecution, sought asylum, and then become citizens. They come as adults, they come as elderly persons, but they are now citizens. They have been fleeing the persecution of oppression, and they come here for hope, and they come for a dream of opportunity.

When they become citizens, this will simply allow them to partake of that dream, and that is to vote. This is a bad amendment because it does not respect the idea that this is a country of freedom. I ask my colleagues to oppose the Stearn Amendment and support the full implementation of the Voter Rights Act Reauthorization.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in strong opposition to the Stearns amendment to H.R. 5672, which would prohibit the Department of Justice from enforcing section 203 of the Voting Rights Act. The amendment is divisive, punitive, and will take America in exactly the wrong direction.

Section 203 removes barriers to voting faced by tax paying American citizens: Citizens who do not speak English well enough to participate in the election process. Tax-paying citizens should not be penalized for needing assistance to exercise their fundamental right to vote. Language minority citizens are required to pay taxes and serve in the military without regard to their level of English proficiency. If they can shoulder those burdens of citizenship, they should be able to share in the benefits of voting with appropriate assistance to exercise the vote.

Section 203 protects citizens, not illegal immigrants: Section 203 mandates language assistance based on a trigger formula for language minorities from four language groups: Native Americans, Native Alaskans, Asian Americans, and persons of Spanish heritage. The immigrant debate should not influence the debate on ensuring that the fundamental right to vote is exercised equally by English and non-English proficient citizens. According to the 2000 census, three-quarters of those protected by Section 203 are native-born citizens. For example, 100 percent of Native Americans and Native Alaskans were born in the United States; 98.6 percent of Puerto Ricans protected by Section 4(e) were born in the United States; and 84.2 percent of Latinos were born in the United States.

Section 203 was enacted to remedy the history of educational disparities, which have led to high illiteracy rates and low voter turn out: These disparities continue to exist. As of 2000, three fourths of the 3 to 3.5 million students who are native-born were considered to be English Language Learners (ELLs), meaning the students don't speak English well enough to understand the basic English curriculum. ELL students lag significantly behind native-English speakers and are twice as likely to fail graduation tests. California has over 1,500,000 ELLs; Texas has 570,000 ELLs; Florida has 250,000 ELLs; and New York has over 230,000.

Since 1975, there have been more than 24 education discrimination cases filed on behalf of ELLs in 15 states: Fourteen of the States in which education discrimination lawsuits have been brought are covered by language assistance provisions. Since 1992, 10 cases have been filed. Litigation and consent decrees are currently pending in Texas, Alaska, Arizona, and Florida. Discrimination cases that have been brought address issues such as inadequate funding for ELLs, inadequate curriculum to assist ELLs become proficient in English, and lack of teachers and classrooms. These disparities increase the likelihood that ELLs will achieve lower test scores and drop out of school, ultimately, leading to lower voter registration and turnout.

Adults who want to learn English must endure long waiting periods to enroll in English Second Language (ESL) literacy centers: The lack of funding to expand the number of ESL centers around the country leaves minority citizens unable to enroll in classes for several years. For example, in large cities such as Boston citizens must wait for several years to enroll. In New Mexico, citizens must wait up to a year. In the State of New York, the wait lists were so long, the State eliminated them and instituted a lottery system. Once enrolled, learning English takes citizens several years to even obtain a fundamental understanding of the English language—not enough to understand complex ballots. Citizens should not be barred from exercising their right to vote while trying to become English proficient.

Most jurisdictions covered by section 203 support its continued existence: According to a 2005 survey, an overwhelming majority of jurisdictions covered by Section 203 think that federal language assistance provisions should remain in effect for public elections. In fact, in a poll of registered voters, 57 percent believe it is difficult to navigate ballots and instructions and that assistance should be provided.

I urge defeat of the Stearns Amendment.

The CHAIRMAN. The gentleman from Florida (Mr. STEARNS) has 15 seconds remaining.

Mr. STEARNS. Mr. Chairman, I yield the balance of my time to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, it is a Federal mandate for foreign language ballots. Anybody can vote locally on that. But it takes away the Federal requirement for foreign language ballots and allows individuals to bring interpreters into the voting booth. That is protected by Federal statute, those two points. So it doesn't take away foreign language ballots. It just takes away the Federal mandate that requires them. There is surname analysis. We are also using dialects, 16 to 17, in Michigan; and that has got to stop.

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

Mr. Chairman, I yield to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Chairman, the right to vote is precious, almost sacred, and one of the most important blessings of our democracy. The Stearns amendment is an attack on the voting rights of millions of American citizens. It is a modern day literacy test.

This is not about illegal immigration. These are American citizens we are talking about. If the Stearns amendment becomes law, what message are we sending to the Apache, to the Navajo Nation, to the Native Alaskan, to Vietnamese Americans, to Russian Jews, who are all citizens?

These are our neighbors. They are taxpayers. They are Americans. We should be opening up the process to each and every American. Let them come in and participate.

Instead, this amendment will return us to the dark past. I don't think we want to go back as a Nation and as people. Vote "no" on Stearns.

Mr. MOLLOHAN. Mr. Chairman, I yield to the distinguished gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Chairman, this is a very shameful amendment, and I will tell you why it is shameful.

Here we are on the eve of the 4th of July at the very foundation of this country when those noble words were spoken by Thomas Jefferson, "We hold these truths to be self-evident, that all men are created equal, endowed by their Creator with certain inalienable rights, among those, life, liberty and

the pursuit of happiness,'' and the most important guarantee of that pursuit of happiness is the right to vote.

Not long ago, many of my colleagues on that side of the aisle stuck their finger in purple ink and proudly went around and promoted it because the Iraqis had the freedom to go and vote. There was a private first class named Private First Class Rincon from my district in Conyers, Georgia, who gave his life and died for that right, and he was not even a United States citizen. This House had to approve his citizenship posthumously.

Now we want to pass an amendment that would give just a little bit of help to his wife, to his mother, to his grandmother, who have difficulty with the English language.

This is a terrible moment at a terrible time, when we should be speaking to the greatness of this country, to the right to vote, to cherish it. Here we are on the eve of the 4th of July being what was referred to 40 years ago in the best-seller, being the Ugly American.

Let us prove that we are the good American and vote down this ''Ugly American'' amendment.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield to the distinguished gentleman from Alabama (Mr. DAVIS).

Mr. DAVIS of Alabama. Mr. Chairman, it is interesting. I have a button on my television that, if you click it, you can convert everything that you hear to Spanish so that people can hear American Idol and Desperate Housewives, and my English-only friends on the other side have not so much as lodged an objection to that button on my TV. They don't have a problem translating what goes across the dial every night. It is more than passing strange that they are troubled by making the ballot accessible, when our televisions are accessible.

My friends from Georgia have said it very well. This is about American citizens. You can't vote unless you are an American citizen. If you are an American citizen, we all have a stake in removing the obvious impediments toward voting, and what do we gain in terms of high ground by objecting to some of our fellow citizens having all the tools that they need to translate the choice of the elections? How do we justify televisions translating, and ballots not being translated?

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield to the distinguished gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Chairman, I appreciate the fact that the gentleman yielded to me.

Mr. Chairman, this amendment prevents the Department of Justice from enforcing section 203 of the Voting Rights Act. We know from our hearings that section 203 works. If you enforce section 203, more people vote. It only applies where there is a large number of voters with that particular language, a critical mass, enough to affect an election.

If we pass this, it won't encourage people to learn English. There are waiting lists to learn English already. If people could vote, maybe they could have more resources applied to English language.

We need a fair opportunity for people to vote. Section 203 brings that opportunity to people. We should reject this amendment and enforce the Voting Rights Act. This is a very important aspect, the Voting Rights Act, and we should enforce the Voting Rights Act, not tell the Department of Justice to fail to support it.

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

Mr. Chairman, I yield to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, this is our opportunity to state whether or not we believe that the United States of America is benefited by bilingualism.

In every other country of the world where we have permitted and they have actually promoted bilingualism, it has led to divisiveness and balkanization of countries and hatred between peoples.

One of the things that has created the unity of our country that is made up of so many different ethnic groups, so many different races, so many different religions, has been the English language. We are not doing anyone a favor by making it easier for them not to speak English. We are, in fact, doing a great disservice to those least fortunate people and those immigrants who come to our country by not encouraging them, by not giving them the incentive to learn English. It is a crime against those people and against their children.

More than this, what we have here is an expensive mandate. In my county, we have five different languages that are mandated, and two more on the way. In L.A. County, there are 10 different languages, an enormous expense in order to produce ballots and ballot measures and the descriptions of those measures for the population.

What are we doing this for? In the long run, it is damaging to our country. Vote against bilingualism. Support the Stearns amendment. If States want to do it, let them go ahead, but the Federal Government should not be mandating this and putting this burden on the States, something that, again, hurts the very people that they are claiming it is trying to help and will definitely in the long run hurt the United States as it keeps us divided into groups, rather than bringing us together as our Founding Fathers suggested that they wanted to have in the first place.

Vote against bilingualism. Vote for the Stearns amendment.

Mr. WOLF. Mr. Chairman, I yield to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ).

Ms. LINDA T. SÁNCHEZ of California. Mr. Chairman, I rise today in opposition to the Stearns amendment. This amendment would allow States and localities to discriminate against tax-paying American citizens. This amendment forces the Federal Government to disenfranchise American citizens from our most precious right of voting.

Unfortunately, a misinformed few from the other side of the aisle have confused this issue. The Voting Rights Act has nothing to do with immigration. Let me repeat that: section 203 of the Voting Rights Act has nothing to do with immigration. One hundred percent of the people served by section 203 are U.S. citizens.

I know a little bit about this. Both of my parents are naturalized citizens. My mother is an elementary schoolteacher who teaches other people's children English. She has difficulty sometimes.

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Mr. Chairman, if we want to spread democracy around the world, we should not be disenfranchising American citizens who want to vote here. That is why I strongly urge a ''no'' vote on the Stearns amendment.

Mr. WOLF. Mr. Chairman, I yield to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, there are really only two reasons that a person might ask for a ballot in a language other than English. One of those reasons would be if you are a naturalized citizen and you had received and earned your citizenship here. That is a Federal requirement, though, to demonstrate proficiency in the English language, both the spoken and the written.

So one would presume that if you are a naturalized citizen and you ask for a ballot in a language other than English, that you somehow circumvented the standards that are in Federal statute. So I do not think that is a legitimate reason to ask for a foreign language ballot.

The second reason would be if you were born in this Nation, by birthright citizenship, and you had grown up in an enclave where you did not absorb enough English to be able to go to the ballot box and cast a ballot in English. In that case, we have a Federal statute to protect your right to vote, and you have a right to vote, because you can bring someone into the voting booth with you to do that interpretation.

So those two things are covered. What this Stearns amendment does is removes the Federal funding that enforces this multilingual ballot mandate. It ends the Federal foreign language mandate, at least for a year. It is a good thing to do.

But if localities want to express this, they can. The States or the counties or the voting districts can still continue to present ballots in any language that they choose. That is why this is a good Stearns amendment. That is why it is something that we ought to do for the future.

We are looking at bringing in perhaps millions and millions of new citizens. That is hanging in the Senate today. If

we do that, with the President talking about the need to learn English, then for those reasons we need to assimilate and encourage people to use the English language. This is a gentle amendment. I urge its adoption.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in strong opposition to the Steams Amendment to H.R. 5672, which would prohibit funds from being used for the design, renovation, construction, or rental of any headquarters for the United Nations in any location in the United States.

I believe the amendment is unwise, shortsighted, and harmful attack on one of the most important international institutions in the world. Withholding funds that are lawfully owed to and desperately needed by the United Nations to perform its essential functions is harmful to the U.N. and against the interests of the United States.

In this era of new global challenges, the global war on terror to the problematic war in Iraq to the threats to world peace posed by ambitions of North Korea and Iran to acquire nuclear weapons, we need the U.N. more than ever. And for the most part, the U.N. does a good job meeting these challenges. The organization conducted the first-ever national election from scratch in Afghanistan and trained 150,000 Iraqis as election staff for the elections in that country. The U.N. also was instrumental in coordinating the massive tsunami relief and reconstruction effort, involving multiple governments and hundreds of NGOs, that brought relief and healing to hundreds of thousands of people suffering in Indonesia. The U.N. helped to end violence and instability in Haiti, Sierra Leone, and Liberia.

With 191 diverse members, the U.N. is not perfect. It is unrealistic to expect perfection from an imperfect international system. The U.N. surely has many of the virtues and faults of its member countries, including our own country. But with all its faults, it is still an indispensable forum for the peaceful resolution of conflict.

Despite both managerial and systemic limitations, the U.N. has shown resourcefulness in confronting the new challenges posed by failed states, infectious diseases that transcend borders, global climate change, famine, weapons trade and terrorism.

The U.N.'s current Secretary General, Kofi Annan, is a leader determined to implement serious reforms. He recognizes that the United Nations is at a critical crossroads and that it must be modernized and rationalized if it is to survive. For over a year now, informed by the work of the high-level panel he appointed, the Secretary General has been working on a plan to overhaul the U.N. completely so that it is more professional and more capable of confronting global threats, challenges and change.

I caution my colleagues to resist the temptation to withhold the payment of our U.N. dues. As we all know, the United States just recently completed a multi-year process of paying off a massive debt to the U.N. that had accumulated over many years. During that process, we successfully reduced the percentage of the U.N. budget that U.S. taxpayers are responsible for funding.

So as we map out our nation's strategy for the next decade at the glass edifice on the East River, we must remember that operating the United Nations costs a lot of money. But not nearly as much money as international strife and chaos. The United Nations is deserving of the continuing support of the world, and of the United States of America.

I urge defeat of the Stearns amendment.

Ms. SCHAKOWSKY. Mr. Chairman, I rise in opposition to the Stearns Amendment. This amendment would set a dangerous precedent in the way that this Nation and Congress approach minority voting rights.

Section 203 of the Voting Rights Act sets specific guidelines and requirements for providing bilingual ballots for political subdivisions with limited English-proficiency populations. The Stearns Amendment would essentially eliminate Section 203 and would discourage and disenfranchise entire populations of American citizens from voting. The Voting Rights Act of 1965 sought to protect the right to vote for those in our Nation whose voices were not being heard, the very same voices that this amendment seeks to extinguish.

Voting is one of the most important duties that citizens perform. It allows citizens to choose who will represent them and who will make decisions on important issues that will impact their everyday lives. Nothing is more fundamental to our democracy than the knowledge that no citizen's right to vote will be hindered.

Any election reform should break down barriers that face minority voters, not increase them. The Stearns Amendment would instead build new barriers to democratic participation for American citizens.

H.R. 9, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization Act of 2006 would extend Section 203 provisions for 25 years, until 2032. I urge my colleagues to oppose the Stearns Amendment, and urge my colleagues on the other side of the aisle to work with Democrats to enact H.R. 9 in order to protect the voting rights of all Americans.

Ms. PELOSI. Mr. Chairman, I rise today in strong opposition to the amendment by the gentleman from Florida, Mr. STEARNS.

Mr. Chairman, the amendment before us seeks to disenfranchise millions of American citizens by placing obstacles on their right—and their civic duty—to vote. The essence of our democracy is the right to vote. No right is more precious.

Section 203 of the Voting Rights Act provides for ballot and language assistance for language minority citizens, so all citizens are fully able to participate in our democracy.

Ballots and procedures are often complex and bewildering, even for those completely proficient in English. To ensure that all are able to participate on free and fair terms, language assistance is vital to protecting the right to vote, especially among Latinos, Native Americans, Asian Americans, and Alaskan Natives.

Impact of Section 203: A key objective of the Voting Rights Act is not only to remedy past and current attempts to suppress the vote, but also to remove obstacles to the right to vote and bolster voter participation among populations where participation has historically been low.

As the Judiciary Committee noted in its recent bipartisan committee report, Section 203 is needed today, and should be reauthorized to continue to achieve its purposes. For instance, after San Diego County provided language assistance, the registration rates among Spanish- and Filipino-speaking American citizens grew by more than 20 percent and registration among Vietnamese-speaking American citizens increased by nearly 40 percent. Likewise, in Apache County, Arizona, enforcement activities resulted in a 26 percent increase in Native American turnout in four years, allowing Navajo Code talkers, veterans, and the elderly to participate in elections for the first time.

The Stearns amendment, however, by preventing enforcement of Section 203, will allow states and localities to discriminate against taxpaying American citizens because of their language ability, and impede their right to vote.

That is wrong. In our country, our laws and our Constitution draws no distinction between American citizens born here or not. In fact, three-quarters of those who are covered by the language assistance provision are native-born United States citizens. The rest are naturalized U.S. citizens.

The opponents of Section 203 claim that the costs are too great. Studies disprove that contention, but costs are not the issue. Securing the right to vote must never—and cannot—ever be considered a burden. It is our moral and constitutional obligation.

The arguments of the opponents of Section 203 are suspiciously similar to the arguments once employed for literacy tests to disenfranchise African American voters. I had hoped we had passed that period in our country's history when such tests were widely used. We cannot permit the use of these tests once again.

Mr. Chairman, we are supposed to unite together as Americans with one voice to reaffirm our commitment on the fundamental subject of voting rights for all of our citizens. Instead, this ugly amendment seeks to undermine that moral and historic commitment. The constant scapegoating of our fellow American citizens—and attempts to suppress their voting rights—must end.

Any diminishing of language assistance is a diminishment of our American democracy. We must defeat this amendment, and affirm our support of Section 203.

The right to vote must never, ever be compromised. Every vote counts—every vote must be counted.

Mr. HONDA. Mr. Chairman, as Chair of the Congressional Asian Pacific American Caucus (CAPAC), I rise today to oppose the Stearns Amendment (#21) to H.R. 5672, FY 2007 Science, State, Justice and Commerce Appropriations Bill.

Section 203 of the Voting Rights Act, or VRA, provides protections to enable every American citizen to exercise their most fundamental and important right—the right to vote. Voting is the most important tool Americans have to influence the policies our government adopts that affect every aspect of our lives. In short, voting is power. Unfortunately, even today, many minority voters face impediments or barriers to voting including language barriers.

The Stearns Amendment (#21) would eliminate funding for Section 203 of the Voting Rights Act (VRA). By eliminating funding for Section 203 enforcement, states and localities would be free to discriminate against taxpaying American citizens and impede their right to vote.

The VRA that includes Section 203 has received bi-partisan support from both Democrats and Republicans in Congress and from

Ronald Reagan to Bill Clinton to George W. Bush. The Tri-Caucus strongly believes the VRA continues to effectively combat discrimination and protect the gains achieved for minority voters.

It is well documented that language assistance is needed and used by voters. For instance, the U.S. Department of Justice has reported that in one year, registration rates among Spanish- and Filipino-speaking American citizens grew by 21 percent and registration among Vietnamese-speaking American citizens increased over 37 percent after San Diego County started providing language assistance.

In Apache County, Arizona, the Department's enforcement activities have resulted in a 26 percent increase in Native American turnout in 4 years, allowing Navajo Code talkers, veterans, and the elderly to participate in elections for the first time.

The Stearns Amendment to H.R. 5672 would undermine the Voting Rights Act reauthorization process and effectively disenfranchise language minority voters through the appropriations process.

Mr. Chairman, I strongly urge my colleagues to vote "no" on the Stearns Amendment (#21) to H.R. 5672, the Science, State, Justice, Commerce Appropriations Act for FY 2007.

Mr. CROWLEY. Mr. Chairman, I rise in opposition to this mean spirited Amendment, which would prohibit any federal funds to be used in enforcing bilingual balloting.

Let's be crystal clear, we are not talking about undocumented residents. These are citizens of the United States. Many of whom have voted you and me into the office that we hold today.

It is apparent that instead of passing meaningful bi-partisan legislation to reauthorize the Voting Rights Act; instead the majority plans to use these little tricks and delaying tactics to disenfranchise ethnic and minority voters.

From not counting votes, forced mid-century redistricting and voter intimidation it is clear now more then ever that the Voting Rights Act must be reauthorized as the original drafters of the legislation intended—including bilingual assistance to voters.

These people have earned the right to vote just like everyone else in this chamber.

I urge my colleagues to oppose this amendment.

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

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

Mr. STEARNS. 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 Florida will be postponed.

AMENDMENT OFFERED BY MS. DEGETTE

Ms. DEGETTE. 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. DEGETTE:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. The amounts otherwise provided by this Act are revised by increasing the amount made available for ''OFFICE OF JUSTICE PROGRAMS—JUSTICE ASSISTANCE'' and reducing the amount made available for ''DEPARTMENT OF JUSTICE—GENERAL ADMINISTRATION—SALARIES AND EXPENSES'', by $3,000,000.

The Acting CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentlewoman from Colorado (Ms. DEGETTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Colorado.

Ms. DEGETTE. Mr. Chairman, the Internet Crimes Against Children Task Forces, or ICACs, are Federal-local partnerships that help track down the perpetrators of online child exploitation.

Ninety percent of this important work occurs at the local level by ICAC investigators all across the country. Their jobs become more important every day as the incidence of child pornography rises to nearly epidemic proportions.

I want to consider these chilling statistics: In fiscal year 2003, ICACs received 3,741 reports of Internet crimes against children. In fiscal year 2004, that number was 24,138. But, Mr. Chairman, in fiscal year 2005, that number was 198,883, an increase of 5,216 percent in just 2 years.

The increase is not just a result of better reporting. It reflects an unthinkable rise in the worst kind of crimes. The ICACs are in need of more funds for three reasons: number one, to increase investigations; number two, to enhance law enforcement training; and, number three, to conduct forensic analysis.

The budget for ICACs has increased incrementally the last few years; and, Mr. Chairman, I want to commend you and the committee for adding $5 million to the Internet Crimes Against Children Tasks Forces, but, frankly, with these increases in the crimes, even if we tripled the ICAC budget, it would still barely manage to keep up with online child pornography.

The extra funding is critical for training, for investigations, for forensic exams, and to stop these terrible perpetrators from committing these crimes against children.

Mr. Chairman, the problem of online child pornography is growing. This amendment will simply increase the budget by $3 million. And I ask my colleagues, what lengths are we willing to go to to save them? I urge a ''yes'' vote on the DeGette amendment.

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

Mr. WOLF. Mr. Chairman, I accept the amendment.

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

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Colorado (Ms. DEGETTE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WEINER

Mr. WEINER. 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. WEINER:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. The amounts otherwise provided by this Act are revised by increasing the aggregate amount made available for ''COMMUNITY ORIENTED POLICING SERVICES'' (consisting of an additional $476,574,000 for grants authorized under section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by section 1163 of the Violence Against Women and Department of Justice Reauthorization Act of 2005), and by reducing the amount made available under the item relating to ''SCIENCE, AERONAUTICS AND EXPLORATION'' for exploration systems (and conforming the aggregate amount set forth in such item, accordingly), by $476,574,000.

The Acting CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from New York (Mr. WEINER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

Mr. Chairman, I offer this amendment with Mr. RAMSTAD and other Members of this body. It is very simple. It takes perhaps the single most important anticrime program of the 1990s and the early part of this decade, the COPS program, and restores the hiring component, which is the portion of the program that puts cops on the beat.

It has been zeroed out in this budget. We are not going to restore it completely to its authorized level, but we at least are trying to put a little more funding in that would allow us to hire about 6,500 additional cops.

For those of you who are unfamiliar with the COPS program, this is perhaps the most democratic, with a small ''D,'' program, anticrime program Congress ever envisioned, from coast to coast, State by State. West Virginia got 692 officers, Virginia got 2,400 officers, Texas got 600, big towns, small cities, all across the country.

This bill zeroes out the COPS program. What we seek to do is to authorize an additional 6,000 or so police officers. The offset that we seek is in the space exploration, the Mars program. We do not zero it out by any stretch of the imagination. We still ensure a large increase in it, about a 10 percent increase.

But this would be a way to take this single crime fighting program, and, frankly, an antiterrorism program, and breathe some life into it. We have already said in this body that we believe the COPS program should live. We reauthorized it. Now this is an effort to put some funds in.

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

Mr. WOLF. Mr. Chairman, I rise in very, very, very, very strong opposition to the gentleman's amendment.

The COPS Program is already $468 million over the request, $57 million over last year. The amendment proposes reductions to NASA that are devastating. If you are opposed to the space program or you do not like the space program or you do not want America to be number one, you ought to support this amendment.

But if you want America to have a strong space program, you ought to strongly defeat this amendment.

Mr. Chairman, I yield to the gentleman from Florida (Mr. FEENEY).

Mr. FEENEY. Mr. Chairman, I thank the chairman for yielding me time; and I especially thank him for his strong support for America's space program. The Weiner amendment would take $477 million from NASA's space exploration budget, essentially would cripple the CEV–CLV program.

Ladies and gentlemen, just so you know what that means, we are scheduled to fly our last shuttle mission in the year 2010. We have a bird on the pad. We hope we get it up July 1 or sometime soon. But we will be down for sure by 2010. We will have no manned space flight program after that unless we continue with the CEV development. This amendment basically wipes out that development in this budget cycle.

I will tell you we need a next generation of vehicles or we will not be in the human space flight business. The Weiner amendment raids the account that is necessary to keep the workforce in place.

If you allow the workforce to disappear from 2010 to, say, 2015 or 2020, you can never replace these people. The expertise that you lose cannot be put back together again. Once Humpty Dumpty and the skilled workforce is dead and depleted, you can never put it back together.

But I am not here just to talk about America's space program. I want to tell my colleagues about a firsthand experience I had. If you are not concerned about space, you ought to be.

I was the first American, along with our colleagues RICK LARSEN and MARK KIRK, invited to see the Chinese human space flight program. They got started in 1995. They are 35 years behind us in time, but they are remarkable in how fast they have caught up in their human space flight program.

The Shenzhou vehicle has flown five times now, twice with Taikonauts that have come back successfully, and they have had extraordinary success. While our workforce is basically keeping healthy a 40-year-old, 30-year-old technology, the young Chinese engineers have put together a remarkable new technology that will be very, very powerful in the future.

Mr. Chairman, I want to read the Chinese announcement of their own human space flight program. They say, by 2007, there will be a series of unmanned satellites from the year 2007 through 2015. Starting in 2017, they expect to have unmanned missions to the Moon to bring back lunar samples. By the year 2024, they say they will have landed men and women on the Moon.

Folks, I think their real schedule is much more ambitious than that. If and when we get back to the Moon under the Weiner amendment, we will be looking at Chinese flags and maybe Chinese bases when we get there.

And if that does not stimulate your competitive interests, I am telling you that they are producing 5 to 600,000 engineers a year, by a factor of 8 or 10 what America is able to produce. Nothing stimulates our math and science brains in middle and high schools more than space exploration. The Weiner amendment would put an end to that.

Finally, I will tell you if you are not worried about human space, China is developing the Long March 5 vehicle. It will be able to take 25 tons into orbit. It is not just their human space capabilities that they are working on. They are trying to get space predominance so that they can potentially incapacitate all of our communications satellite and all of the satellites that America depends on for our force multipliers that allow our military to be the most capable in the world.

Ladies and gentlemen, please do not gut the human space component of America's exploration; and, if you do, be prepared for what happens when the Chinese beat us to outer space.

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

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

Mr. Chairman, first of all, with all of the discussion about China, I am curious, is the crime rate high in China? Is the crime rate high on Mars? No one is saying to zero out the program. I am saying give it a 10 percent increase.

Mr. FEENEY. Will the gentleman yield? He asked a question. Will he yield for a second?

The COPS program has been completed.

Mr. WEINER. It is completed.

Mr. FEENEY. It was intended to put 100,000 officers on the street.

The Acting CHAIRMAN. The time is controlled by the gentleman from New York.

Mr. FEENEY. I apologize. I thought he asked a question.

Mr. WEINER. Apparently, the gentleman from Florida is unfamiliar with the rhetorical question which is so commonly used in New York and frequently in Washington.

Florida got 7,400 police officers under the COPS program. The COPS program was reauthorized in this body for additional hiring. We reauthorized it.

Now I am saying, put a few dollars in there. And I am not saying, do not go to Mars; I am not saying, do not go to the Moon. How about this? Let's make a deal. Let's have a 10 percent increase in that program that is so important. That is a pretty healthy increase. And if we do that, then we do not go from 7,400 cops in Florida to what the bill proposes, which is zero cops in Florida. That is what voting against the Weiner-Ramstad amendment would propose.

We are saying that this is a successful program. When Tom Ridge said that homeland security starts in our home towns, when John Ashcroft said this has been a remarkable program, you know, frankly, it has been a bipartisan, across-the-board success. We have reauthorized it in this body. All I am saying is, breathe new life in it.

I would just remind the distinguished chairman of the subcommittee, that large increase that you described still is zeroing out, I would say to the gentleman from Virginia, the hiring component.

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What the Department of Justice has done is put a whole lot of programs in this one line. The hiring component is zero, none, kaput, despite the fact that we reauthorized.

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

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

Mr. Chairman, I rise in opposition to the amendment not because I not recognize that we need lots of additional dollars in law enforcement and particularly to support our State and local law enforcement, as we have talked about a number of times on the floor today and throughout this session.

This administration made a point of cutting local law enforcement, and it is a travesty because the demand is out there, and there is this real correlation between the reduction in Federal support to State and local law enforcement and an increase in violent crime rates. It is there. We can see it. That is why the gentleman is offering his amendment.

But the bottom line is, we do not have the allocation, and this offset is terrible. I mean, we are trying to keep these programs alive throughout the bill.

The President came forward with a budget that devastated what in the NASA budget? Science. What else? Aeronautics. Well, this amendment would cut an additional, as I understand it, $100 million from NASA. Science, aeronautics would be further cut. These programs cannot survive in NASA with these kinds of cuts. We cannot do it.

We need to restore additional money to law enforcement. There is no question about that. That is a debate that maybe will go beyond this Congress; maybe it will go beyond this appropriation bill, and perhaps that debate should be had across the land. But right now, given the money that we have in the bill, we cannot afford the offset for funding the COPS program or any other State and local law enforcement, and is that not a sad comment?

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

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

Mr. WEINER. Mr. Chairman, first of all, let me just acknowledge that I agree with much of what the gentleman says, except the part about us gutting anything.

What we did is we took the space exploration program and limited the increase to 10 percent. We by no means cut it to last year's level. We by no means slashed it to the bone. What we did is we took a program that grew the most and said, we are going go allow it to grow only 10 percent in the alternative.

I want to point out the program that did get slashed to the bone, which was the COPS hiring component. You know, if you have a COPS program which put 117,000 police officers on the street and you say, we are going to reauthorize it but we are not going to provide any funding to do the hiring component, then we are going to start seeing what we are seeing now, which is, nationwide the seven index crimes are starting to creep up again.

We saw the single best Federal program against crime perhaps in history was the COPS program, and despite the protestations of some of the folks who were here at the time, it was distributed throughout the country. Now the COPS department at Justice in the hands of the Republican party fervently says, you know what, having a COPS program without having hiring in it is like having no COPS program at all.

Also, in the reauthorization, we acknowledged in a bipartisan way some of the weaknesses of the program. Some departments said, you know what, the way it was structured was too limited. They wanted flexibility. We acknowledged that. The chairman, to his credit, and this House, to its credit, overwhelmingly reauthorized that program, but it is a hollow victory if we have the COPS program and no money.

So the offset admittedly is not ideal. I think you and the gentleman from Virginia do yeoman's duty each year trying to squeeze more and more into a smaller bag.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. MOLLOHAN. I yield to the gentlewoman from Texas to speak in opposition to the amendment.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, Mr. WEINER knows that I have voted with him consistently on the COPS program and, of course, am chagrinned to stand here to argue against a program that is so vital, but Mr. MOLLOHAN is correct.

These are tough decisions that have to be made, and the decision that has to be made is whether we want to remain competitive in science and technology, and we have to cut the science programs. It is a bad budget that we have to operate under, but frankly, in the shadow of a pending launch and the commitment to remain at the cutting edge of science that generates out of exploration and technology and science that comes under this particular funding, we are losing ground.

I would hope that we go back to the drawing board and get the money that we need for the COPS program. It is a good program, but this is not the kind of decision that draws anyone to a degree of happiness. This is splitting the baby, and we have nothing when we get through with it.

This is an important program to support, and that is the space exploration, the science programs. The minimum moneys we have and the fact that we have to take moneys for the COPS program, we need to fund it from the President's budget. He needs to fund the COPS program. This is not the way to do it.

I would ask my colleagues to oppose the Weiner amendment.

Mr. Chairman, I reluctantly rise in opposition to my colleague's amendment, not because of the merit of the intent, but because of the harm it does in taking money away from an already under-funded NASA. This amendment would cut $476.5 million from science, aeronautics and space exploration systems. I wish the President's budget had allowed for full funding of the COPS program. The quarral is with the White House not with NASA.

I wholeheartedly support the work of NASA, and I am committed to the future of scientific and space exploration. I am deeply concerned that the amount appropriated in the FY07 budget does not meet all the needs for future space exploration as we move forward in this new century. A lack of necessary budget authority makes scientific innovation and space exploration very difficult. As I have stated before, this Administration has made many bad budgetary choices, including zeroing out the COPS program. However, it is not in the nation's best interest to compound that mistake with this one.

My greatest concern at this point is that we may not allocate enough money or resources to ensure the safety of all NASA astronauts and crew. After the Columbia disaster, safety must be our highest priority and it is worrisome that there is not a noticeable increase in funding to address all safety concerns.

Additionally, I am concerned that pressure to retire the Shuttle by a fixed date to free up resources for other activities, coupled with the need to fly up to 28 Shuttle flights to assemble the Space Station, could—if not handled properly—lead to the types of schedule and budgetary pressures that were cited by the Columbia Accident Investigation Board, CAIB, as contributing to the Columbia accident. I know that this concern is paramount at NASA as we move forward in the future.

NASA has the ability to inspire the generations toward untold discoveries. As always I look forward to working with the good men and women of NASA as we push the boundaries of our world once again.

Thus, because this amendment cuts funding so desperately needed by the researchers, engineers, and innovators at NASA, I cannot support it, and I urge my colleagues to follow my lead.

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

Mr. Chairman, I would simply point out that if we were not immersed in this stupid war in Iraq, the money that we are spending in just 2 months would correct all of the problems we have in all of these appropriation bills and we would not be facing this tradeoff. We could, in fact, afford to do both the COPS program and the space program that others in this chamber would prefer to see us pursue.

But the fact is, our Republican friends have voted for a budget resolution which has imposed these kinds of tradeoffs, and given that fact, I worry a whole lot more about Chinese products wiping out American jobs than I worry about Chinese flags somewhere else in the world, although I do not like either.

Some people attack Members of Congress for having Potomac fever. I think some Members of this House have Mars fever. The fact is, if we are going to make a choice about where to put the best money, right now, I think a far better bet is law enforcement.

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

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

Mr. RAMSTAD. Mr. Chairman, I thank the distinguished ranking member and also my cosponsor. I rise as the cosponsor of this amendment.

President Clinton was right back in 1994 when many of us worked in a bipartisan way to fashion the 1994 Crime Control Act and when community policing was made part of that important legislation. I remember those meetings at the White House, talking about community policing, and President Clinton was right. The COPS program has been a key component of the Federal effort to keep our communities safe, and crime has dropped significantly.

President Clinton was right that community policing works to reduce crime. Ask any cop on the street, whether it is in the Third and Fourth Precincts of Minneapolis Police Department or my suburban police departments in the Third Congressional District, they all say it is shortsighted and counterproductive to underfund this critical law enforcement tool.

I think it is simply wrong to shortchange public policy, and I understand the dilemma faced by the appropriators, believe me. This amendment, the Weiner-Ramstad amendment, would fund the COPS program at its fully authorized level by adding about $476 million for the program.

I understand how painful that offset is to many of you who prioritize NASA, but I think we have to ask ourselves, all of us, the simple question: What is more important, spending more money to fly to Mars or keeping millions of Americans safe here on earth? That is the key question.

As I said, I have seen in my home State of Minnesota firsthand the importance of the COPS program to local

police in reducing crime and improving public safety. The COPS program really does work, and it has helped State and local law enforcement agencies in their hiring, technology, school safety grants, personnel, equipment, training, technical assistance.

In short, the COPS program has been a critical tool in the war on drugs and now in homeland security efforts.

So as cochair with my friend from Michigan, Mr. STUPAK, of the Congressional Law Enforcement Caucus, I encourage my colleagues to support this amendment to increase the funding levels for the COPS program. I think it is critical to all Americans. Certainly Edmund Burke had it right over 200 years ago when he said, the main reason we have government is to keep people safe.

No question the COPS program has kept people safer, and I believe we should pass this amendment to increase the funding here today. By passing this funding, we also honor the sacrifices made each and every day by our country's law enforcement community and give our Nation's finest the support they need.

Again, I thank the gentleman for yielding.

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

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

Mr. WEINER. Mr. Chairman, I thank the gentleman from Wisconsin.

Let me conclude by saying that I have been listening to what has been said, and I think I have got a compromise we can all accept.

What if we pass an amendment that increases the number of COPS by 6,500? There are none in the bill now. We make it 6,500, and we still give a $300 million plus up, an increase of 10 percent in the President's moon and Mars initiative, give an increase in space exploration and COPS program? Sound like a deal?

Well, this is the amendment. That is what the Weiner-Ramstad amendment does. It gives an increase to both. This notion that we are eviscerating a program is just not true. We are taking a program and giving it a 10 percent increase and funding another program that has done this much good around the country. This is the number of police officers around the country.

The CHAIRMAN. The gentleman's time has expired.

The Chair would remind Members that the gentleman from New York (Mr. WEINER) has 1½ minutes remaining on his time, and the gentleman from Virginia (Mr. WOLF) has 1 minute remaining. Who seeks time?

Mr. WOLF. Mr. Speaker, if I yield 1 minute to the gentleman from Florida, then if I strike the requisite number of words, I can get 5 minutes, correct?

The CHAIRMAN. That is correct.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I rise in strong opposition to this amendment, and it is not exactly correct to say this is just going to cut money from the Moon and Mars. We have a program underway to develop a safer, less expensive, more reliable vehicle than the space shuttle, and that is called the crew exploration vehicle. If this amendment goes through, it is going to delay that program; it is going to run up the costs, and it is going to create a situation where we are going to have no way to get men and women into space.

Now, this program, I agree, sounds like a worthwhile program, but frankly, when it got established, I had serious misgivings in the 1990s because I thought we were going to have a real serious problem finding the funding for it on into the future. It was originally sold as just a short-term thing, but as you would expect, people are going to come back.

This is really the Federal Government getting involved in a local issue, and I would say the decline in the crime rate in the United States was because of locking up repeat offenders and not because of the COPS program.

Mr. WOLF. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, do not make any mistake about this. The Weiner amendment will gut NASA. Do not make any mistake. This amendment will transfer the preeminence that we presently have in space to India and others and China especially.

As my friend, Mr. FEENEY, from Florida was saying, China is investing significant amounts of dollars in their program, and their program is not a civil space program.

Our country's economy and success is because we prevailed in doing hard things. That is why we have the technology and the ability to do the computers, the cell phones, the satellites, that NASA helped create.

Do not vote for this amendment. It is the wrong thing to do. Vote down the Weiner amendment.

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

Mr. WOLF. I yield to the gentleman from Alabama.

Mr. CRAMER. Mr. Chairman, I thank the chairman for this time. I am a member of his subcommittee, and I appreciate his leadership and the leadership of the ranking member as well.

I rise in opposition to this amendment, and it troubles me to do that. I was a district attorney prior to my time in Congress, and so I know a little bit about law enforcement and what law enforcement needs.

These programs that are the object of the Weiner amendment, they are important programs, there is no doubt, but the chairman and the ranking member have worked together in a bipartisan manner to restore $1.1 billion in proposed cuts to State and local law enforcement programs.

□ 1900

Now, that is not as much as it should be, but that is a good-faith effort within the budget allocation to get money here. This is the wrong offset. Please vote against the Weiner amendment.

Mr. WOLF. Mr. Chairman, I yield to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Mr. Chairman, I thank the chairman for yielding, and I rise in opposition to this amendment, regrettably for my friend from New York.

I also am a very strong supporter of the COPS program, like my friend from Alabama, a former prosecutor. I have always supported and continue to support the COPS program. But robbing one vital program to support another is not the answer.

Representing Southern California, the home of the Jet Propulsion Laboratory, I have seen the tremendous space science that has come out of our robotic exploration of Mars and out of the entire space program. This has manifest itself in health technology and telecommunications technology. It has had tremendous benefits to all of our constituents.

I don't want to see that research go away. I don't want to see that space science go away. And already there are dramatic cuts and delays in some of the space sciences that we just cannot afford. We have to find a different way to fund the COPS program. Taking the money out of this vital NASA effort is not the answer, and I must oppose the amendment.

Mr. WOLF. Mr. Chairman, let me say that I strongly urge defeat of the amendment. China is using their space program for military reasons. They now have laser beams. For the members of the committee that came to the subcommittee briefing, the closed briefing, you saw where they are. It is frightening. China has 200,000 engineers working on the space program, and we have 75,000.

If the Weiner amendment passed, the nmber of U.S. engineers would drop. America, under the Weiner amendment, would no longer be number one. That would be dangerous to our country and absolutely wrong. So I strongly, strongly urge the defeat of this amendment, which I think would almost guarantee, if it passed and stayed in the law, the loss of American leadership in space.

Mr. WEINER. Mr. Chairman, first of all, let me say that I disagree with very little of what has been said on both sides. I think the chairman and ranking member have done a remarkable job balancing the equities, but it is simply not fair that the COPS program gets zero.

To keep saying that State and local enforcement has got additional funds, let us not forget that we authorized the COPS program at $1 billion. This amendment doesn't seek to fund it at that level, but it seeks to put some money in.

And if you think we are going to lose the edge in space exploration because

we have the audacity to give it a 10 percent increase this year, I just disagree. It is a matter of trying to find a way that we can do both.

We do not gut the space program. We give it a 10 percent increase with the Weiner amendment. But what we do is we make sure that we don't have this. This is what the bill presently has in the number of new cops under the COPS program. None. Zip. Zero.

Crime rates around the country are creeping back up. I heard at least one gentleman over there say, at least he is being honest, he believes that cops deserve no credit for the reduction in crime. It is an unusual position to take. The Fraternal Order of Police, the National Association of Police Associations, and every law enforcement group nationwide supports the Weiner amendment.

What we are seeking to do here is to say, you know what, we can't in the Federal Government be at the sidelines in the fight against crime. We need to be in the game. We need to participate.

The COPS program was a success. Congressman SENSENBRENNER said it. Attorney General Ashcroft said, and I quote, ''Let me say that I think the COPS program has been successful. The purpose of the COPS program was to demonstrate to local police departments if you put additional people, feet on the street, that crime would be affected and people would be safer.''

He is right. I am sure if he were here today he would say support the Weiner amendment. I ask for an ''aye'' vote.

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

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

Mr. WEINER. On that I request a recorded vote.

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

AMENDMENT NO. 20 OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 20 offered by Mr. STEARNS:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used for the design, renovation, construction, or rental of any headquarters for the United Nations in any location in the United States.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from Florida (Mr. STEARNS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

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

My amendment would prohibit funds from the United States being used for the design, renovation, construction or rental of any headquarters for the United Nations in any location in the United States.

I offered this type of amendment 1 year ago, and then I agreed to withdraw it. My honorable colleague, Chairman WOLF joined me in requesting a GAO investigation of the United Nations headquarters renovation. That ongoing investigation has done little to advance our understanding of what the U.N. is doing besides how good the U.N. is at spending our taxpayers' money.

One of the lead experts in the GAO's ongoing investigation, Thomas Malito, testified in the Senate just last week. ''The U.N. is vulnerable to fraud, waste, abuse, and mismanagement due to a range of weaknesses in existing oversight practices.'' That is why I have returned to ask that we withhold funding until the United Nations makes public and transparent its contracting and disbursement information relative to the renovations.

The United Nations estimates that the planned renovation of its headquarters building in New York City would cost $1.7 billion, billion, for a work site that is over 2½ million square feet.

The most expensive building sold in Manhattan, the General Motors building, recently sold for $1.4 billion. The entire U.N. building could be built again for under $2 billion. Still, repair and refurbishing are activities that involve greater financial opportunities, one would suppose.

Now, even if the U.N. cost estimates remain constant, a big if, the U.S. share of renovation would be about $480 million. That would be in addition to our regular annual dues of $423 million, plus all other contributions of nearly $2.4 billion.

The General Assembly has yet to approve a plan amongst the four being considered, but the U.N. has already spent almost $40 million on preferred renovation plans, $20 million in the last month alone, according to the GAO.

The GAO also found that the $1.7 billion cost estimate only scratches the surface of the expected costs. The estimate does not include any of the following: new furniture, at least $100 million per year for an unknown number of years; new security costs, as well as temporary security costs during construction; new phones and information technology systems; and new office equipment.

Moreover, according to the GAO, ''While the U.N. has yet to finalize a specific procurement strategy for the renovation project, to the extent that it relies on current U.N. processes, implementation of the planned renovation is vulnerable to the procurement weaknesses we have identified previously.'' And the GAO continues: ''For example, it has not,'' the U.N. now, ''has not established an independent process to consider vendor protests that could alert senior U.N. officials of failure by procurement staff.'' And the U.N. has yet to establish an independent bid process, something that the U.S. Government has in place and we all take for granted.

In addition, although the U.N.'s Office of Internal Oversight Service, OIOS, has a mandate establishing it as an independent oversight entity and to conduct oversight of the renovation, it lacks the budgetary independence it requires to carry out its responsibilities. The OIOS is dependent on the whims of the very department and program heads it is auditing. The problems with this setup were made plain in the Oil-for-Food program when OIOS was prevented from examining high-risk areas where billions of dollars were subsequently found to have been misused.

Mr. Chairman, I appreciate the patience of my good friend from Virginia, Chairman WOLF, on this amendment, and his approach to the very difficult work of crafting and passing the appropriation bill for this subcommittee. In this case, dealing with the United Nations, we have 61 years of patience, and this patience has to be very frustrating for all of us. But, Mr. Chairman, do we simply continue to grant the United Nations the possibility of continued corruption and possibly graft with this project? I don't think so.

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment; and I would first like to yield 2½ minutes of my time to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. I thank the chairman for yielding; and I want to join him in opposing this amendment.

Really, to support this amendment you have to oppose the U.N., because this goes to the very ability of the United Nations to perform its responsibilities. It has to have a home. It has to have a house. It has to have space to operate in.

The U.N. is old. It is a fire hazard. There is a number of safety concerns associated with it. There is a request in this bill from the administration for $22 million to address these concerns, or our share of these concerns, and I think that a limitation amendment is exactly the wrong thing to do here.

We have had a lot of cuts in this bill, and this kind of a limitation really is a statement that the United States of America does not want to participate in the U.N. into the future. It is just that serious. It has to have a home. It is, in my judgment, not only ill-advised but really silly if you believe we should have a United Nations to begin with.

I oppose the amendment and encourage very strongly that everyone oppose the amendment.

Mr. WOLF. Mr. Chairman, I rise in strong opposition to this amendment, and let me read a letter from our Secretary of State, Secretary Rice.

She says, ''I write in strong support of our contribution to the U.N. Capital Master Plan.'' That is what we are talking about, CMP.

''The U.N. facilities pose a number of serious safety and security concerns for the American and foreign staffs, diplomats, and visitors.'' Many of these are American citizens. ''In particular, the U.N. facilities do not,'' do not, ''meet fire and life-safety building codes or modern security requirements. We support the renovation of the facilities to address these deficiencies.

''The Department remains strongly committed to ensuring transparency and effective oversight of the project. We have worked closely with U.N. Under Secretary General Chris Burnham,'' who is an American, ''to take steps to strengthen internal controls of the CMP. In particular, Under Secretary General Burnham, with our support, has set up a U.N. CMP Project Office as an independent office reporting to him. The U.N. CMP Project Office has allowed access to project documents and review of ongoing work. And, the CMP Project Office has used a value engineering process and third-party contractor reviews of design documents to improve cost and quality control.

''We realize this will be an ongoing effort and are committed to close U.S. Government monitoring of the project's implementation throughout its life span. I urge full funding for this important renovation project.''

What if there were a fire at the U.N.? What if something happened and we were to deny this money?

I have been as critical of the U.N. as anybody for their failure to deal with the issue of Darfur and things like this. They stood by and allowed Srebeniza to take place. They stood by and allowed Rwanda. But I am not going to stand by and allow the building to crumble and not have safety conditions in the building.

So I ask you, before you vote on this, take a minute to look at the letter of the Secretary of State. The administration is not for the Stearns amendment. It is a safety issue not only for American citizens but also the foreigners at work in the building. But also American visitors. If you go to the U.N., there are many tourists that go through the building.

So I strongly urge a ''no'' vote on the amendment; and again I urge you, if you have any doubts, come over and read the letter from Secretary Rice. It is a safety issue.

I urge defeat of the Stearns amendment, and I yield back the balance of my time.

□ 1915

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

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

Mr. STEARNS. 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 will be postponed.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from New Jersey.

Mr. ROTHMAN. I thank the distinguished ranking member for yielding and would ask to enter into a colloquy with the distinguished chairman of the subcommittee, the gentleman from Virginia (Mr. WOLF).

Mr. Chairman, recent data released by the FBI shows violent crime on the rise for the first time in 15 years. The violent crime rate rose 2.5 percent across the country. Areas of New Jersey, including the cities of New York and Jersey City have disproportionately high rates of crime, two to three times more than the average national rate.

These cities, while only about 5 miles apart are the two largest cities in my State. Preliminary data for 2005 shows that the violent crime rate for Jersey City, New Jersey, is 1,302 crimes per 100,000 people and the violent crime rate for Newark, New Jersey, is 1,008 crimes per 100,000 people. The national average is significantly lower, 478 violent crimes per 100,000 people, less than half of Newark's and Jersey City's.

These high levels of violent crime, including murders, rapes and aggravated assaults, tear families and communities apart. Just this past Sunday evening, at least two people were killed and eight injured in four separate shootings in Newark.

Mr. Chairman, it is my understanding there is $16 million in the bill for 15 violent crime impact teams. These teams of ATF agents, U.S. Marshals, DEA agents and Federal prosecutors work together to reduce violent crime for an area. Will you, Mr. Chairman, work with me to direct one or more of the violent crime impact teams to these areas of New Jersey?

I yield to the chairman.

Mr. WOLF. I thank the gentleman. I completely agree with what he said. I appreciate his efforts to combat violent crime, and I am happy to do everything I can to work with the gentleman and the ATF to address the crime in New Jersey. Quite frankly, there ought to be an office in New Jersey.

I thank the gentleman, and will try to help.

AMENDMENT OFFERED BY MRS. JONES OF OHIO

Mrs. JONES 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 Mrs. JONES of Ohio:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available under this Act may be used for operation of the National Contact Center (NCC) of the Equal Employment Opportunity Commission.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentlewoman from Ohio (Mrs. JONES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio.

Mrs. JONES of Ohio. Mr. Chairman, my amendment would prohibit any funds under this act to be used for the operation of the National Contact Center of the Equal Employment Opportunity Commission, something that was created and has already failed, and now they want to make it permanent.

As a result of the support that I enjoy from my colleagues, I yield 1½ minutes to Congresswoman ELEANOR HOLMES NORTON. Congresswoman NORTON was the former member, actually Chair, of the Equal Employment Opportunity Commission.

Ms. NORTON. I thank the gentlewoman for her initiative. As a former chair of the EEOC credited with bringing efficiencies that eliminated the backlog, I strongly support her amendment. The efficiencies that I brought to the commission included settling cases. At first, they were controversial, but the civil rights community focused in and around them. When the remedy rate increased, the businesses were very grateful for them because they got them out of the city.

The call system is not such an efficiency. It makes work that has not saved either work or money. Callers instead want to get to somebody who really knows something, the way when you have a recording or a customer service person and you say, let me speak to a real person who can tell me some real information.

Meanwhile the Nation's civil rights enforcement agency is being dismantled. What other agency has lost 20 percent of its staff since this administration took power? What kind of message is the 109th Congress sending to civil rights. Eliminate the call center. Let trained staff do their work.

Mrs. JONES of Ohio. Mr. Chairman, at this time, I yield 1½ minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Chairman, I am honored to support this amendment because it properly refocuses the mission of the Equal Employment Opportunity Commission. The goal is to ensure that all Americans are protected against discrimination in the workplace, and to do this, we should make sure that EEOC offices are properly staffed with workers to handle complaints and assist employees in taking action.

Instead, the current chair has pushed for the development of this National Contact Center. In effect, we are outsourcing the protection of civil rights on the job to entry level personnel who rely on scripts instead of expertise. The National Contact Center, which costs $2.5 million annually, continues to have a backlog of cases. The caseloads grow. The staff has expressed great frustration in dealing with this new structure.

In fact, 91 percent of the employees when surveyed reported that the process required through the call center is as long or even much longer than when calls come directly through the field offices. That doesn't sound like a streamlined process to me.

Focusing resources into the contact center is directly inhibiting the EEOC's ability to perform its duty of protecting victims of discrimination. I urge passage of this amendment that we may end wasteful spending and refocus our energies in hiring more qualified staff on the ground where the workforce is.

Mrs. JONES of Ohio. Mr. Chairman, I reserve the balance of my time.

Mr. WOLF. Mr. Chairman, I rise in opposition to the gentlewoman's amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. WOLF. In 2003, the National Academy of Public Administration, NAPA, completed a study recommending the creation of the EEOC National Contact Center. So NAPA, a nonpartisan, bipartisan group, has recommended that the call centers, which the gentlewoman wants to shut down, be established.

Following a 6-month startup period, the National Contact Center handled 402,383 inquiries in a 12-month period in addition to the 118,322 hits on frequently asked questions. The National Contact Center staff handled 302,622 of these inquiries, resolving 70 percent without further involvement of EEOC field staff.

Also, it has been said, if you shut these call centers down, the technology that EEOC would have to have would cost anywhere from $10 to $12 million. Currently, the volume of inquiries coming into the National Contact Center is increasing as field offices have begun to route their calls through the contact center.

By handling these inquiries, the National Contact Center has not caused any further staff reductions but rather has freed up EEOC employees to devote more time to the critical functions of mediating, investigating and litigating charges.

I do agree it has to be monitored, but to that, I believe the staff and Mr. MOLLOHAN's staff have worked together to provide oversight in this regard. The report accompanying the bill includes language to require the commission to implement the recommendations of the Inspector General. We are working to ensure a better EEOC National Contact Center, but prohibiting the funds for the center would increase the workload on the EEOC front line, detract from the people that are helping. So I urge a ''no'' vote on the amendment.

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

Mrs. JONES of Ohio. Mr. Chairman, in all due respect, that is not what the IG report, in fact, stated. It stated that the EEOC backlog continued to accelerate with 39,061 unresolved cases in 2006. In fact, they are up from 33,562 in 2005. It only saves the agency six full-time positions. The contractors do not understand their role as an agency. That is the report of the IG.

The importance that I need to bring to your attention, sir, is that a contract center for equal employment opportunity complaints is not like a contact center for your utility bill or your telephone bill or your gas bill. This is about employment discrimination in jobs across this country.

Having worked as a trial lawyer for the EEOC, as a person who worked in the Equal Employment Opportunity Commission, I know that the contact center is not the place in which you want to resolve your claims. If you had an age discrimination claim, you wouldn't want to do it over the telephone.

So what I am suggesting to you is, the reason I am opposing these contact centers is because it is not giving people the opportunity to do what they really do need to do, which is have the opportunity to talk with a person who is experienced. It is like all the centers now who are using India in order to take calls from people in America, and you have to explain four or five, six times. I don't have anything against Indians. But in order to make my complaint, I want to make sure that I have someone who is experienced and knowledgeable of the Equal Employment Opportunity Commission and the laws and what I need to do.

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

Mr. WOLF. Do I get to close?

The CHAIRMAN. The gentleman from Virginia has the right to close.

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

Mrs. JONES of Ohio. I want you to note, recently the Washington Post published preliminary findings of a study commissioned by the EEOC which highlighted various concerns by job performance commissions, recommended significant changes, significant changes, or that the national call center be eliminated. I agreed with them that the center should be eliminated, that people across America who have claims with regard to employment ought to have the opportunity not to deal with the call center but to deal with an experienced employee who has worked with the Equal Employment Opportunity Commission and has the background and experience to take those claims.

I want to thank my staffer, Terence Houston, for all the work he did in helping us put this amendment together. I thank you for the opportunity.

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

Mr. WOLF. I urge a ''no'' vote on the amendment. But what I would like to do, this is a pilot program, and the pilot, if my memory serves me, ends in September of this year, September of 2006, so the pilot has not finished.

So to destroy the pilot before the pilot is finished, what I would like to do is, when we finish the pilot in September or maybe even we could try to expedite it a little bit to see, is to invite the gentlewoman up and ask NAPA to come up with us and sit down and have NAPA take a look at that, maybe at an appropriate time.

But I think the pilot has to go. NAPA is a very good organization. We have used the NAPA people with regard to the reorganization of the FBI and many other agencies.

What I would ask is we have a ''no'' vote. At the end of the pilot, in September, I am going to remind the staff; we will call NAPA up, also call the EEOC. I would invite the gentlewoman to come to the meeting and kind of see where we are. Fortunately, we will still have time to kind of deal with the issue, because I don't believe that we will be in conference by then.

But we are in the middle of the pilot; you don't kill it while the pilot is still operating. This is the National Academy of Public Administration, which so many individuals have used so many times.

Mrs. JONES of Ohio. Mr. Chairman, would you yield for just a moment?

Mr. WOLF. Yes, I would yield.

Mrs. JONES of Ohio. The reason I am making the amendment, I brought up the amendment, is the proposal is to make the NCC permanent before the pilot is over with. That is why I am screaming and hollering. If you are saying to me that it is not going to be made permanent by this bill and that we will have an opportunity after the pilot is completed to have a conversation about this and make sure things are taken care of, I am willing to work with you. I would love to be able to wait until the pilot ends before we make an amendment.

Mr. WOLF. I can't answer that. The staff said they are going to vote. But what I would like to do tomorrow is write the commission or ask the commission that they not vote in July to make it permanent until the pilot is finished.

Mrs. JONES of Ohio. I would love to join you in a letter like that.

Mr. WOLF. Does that mean you withdraw the amendment?

Mrs. JONES of Ohio. Let me just say this, if I have the assurance of the chairman, and I have not worked with you before, but I know that you are a man of your word, you are willing to work with me to try to keep it from being permanent until we hear what is happening with the pilot, I will withdraw my amendment.

Mr. WOLF. Yes. I would do that. I would also ask if we can ask the National Academy of Public Administration also be part of that process.

Mrs. JONES of Ohio. If you would allow me, I would love to have my colleague, Congresswoman NORTON, join me. She was a former commissioner and worked with the Equal Employment Opportunity Commission.

Mr. WOLF. Sure.

Mrs. JONES of Ohio. Mr. Chairman, I ask unanimous consent to withdraw my amendment based on the comments of the Chair.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

AMENDMENT OFFERED BY MR. GINGREY

Mr. GINGREY. 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. GINGREY:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in title IV of this Act may be used for negotiating the participation of additional countries under the visa waiver program described in section 217 of the Immigration and Nationality Act (8 U.S.C. 1187).

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from Georgia (Mr. GINGREY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

□ 1930

Mr. GINGREY. Mr. Chairman, I believe our Nation needs to secure its points of entry and we need to do it now. Specifically, I believe we should prevent any additional countries from joining the United States Visa Waiver Program until we have the technical and human resources to secure our points of entry. And that is my amendment. I do not believe our Nation can afford the security risk of allowing more visitors to the United States without screening them prior to arrival. This amendment would prevent funds from being used to negotiate additional visa waiver countries.

Mr. Chairman, the State Department would not be using funds to negotiate new visa waivers until the machine-readable and tamper-resistant biometric identification standards on passports that were mandated by the PATRIOT Act and the 9/11 Act in 2004 as the cornerstone of this entry-exit system are fully operational. There are currently 27 visa waiver countries, and I believe it is simply too risky to negotiate additional countries without first having our security screening system in place.

Mr. Chairman, we cannot allow additional visa waiver countries which could provide more opportunities for terrorists to breach a loophole in our security. How long will it be before Immigration Customs Enforcement, ICE, the Air Marshals, or TSA, Transportation Security Administration, misses the next Richard Reid?

Mr. Chairman, I understand concerns about how spending or limiting the Visa Waiver Program may adversely affect cultural exchange or possibly hurt the airline and tourist industry. However, at what point are we willing to risk security for new pen pals and business as usual?

Habib Zacarias Moussaoui, a French citizen of Moroccan descent and a name we all know very well, used his French passport without a U.S. visa on February 23, 2001, to fly from London to Chicago and on to Oklahoma City where he began flight training at an aviation school. On August 16, 2001, the INS arrested Moussaoui because he remained in the United States well beyond the 90 days allowed for the Visa Waiver Program entrants and was in violation of the requirement that Visa Waiver Program travelers enter for business or tourism.

Had INS and law enforcement not been on top of their game, Moussaoui could have been a part of the 9/11 attacks, thanks to a visa waiver. In fact, we have referred to him as the twentieth hijacker.

So, Mr. Chairman, the Visa Waiver Program was only designed to be a temporary program for a small and a select group of nations, starting with the UK, Japan and France in 1986. Today, 27 countries are eligible under visa waivers, opening the door widely for unscreened terrorists to attack the United States. Twenty-seven countries are enough to keep ICE and TSA exceedingly busy. Do we really need to fund efforts to add a 28th and 29th country to their list of responsibilities?

I just don't want to see our Nation attacked because we couldn't carry through with our commitments to security first.

So, Mr. Chairman, I ask my colleagues, please support this Gingrey amendment.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, I have great respect for Dr. Gingrey. We have talked about this amendment prior to him bringing it up; and I know he is very, very sincere. But there is more that has to be told about the visa waiver and the success of not the program itself but in the way in which it is moving to get to an arena where we all want it to be, where we want biometric passports, where we want identification.

I chair the Baltic Caucus. The Baltic Caucus has about 45 Members of this body. The Baltic countries are Estonia, Latvia and Lithuania. Some of the newly emerging democracies have only been in existence after the fall of the Soviet Union, and yet they are some of our strongest allies in the war against terror. They have had successful integration into NATO, NATO membership. They are members of the European Union. They have soldiers that have not only fought and died in Afghanistan but also in Iraq. In fact, Lithuania is leading one of the provincial reconstruction teams. These countries are doing everything that we are asking them to do as a nation, as part of the coalition of the willing.

How does this relate to visa waiver?

Well, we have other allies who aren't part of the coalition of the willing, who already have this venue of visa waiver. So what kind of message are we telling these new emerging democracies, those that are, by percentage of soldiers, committed by far outstripping some of the larger countries that are part of our alliance? We say, these countries have this visa waiver process, but you can't have access to that; and I would say that that sends a terrible signal that we, in essence, now are asking some of our strongest allies, and we are discriminating against them.

And the point that really, the point about the amendment is that Chairman SENSENBRENNER, I think, is going to come down and speak on this amendment. We disagree on some of this visa waiver debate. I would like to see it happen now.

He wants to proceed on the plan with the State Department which says there has got to be a road map. Let's bring in these new countries, but let them meet these requirements, requirements like recidivism. Get their numbers down. Process like biometric passports, things that countries that have visa waiver now aren't even required to do.

So when you pull the money and freeze it from the developing of the road map, then what you are, in essence, doing is stopping the encouragement of people to do the very things we want to do to secure our borders.

So, with that, I am going to strongly oppose this amendment.

I would like to yield to my colleague from Chicago for as much time as he may consume, Mr. LIPINSKI.

Mr. LIPINSKI. Mr. Chairman, I completely understand the concerns that the gentleman from Georgia has, talking about the potential that this could have if we would just open up the Visa Waiver Program to any country, to open it up wide.

But there are specific countries, Poland, for example. Poland was included in the Senate Immigration Reform bill. Poland has been a great ally of the United States, has been a fantastic ally, has given troops to the war on terror; and, as Mr. SHIMKUS said, I believe that this would be a very bad signal to say, no, no more countries can be included here, even on a temporary basis, even if we put all these other restrictions on. So I think we need to continue to allow other countries to possibly be accepted into the Visa Waiver Program.

So I understand the concerns with terrorism, concerns with protecting our country. Security needs to be up there foremost. But part of security is also bringing in more of our allies.

So I urge my colleagues to oppose this amendment.

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

Mr. GINGREY. Mr. Chairman, I have tremendous respect for my colleague from Illinois; and I know his passion for the Baltic countries and particularly Lithuania. And this is not about them. This is not about any specific country, although there are two that are in line to expand this Visa Waiver Program from the current 27 to 29. It is not the Baltic countries. But we are in a situation where we have got to accept the reality of the risk that we are in.

If I really had my way, I would like to see the Visa Waiver Program completely suspended, all 27 countries suspended. In fact, I have introduced a bill to that effect and brought that amendment to the 9/11 bill. And I had a colloquy then, withdrew that amendment with the agreement that hearings would be held and this issue would be addressed.

The 9/11 bill in 2004, the PATRIOT Act called for making sure this entry-exit system and the biometrics on the passports were secure by a date certain. We are beyond that date certain, Mr. Chairman. And now, from these countries, no, they weren't coalitions of the willing, but France certainly has been our friend and for the sake of tourism, but we can't afford to continue to do that in this time.

I urge my colleagues, I beg my colleagues to support my amendment.

I yield back.

Mr. SHIMKUS. Mr. Chairman, I will just end in saying it is about these new emerging democracies. It is about our friends, the smallest countries and the new emerging democracies and the former captive nations. If anyone understands freedom and democracy, it is the governing officials of these Baltic countries who had fathers and grandparents enslaved in Siberia. They know what it is about to defend and fight for freedom. And you know what? They have chosen sides. And you know whose side they have chosen? They have chosen the United States.

What this amendment does is just like capital formation. You show that there is no ability of return, you lose the investment. And this is a loss of investment for our friends.

Mr. CROWLEY. Mr. Chairman, I rise today in strong opposition to the amendment offered by the gentleman from Georgia Mr. GINGREY. His amendment would deny any Federal funding to negotiate the addition of other countries to the U.S. Visa Waiver Program.

This amendment would essentially kill the expansion of the U.S. Visa Waiver Program, something that I believe is a diplomatic mistake for our country to undertake.

The Visa Waiver Program enables nationals of certain countries to travel to the United States for tourism or business for stays of 90 days or less without obtaining a visa. The program was established in 1986 with the objective of promoting better relations with U.S. allies, eliminating unnecessary barriers to travel, stimulating the tourism industry, and permitting the Department of State to focus consular resources in other areas.

Currently there are 27 countries participating in the Visa Waiver Program, all strong allies of the United States. Currently South Korea is seeking to become part of the Visa Waiver Program. We have very strong economic, cultural, and diplomatic ties with South Korea and the time has come to expand that relationship further to include the citizens of South Korea under the Visa Waiver Program.

While the sponsor of this amendment states the Visa Waiver Program makes the USA less safe, I argue the exact opposite. Not all countries participate in the Visa Waiver Program, and not all travelers from Visa Waiver Program countries are eligible to use the program. Visa Waiver Program travelers are screened prior to admission into the United States, and they are enrolled in the Department of Homeland Security's U.S.–VISIT program.

The reason this program is needed is that processing visas in some countries can tie up about 80 percent of American Embassy and Consulate resources. If we extended the Visa Waiver Program to countries that have met the requirements and conditions set by our Department of State, we can free up much needed resources and devote them to other tasks such as: stopping terrorists, combating illegal immigration, drug trafficking, human trafficking, and weapons proliferations.

To stop funding the Visa Waiver Program, is wrong and dangerous for Americans.

As a Representative from one of the most diverse districts in the United States, I know first hand the contributions that our naturalized citizens can make to a community.

I have constituents, that would like their families to legally come, visit and enjoy the United States, but are having a difficult time because the visa application process has become arduous and too time consuming. On the behalf of my constituents, I say that we must expand and continue the Visa Waiver Program.

I oppose this amendment and urge my colleagues to oppose this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. GINGREY).

The amendment was rejected.

AMENDMENT OFFERED BY MR. LIPINSKI

Mr. LIPINSKI. 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. LIPINSKI:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. For ''OFFICE OF JUSTICE PROGRAMS—STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE'' for the Law Enforcement Tribute Act program, as authorized by section 11001 of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273), and the amount otherwise provided by this Act for ''DEPARTMENT OF JUSTICE—GENERAL ADMINISTRATION—SALARIES AND EXPENSES'' is hereby reduced by, $500,000.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from Illinois (Mr. LIPINSKI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. LIPINSKI. Mr. Chairman, I rise in support of this bipartisan amendment to provide $500,000 in funding for the Law Enforcement Tribute Act program. This program provides one-time grants to help State and local governments complete permanent tributes that honor the men and women of law enforcement and public safety who have been killed or disabled in the line of duty.

I would like to thank the gentleman from Virginia (Mr. DAVIS) and the gentleman from California (Mr. SCHIFF) for their cosponsorship of this amendment. This amendment would simply restore the funding for this program to the fiscal year 2003 level.

There are currently 17,535 names engraved on the walls of the National Law Enforcement Officers Memorial in Washington, including 72 who were killed on 9/11, so many heroes who have given their lives to protect our families.

Many communities also want to honor their local law enforcement heroes with memorials or other permanent tributes. This program provides support to States and localities to help them do this. Without this support, many of them could not provide these worthy tributes.

Mr. Chairman, law enforcement and public safety officers dedicate their careers and their lives to protecting us. Tributes provide us with a constant reminder of the sacrifices that they have made. The least we can do is help local communities honor these brave heroes.

I urge my colleagues to join us with their support.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, the committee has no objection to the amendment and is prepared to accept it

Mr. LIPINSKI. I thank Chairman WOLF, Ranking Member MOLLOHAN for their support on this amendment; and I thank them for accepting the amendment.

Mr. CULBERSON. We commend the gentleman for his amendment and are willing to accept it.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I rise today in support of this amendment restoring funds for the Law Enforcement Tribute Act Program to its FY03 funding level of $500,000.

Mr. Chairman, only seven weeks ago, the Fairfax County Police Department suffered the loss of two officers in the line of duty, the first fatal shooting in the department's long history.

As I join the Fairfax County community in mourning the loss of Master Police Officer Michael Garbarino and Detective Vicky Armel, I also have in my thoughts the roughly 740,000 officers nationwide who put their lives on the line for the safety and protection of others on a regular basis.

Mr. Chairman, every day, we are honored by the service these men and women give to our communities. This amendment will allow us to give those who sacrifice the most for our community and safety the recognition they deserve. I am pleased that the chairman has agreed to accept the amendment.

Mr. SCHIFF. Mr. Chairman, hundreds of thousands of men and women each day put

on a uniform and put their lives in danger to protect our neighborhoods. Just last year, 154 police officers were killed in the line of duty in the United States. There were 17 police officers who were killed in the line of duty in 2005 in my home State of California, alone. These are men and women who serve us bravely and with distinction, and they will not be returning home to their families.

When I introduced the Law Enforcement Tribute Act in 2001, the city of Glendale had wanted to honor Officer Lazzaretto as well as three other police officers and one sheriff's deputy that had been killed in the line of duty. Chuck Lazaretto was tragically killed in a shooting in May 1997. Because of this House's support, we enabled Glendale to place a memorial honoring its fallen heroes outside its new police department headquarters.

The parameters of LETA are very simple. Maximum grants are $150,000, and they must have at least a 50 percent local match. This amendment would appropriate $500,000 for fiscal year 2007.

In addition to the memorial that was erected in my district, the Law Enforcement Tribute Act program provided funds in 2004 to 17 local law enforcement memorials all over this Nation, including memorials in Tacoma, Washington; Fairbanks, Alaska; Tucson, Arizona; and Memphis, Tennessee.

It is a fitting tribute for the Federal Government to continue to provide a small amount of assistance to honor these fallen heroes.

I ask for my colleague's support in honoring the fallen men and women of law enforcement, and restore funds for the Law Enforcement Tribute Act Program to its FY 03 funding level of $500,000.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. LIPINSKI).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MCCAUL OF TEXAS

Mr. MCCAUL of Texas. 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. MCCAUL of Texas:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to fund a United Nations peacekeeping mission if an individual who is participating in that mission is under investigation for alleged human rights abuses, including sexual exploitation, and that individual has not been removed from that mission for the duration of that investigation.

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

The CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from Texas (Mr. MCCAUL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. MCCAUL of Texas. Mr. Chairman, I yield myself such time as I may consume.

I rise to offer this amendment, which will prevent individuals who are under investigation for human rights violations, including sexual abuse, from participating in current peacekeeping missions.

The underlying bill includes good language that will prevent funds in the bill from being spent on new peacekeeping programs until the allegations of human rights violations have been investigated and the guilty have been purged. My amendment simply expands on this initiative and makes current U.N. peacekeeping missions accountable for human rights violations.

Over the past year, several cases of human rights abuses, specifically sexual exploitation and abuse, by individuals involved in U.N. peacekeeping operations have raised the suspicions of many Members of Congress and members of the International Relations Committee. The U.N. Office of Internal Oversight Services has opened an investigation into these allegations, and the evidence in several of these cases is compelling and very disturbing. Sadly, in some cases, the U.N. has failed to remove the accused individuals from their posts, leaving them in a position to continue abusing innocent victims. Whatever the world gains by placing peacekeeping forces in an embattled country or region we lose tenfold by having deviant and abusive members of the peacekeeping force exploit the local populations.

Peacekeeping funds are an important and necessary part of what America does for humanity and the rest of the world. It is a worthwhile cause and a very important resource in spreading American goodwill to other nations. However, I believe the U.N. peacekeeping program must be reformed and Americans should not be spending their valuable tax dollars on the program until this serious problem has been fixed.

I thank the chairman for allowing me to discuss this issue. I understand it is subject to a point of order, and I will withdraw my amendment with the hope that the chairman and ranking member will address this issue in conference and in future appropriations bills.

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

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

There was no objection.

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:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. The amounts otherwise provided by this Act are revised by increasing the amount made available for ''VIOLENCE AGAINST WOMEN AND PROSECUTION PROGRAMS'' (consisting of an additional $2,000,000 for grants to assist children and youth exposed to violence, $2,000,000 for services to advocate for and respond to youth, and $1,000,000 for the national tribal sex offender registry, as authorized by sections 41303, 41201, and 905(b), respectively, of the Violence Against Women and Department of Justice Reauthorization Act of 2005, and $5,000,000 for grants for sexual assault services, as authorized by section 2014 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by section 202 of the Violence Against Women and Department of Justice Reauthorization Act of 2005), and by reducing the amount made available for ''DEPARTMENT OF JUSTICE—GENERAL ADMINISTRATION—SALARIES AND EXPENSES'', by $10,000,000.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentlewoman from Connecticut (Ms. DELAURO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

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

This amendment, which I offer with Mr. INSLEE, would provide $10 million for several newly authorized Violence Against Women Act programs, including $2 million for children exposed to violence, $2 million for youth services and $1 million for the national tribal sex offender registry, as well as $5 million for the Sexual Assault Services Program.

The House last year voted almost unanimously to reauthorize the Violence Against Women Act, which dedicated $50 million for the Sexual Assault Services Program, funding vitally needed. It was the first Federal program to provide direct funding for counseling, legal accompaniment, training for law enforcement, and the prevention and education services that rape victims rely on.

Sexual violence remains a problem in this country. Rape remains the only violent crime to still be on the rise. One out of every six women are raped or sexually assaulted in their lifetimes, more than 200,000 in 2004 alone. Worse, only 36 percent of victims say they reported the crime to the police.

Those most likely to be raped or sexually assaulted are young women between the ages of 16 and 24, women with their whole lives ahead of them. This one act of violence will alter their lives forever. But absent proper treatment and timely counseling, it could destroy any possibility of a healthy life, resulting in depression, addiction, eating disorders and even suicide.

The need to take action is now. When Congress recognized the need to authorize this program, it was one time when we spoke with one voice in this

body. While the program was authorized at $50 million, the underlying appropriations bill includes no funding for it whatsoever.

We can take a small step toward following through on a commitment for direct services with this amendment, to get funding where it is needed most, to rape crisis centers.

Let us start to truly make go ahead on this commitment that we made. And by simply redirecting $5 million from the Department of Justice general administration account to this program, we can give these women hope that there are better days ahead.

Let us pass the amendment and let us do it today.

Mr. Chairman, I yield the balance of my time to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Chairman, we know two things about domestic violence and violence against women. Number one, it is still at epidemic levels across our Nation. And, number two, it is almost an inherited trait where children who are exposed to domestic violence themselves become perpetrators frequently. Ten million children a year are exposed to domestic violence in our country, and we know that men who have experienced it and viewed it as children are twice as likely to become perpetrators themselves.

So one aspect of this bill is to fund a portion of the Violence Against Women Act to break that chain, nip this in the bud, stop that chain from continuing across multiple generations. The other part of our amendment will make sure that we treat children. Teenagers are a special group that are increasingly submitted to sexual harassment, sexual abuse and domestic violence themselves. These are bills that we need to get funded. Third, this will deal with the tribal problem. We need to have a tribal registry for sexual abuse.

And just in conclusion, there will come a day, I hope, where we fathers are successful in teaching our sons that it is unmanly to abuse women. That is an obligation upon all of us as fathers. But as part of that, I am happy today and I hope this amendment will pass. It will fulfill our obligation in Congress to help break this chain of domestic violence.

Mr. CULBERSON. Mr. Chairman, the committee has no objection to the amendment and applauds the authors for its intent and for bringing it to the House tonight and are prepared to accept it.

Ms. DELAURO. Mr. Chairman, we thank the gentleman, and we appreciate the opportunity to move forward on this issue.

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

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MCCAUL OF TEXAS

Mr. MCCAUL of Texas. 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. MCCAUL of Texas:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to fund the administration and operation of the United Nations Human Rights Council while countries designated as state sponsors of terrorism by the Secretary of State are members of the Council.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from Texas (Mr. MCCAUL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. MCCAUL of Texas. Mr. Chairman, I yield myself such time as I may consume.

I rise today to offer this amendment, which simply seeks to prevent the funding of a Human Rights Council that represents state-sponsored terrorists.

Currently, the United States provides 22 percent of the U.N. annual budgets, over $900 million in fiscal year 2007, and some of that funding goes to the Human Rights Council. My amendment states that no funds in this bill may be used to fund the administration or operation of the Human Rights Council while countries designated as state sponsors of terrorism remain as members of the council. The reforms to the Human Rights Council by the United Nations over the last year are purely cosmetic and without substantive change.

Today, countries that sponsor terrorism and countries that have atrocious human rights records still remain on this council, and the American taxpayer funds them. And in my opinion, that is unacceptable. Any Human Rights Council reform that allows countries that sponsor terrorism to remain as members, such as Cuba, is not real reform. And in the past, countries such as Libya, Iran and Syria have participated on this council.

Additionally, any Human Rights Council reform that allows countries with despicable human rights records to remain as members, such as China and Saudi Arabia, is not real reform. I believe that it would not only be a waste of America's valuable tax dollars, but it would be an insult to some of our taxpayers who are also soldiers who have fought so hard to defeat terrorism worldwide. It is an insult to elevate countries that sponsor terrorism to a position of authority over other countries for human rights abuses.

Until the United Nations engages in true reform to defeat terrorism, we should send them a strong message through this amendment by cutting off U.S. funding to the Human Rights Council.

I urge all my colleagues to support this commonsense amendment which will work to prevent terrorism worldwide.

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

Mr. DELAHUNT. Mr. Chairman, I rise to claim the time in opposition to the gentleman's amendment.

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

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

It is unfortunate that the United States did not participate in the establishment of the Human Rights Council. We were one of four nations out of over 170 that did support it who opposed it. But following the elections to the Human Rights Council, the Assistant Secretary of State for International Organizations, Kristen Silverburg, had this to say: On the whole, we think this demonstrates some progress. Those are her words.

And the truth is that the Human Rights Council is an improvement over the discredited Human Rights Commission. Is it perfect? Of course not. But it does require candidates to be elected for the first time by an absolute majority of the General Assembly, not through selection. It also requires that those who serve on the council have their human rights records regularly reviewed and allows the human rights abusers to be suspended from the council. And the reality is that the only member of the council that is on the list of state sponsors of terrorism is Cuba. Sudan, Syria, Libya, Iran and North Korea were kept off. And the dominant majority of its members are democracies.

I note that my friend and colleague from Texas, the proponent of the amendment, sent around a ''dear colleague'' about his amendment, and therein was a statement that a council that includes China does not signify reform. Well, I would submit that that puts him at odds with our ambassador to the United Nations and the Bush administration. Because Ambassador Bolton has initially suggested that the five permanent members of the Security Council, which clearly includes China, automatically be given membership on the Human Rights Council. And the administration subsequently, through Ambassador Bolton and Secretary Rice, have publicly committed to work with the council to make it effective.

If the United States turns its back on the council, it will condemn the principal international human rights forum to failure and allow the handful of bad apples that remain in the body to dominate it.

Instead, the United States should work with the 37 democracies elected to the 47-member council to strengthen and depoliticize it and ensure future elections to the council exclude members that commit human rights abuses.

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

Mr. McCAUL of Texas. Mr. Chairman, I yield myself such time as I may consume.

It is amazing to me that anybody could agree that state sponsors of terrorism, that it is somehow acceptable that they serve on the Human Rights Council, and specifically countries like China, when we look at their human rights record in Tiananmen Square and the oppression that they have put on their people, countries like Iran, which is a state sponsor of terrorism, which has oppressed women in their society, oppressed their own people to a great extent.

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Also Libya and Syria. I think this is a commonsense amendment, and I urge my colleagues to support it.

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

The CHAIRMAN. The gentleman from New Jersey is recognized for 2 minutes.

Mr. GARRETT of New Jersey. Mr. Chairman, I appreciate the gentleman yielding the time; and I commend your efforts in this regard to limit the funding to this council and limit the funding, in essence, to the U.N. as well.

This council and even the process by which members are selected to it are basically symptomatic of the problems that we see within the U.N. not just today but over its entire 60-year history.

When we step back for a moment and say this is good and the next forward step because these members are selected to it by the entire body, we must remember what the entire body is made up of. This is the same body that is made up of the G–77 that is basically thwarting all efforts to reform the U.N., efforts that this House and this gentleman has also worked for to make sure we would have going forward in the U.N.

But the G–77 and the other minority nations have worked to make sure that those reforms that this House has tried to envision and has envisioned and tried to get across in the U.N. have been thwarted.

This same group of states, made up, as you indicate, of terrorist states as well, have seen to it that they have selected nations such as China, such as Pakistan and others, terrorist nation states, to be on this body.

How can anyone sit back in good conscience and say that this council is going to be able, therefore, to judge any other nation in the world when their own nations have the problems within it?

And, yes, it is true that these nations may have the opportunity or have the responsibility of having their human rights records reviewed more intensely, but I don't think that a more extensive review is necessary. The world has already seen these nations and how they conduct themselves on the international scene, and the world has already seen as well how they conduct themselves with regard to their own citizens.

A nation that subjects their own people, a nation that puts their own people under the thumb of their leadership, a nation that subjects its own women to an inferior status within their country, is not a nation that I wish to be judging the quality of life in this country or any other country.

So I commend the gentleman for his work in this regard. I think that this House should stand up behind him and make sure this legislation passes.

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

Mr. Chairman, I acknowledge that it is not a perfect mechanism. Would I have preferred to see a pure and pristine body created? Of course. But the truth is, and the gentleman has acknowledged it, we live in an imperfect world; and I would suggest the best example of that is the allies that this Nation has brought into the coalition of the willing. Let me just cite a few:

Uzbekistan. Uzbekistan, headed by an individual by the name of Islam Karimov, who is responsible for the massacre of almost 1,000 innocent civilians in Andijan.

Part of our coalition of the willing includes Azerbaijan. Azerbaijan, where the son of the president recently came and visited with President Bush in the White House. Read our Department of State's human rights reports on Azerbaijan.

Another traditional ally of the United States, Egypt. Go read the Department of State's human rights reports on Egypt.

And the gentleman is correct to talk about Saudi Arabia, where women don't have the right to drive.

We are in a world that is imperfect, but there is no doubt that this particular council represents an improvement and has the support of the Bush administration.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. MCCAUL).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The Clerk designated the amendment.

Mr. WOLF. Mr. Chairman, I ask unanimous consent that the Clerk read the amendment so we can understand what amendment this is.

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

There was no objection.

The Clerk read as follows:

Amendment offered by Ms. EDDIE BERNICE JOHNSON of Texas:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. For ''OFFICE OF JUSTICE PROGRAMS—JUVENILE JUSTICE PROGRAMS'' for the Juvenile Delinquency Prevention Block Grant program, as authorized by Part C of the Juvenile Justice and Delinquency Prevention Act of 1974, and the amount otherwise provided by this Act for ''BROADCASTING BOARD OF GOVERNORS—INTERNATIONAL BROADCASTING OPERATIONS'' is hereby reduced by, $5,000,000.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am going to not offer my amendment concerning the Juvenile Mentoring Program but will present this one concerning the Delinquency Prevention Block Grant program.

Initially, the amount of money designated earlier for these programs was $33 million. That was the initial amendment. However, that has been reduced to $7 million, and I rise today to support the funding for Juvenile Delinquency Prevention Grants, because the funding is limited.

Mr. Chairman, as violent crime continues to rise throughout this country, it is important that we give our young people the support they need to become productive adults. Delinquency Prevention Block Grants do just that.

These grants provide assistance to at-risk youth through a number of programs, including family strengthening programs, drug and alcohol abuse treatment programs, gang prevention programs, job training and employment programs, and youth development programs. These activities are designed to prevent and reduce juvenile crime in communities that have a comprehensive youth crime prevention plan.

Simply building more prisons is not an effective crime prevention strategy. Mr. Chairman, we must give our children a path to success, not a path to prison. Delinquency Prevention Block Grants give our young people a chance to excel and become productive adults. Through youth development, prevention and intervention efforts, we can keep our children safe and out of trouble. Research has shown that early investment in youth can dramatically reduce youth crime and violence.

Additionally, delinquency prevention programs offer a considerable savings in the long term. For every dollar invested in prevention programs, we save about $4 to $7 in the long term.

Providing all children and youth with constructive programs and alternatives is essential for our Nation's at-risk children. We must give our youth every opportunity to grow into responsible, productive, healthy and law-abiding adults. I ask my colleagues for

their support for this important amendment.

Mr. Chairman, I will not offer the amendment earlier we talked about. I ask for support for this one. I think this is the one that we had discussed. The one that I withdrew had to do with the mentoring program that I was told already had funding in under various organizations like Girls Clubs and Boy Scouts and organizations like that. So that is the one that I withdrew.

This one was altered to show $7 million, which had been $33 million. That was an agreed amount. It is reduced to $7 million.

Mr. WOLF. Mr. Chairman, we accept the amendment.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I thank Mr. WOLF.

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

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

The amendment was agreed to.

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

Mr. Chairman, I yield to the gentlelady from California (Ms. LORETTA SANCHEZ of California).

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I thank Chairman WOLF for agreeing to enter into this colloquy with me on the subject of intellectual property rights.

Discussions of international trade and intellectual property rights are often dominated by talk about China, but I would like to bring up that there is no country in the world who is doing a worse job at fighting piracy right now than the country of Vietnam. Ninety percent of all the software used in Vietnam in 2005 was pirated. That is more than the deplorable rate of 86 percent that China has. Piracy in Vietnam is costing our businesses $45 million a year.

I know that the chairman shares my disappointment with the lack of action that we have seen from the administration on this issue so far, but despite Vietnam's complete failure to protect intellectual property rights, the administration and certain Members of this House want to grant Vietnam permanent trade relations and WTO membership. I think that it is a huge mistake.

Mr. WOLF. Mr. Chairman, reclaiming my time, I thank the gentlelady. I want to be on record I am absolutely, opposed to granting PNTR to Vietnam.

If you read the Human Rights Report of the State Department of Vietnam, which probably not many people read, it is a disaster. It is a disaster. I cannot understand why a bill would even come to the floor.

On the issue of intellectual property, if you look to see how they are treating the Catholic Church and the Buddhists, do you think they are going to be any better on intellectual property? No way.

President Bush is going to visit this fall. We are hoping that the President will meet with dissidents here and also dissidents over there and speak out on human rights, religious freedom and on the intellectual property issue. So anything that we could do in this bill that would be helpful with regard to beefing up intellectual property and doing as much is helpful.

But, also, as I told another Member from your side earlier today, it isn't just putting a couple dollars in. I want somebody who really believes, and, as of now, I think this whole issue of trade trumps everything.

I wish we could harken back to the days of Ronald Reagan, whereby Ronald Reagan just spoke out so boldly on the issue of human rights and religious freedom in Eastern Europe, called the Soviet Union the evil empire, was laughed at by the liberal media, and lived to see the fall of the Soviet Union.

That type of approach that Ronald Reagan took would be the right approach to take with regard to Vietnam, whereby we could see additional trade and human rights and religious freedom and, lastly, the respect for intellectual property, so they are not just stealing everything that we have.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, as you know, I represent the largest Vietnamese population outside of Vietnam in the world in Orange County, California; and certainly our number one issues with respect to how people are treated in Vietnam are the human rights issues, the issues of freedom of the press. There is no press that is not state-owned.

I remember being with an archbishop, and he said that he couldn't even pass out information inside the church after the church service because that would be considered the printed word, and that would not be allowed because he was not a state agency, as well as confiscation of land rights, which I have got a bill in the House and we are working on to try to get that returned to religious institutions.

But certainly there are moneys in this bill for intellectual property rights, and I would hope that this administration would concentrate some of that. Of course, we need to do it on China. It is a large economy that is growing there. But I think we really need to send a message.

As I stated before, I have voted every single time against normal trade relations with Vietnam because I believe that their human rights record is so atrocious and they really haven't changed it.

By the way, I have also been denied three times entry into Vietnam in the last few years, simply because I continue to bring up these issues.

So I hope that the chairman will work with me, especially as we move forward as the President is deciding to go to Vietnam and as many in this House have decided to push for WTO entry and for normal trade relations with Vietnam. I would hope that people would begin to read some of these reports to understand just how terrible the human rights conditions are in Vietnam.

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With that, I thank you for the time, Mr. Chairman.

AMENDMENT NO. 16 OFFERED BY MRS. MUSGRAVE

Mrs. MUSGRAVE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Mrs. MUSGRAVE:

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 carry out section 924(p) of title 18, United States Code.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentlewoman from Colorado (Mrs. MUSGRAVE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Colorado.

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

Mr. Chairman, my amendment will prohibit any funds in this bill from being used to enforce the burdensome trigger lock law that was passed and that went into effect on April 24 of this year. I believe this law is needless and equivalent to a tax on citizens who purchase firearms.

The law states that all licensed manufacturers, licensed importers and licensed dealers must provide a trigger lock with every handgun they sell. This is not a cost that will be absorbed by the gun industry; it is a cost that will be passed on to lawful gun owners.

Trigger locks do not stop gun crimes or accidental shootings. Mandating gun buyers to pay for a gun lock is not making America safe; it just is making guns and self-defense and personal protection more costly.

Mr. Chairman, should the government mandate safety devices for every possible household danger? Lawn mowers can be dangerous. According to the American Academy of Pediatrics, approximately 9,400 children younger than 18 years of age receive emergency care for lawn mower related injuries every year. Should we mandate that all lawn mowers be sold with a blade lock?

Medicine cabinets contain dangerous substances. According to the Center for Disease Control, in 2000, over 1 million children younger than age 6 were exposed to poison, with some of the most common exposures being cosmetics and personal care products.

Should we make medicine cabinet locks mandatory? Knives, electrical outlets, power tools. I could stand here and list hundreds of household mechanisms. Safety needs to be a priority in all households; we all know that. I believe that parents should be responsible

and store and manage household products in a safe manner.

But should lawn mower dealers be required to sell blade locks with every lawn mower sold or every cabinet maker sell a cabinet lock with every cabinet sold?

Mr. Chairman, my point is that many things around the home are dangerous when used without proper instructions or supervision. But it is not the government's job or responsibility to mandate every conceivable protective mechanism imaginable.

Responsible adults do not need the government to force them to purchase protective mechanisms for their homes or businesses. Responsible gun owners who need a trigger lock would have purchased one on their own without a government mandate. A government mandate is not the answer.

Forcing gun buyers to purchase gun locks will not make guns more safe; it will only result in gun lock manufacturers making larger profits and increasing costs for all lawful gun owners.

Mr. Chairman, I urge my fellow Members to vote in favor of my amendment.

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

Mrs. MCCARTHY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentlewoman is recognized for 5 minutes.

Mrs. MCCARTHY. Mr. Chairman, when the legislation was passed, it was passed with the help of 70 bipartisan Senators. With that, we had many strong certainly gun rights Senators voting for the amendment. We talk about gun safety. We talk about trying to certainly save and prevent as many injuries as possible. We talk about, you know, having it mandatory when you buy a gun. But we are not asking mandatory that the person use the gun lock.

The whole idea was, hopefully, educational-wise, as we do with so many other products, we will have that gun owner use it. Many gun owners use storage locks. And that is great. We are trying to reach out to more.

I have nurses around the country that actually go to gun stores and hand out gun locks like this. They are not expensive. They are $5 to $7. We have seen safety issues certainly at the forefront, helmets for kids when they ride their bicycles. That has saved a lot of head injuries.

When we look at the health care issues on gun violence, unfortunately, especially to children, we see a lot of money in the health care system being used. It is just one other step to hopefully bring down certainly medical care costs in this country, but also more importantly than ever before, certainly work with children to save their lives.

In this past week, we had an incident in New Jersey. A 12-year-old unfortunately got hold of a family gun. Playing with it with his friend, he shot and killed his friend. It was an accident. It was an accident that certainly could have been prevented.

I happen to think that when the Senators on the other side voted, and by the way, this House also voted for the bill, to pass it with the gun safety locks mandatory in that legislation, it is one more thing. Is it a perfect answer? No. We do not have perfect answers.

Since I have been here, I have been trying to convince people that I am not out to take anybody's right to own a gun. But I also talk to an awful lot of gun owners. And they understand the responsibility that they have. Now, if someone buys a gun and it is mandatory to have a gun lock with that gun, they can choose to use it or not to use it. I hope that if they choose not to use it, they would at least give it to someone that would.

As I said, my nurses, they do not have large budgets. But because they work in the emergency rooms and because they are the ones on the front line when these young kids come in, we have done, in my opinion, a very good job on bringing down the number of deaths with children, especially those under 18.

To take away something that this Congress and certainly the other body felt was important enough to put into legislation is something that I think that we should be fighting for. I hope that my colleagues will oppose this bill.

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

Mrs. MUSGRAVE. Mr. Chairman, can I inquire how much time I have left?

The CHAIRMAN. The gentlewoman from New York (Mrs. MCCARTHY) and the gentlewoman from Colorado (Mrs. MUSGRAVE) have 2 minutes remaining.

Mrs. MUSGRAVE. Mr. Chairman, I yield 1½ minutes to the gentleman from South Carolina.

Mr. WILSON of South Carolina. Mr. Chairman, I would like to thank Congresswoman MUSGRAVE for her leadership on this amendment, which would prohibit any funds in the appropriations bill being used to enforce the mandatory trigger lock provisions, essentially a tax on citizens who purchase a handgun.

It is my view that the new trigger lock bill is bad public policy. The new bill provides, or the law is a tax on citizens who purchase firearms. Responsible and law-abiding gun owners do not need the government to tell them to be safe. Responsible gun owners will take protective steps without the government mandating trigger locks.

Responsible users who will use a provided lock would also be using safer and more secure methods, such as a lockbox, quick-action safes or full gun safes. I would like to thank Congresswoman MUSGRAVE for her leadership in understanding there can be unintended consequences.

It is my view that many people who in good faith are working for restrictions on the use of weapons are actually not achieving what they meant. My experience with this, I worked in the State of South Carolina in the State senate. To provide concealed weapons permits, we were warned that if persons who were law-abiding citizens could apply for a concealed weapons permit, it would lead to the shootout at OK Corral. The exact opposite has occurred. There has been a reduction in gun violence, a reduction in crime, almost 50,000 people in my home State now have a concealed weapons permit.

And people who were opposing our bill now tell me that it works. And so I would like to commend Congresswoman MUSGRAVE on her vision to protect the people of the United States.

Mrs. MCCARTHY. Mr. Chairman, I think we are trying to change the debate again. Again, it is about gun safety. Mr. Chairman, I yield 1 minute to my colleague from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Chairman, I thank my colleague from New York for yielding me time.

I rise to strongly oppose this amendment, which if enacted will lead to more accidental gun shootings in this country, including more deaths of children. Just last October, this Congress passed a piece of legislation that brought broad immunities to the gun industry. And we can have our differences on that issue.

But as part of that legislation that was passed by this Congress and signed by the President back in October, there was a provision, Child Safety Lock Act of 2005. Let me just describe the purposes: To promote the safe storage and use of handguns by consumers; to prevent unauthorized persons from gaining access to or use of a handgun, including children who may not be in possession of a handgun.

Who can argue against those purposes? That was the intent of the legislation. It said, if you are a gun dealer and you are selling a gun, let's at the very least ensure that you have to sell at the same time a gun safety lock to protect against accidental shootings. We know the terrible statistics of accidental shooting deaths of children in this country. Let's not change what this Congress did on a bipartisan basis.

And when this came up in the Senate, there was a bipartisan vote in support of this.

Mrs. MCCARTHY. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, I am here on the floor to present a different amendment. But I listened to the debate on this, and I am really amazed. This House voted overwhelming to require v-chips on television sets so parents can protect their children from improper programming.

But it would be absurd to do that and then say we are not going to at least have a gun lock to protect children who may pick up a gun and use it inappropriately, use it out of ignorance.

So I want to join you in opposing this amendment. I see nothing wrong with a

gun lock. I do not think that means people want to take away the guns or anything else, just to make sure that it is locked so if it gets in the hands of a child, that the child will not use it, kill someone or do harm to other children and members of the family.

We do have requirements of locks on all sorts of products in order to protect children. I think the rule that is in effect ought to be allowed to be continued without this amendment stopping it.

Mrs. MCCARTHY. Mr. Chairman, with that being said, you have to remember, we are not forcing anyone to use the lock. We are trying to educate them to save lives. It is a commonsense law. Hopefully, everybody will oppose this amendment.

Mrs. MUSGRAVE. Mr. Chairman, I believe that the law is needless and equivalent to a tax on law-abiding citizens who buy guns. I urge Members to support my amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Colorado (Mrs. MUSGRAVE).

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

Mrs. MUSGRAVE. 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 Colorado will be postponed.

AMENDMENT OFFERED BY MR. WAXMAN

Mr. WAXMAN. 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. WAXMAN:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used for—

(1) the Industry Trade Advisory Committee on Chemicals, Pharmaceuticals, Health/Science Products and Services (ITAC 3) unless the membership of the committee is ''fairly balanced in terms of the points of view represented'' pursuant to section 5(b)(2) of the Federal Advisory Committee Act (5. U.S. App.); or

(2) the Industry Trade Advisory Committee on Intellectual Property Rights (ITAC 15) unless the membership of the committee is ''fairly balanced in terms of the points of view represented'' pursuant to section 5(b)(2) of the Federal Advisory Committee Act.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from California (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Mr. Chairman, I yield myself 2½ minutes.

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

Mr. WAXMAN. Mr. Chairman and my colleagues, the law for advisory committees requires that it be fairly balanced in terms of points of view represented, pursuant to section 5(b)(2) of the Federal Advisory Committee.

Well, there are two trade advisory committees that influence a wide array of policy and negotiating decisions that impact access to medicine, both domestically and overseas. One is known as ITAC 3. It covers chemicals, pharmaceuticals, health products and services.

The other, ITAC 15, advises the USTR on intellectual property rights. Pharmaceutical companies are represented already on these panels. But input from the public health community is nonexistent.

To its credit, in December of 2005, the administration moved to rectify this imbalance by soliciting nominations for public health representatives to be added to the two committees.

Yet more than 6 months later, despite numerous applications from the public health community and repeated inquires from Congress, no appointments have been made.

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The longer the USTR delays, the more we need to be concerned about biased advice that is resulting in controversial trade policies on drug pricing, drug competition and reimportation and other sensitive issues.

For example, recent free trade agreements extend patent terms, delay generic competition and make it more difficult for governments to respond in the case of a public health crisis.

The USTR's 2006 Special 301 Report on intellectual property violations threatens sanctions against our ally Israel because the Israeli government declined to adopt drug regulations that go beyond the requirements of the WTO and even U.S. law.

Our FTA with Australia interferes with the pricing system they use to keep down drug prices.

Well, the consequences of not getting a balanced input from these advisory committees could lead to serious problems for people in these developing countries because, unless they have access to generic drugs, their people will not be able to afford the drugs that could be as successful in dealing with HIV/AIDS treatment programs, and it could even have an impact on the price of drugs in the United States.

The status quo is unacceptable. USTR ought to live up to its commitment to add public health representatives and meet its obligation under the Federal Advisory Committee Act, and that is what the amendment seeks to do.

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

The CHAIRMAN. For what purpose does the gentleman from Virginia rise?

Mr. WOLF. Mr. Chairman, I understand the Ways and Means Committee has concerns with this amendment. Although, looking around, I see no one from the Ways and Means Committee.

We also are aware that the Office of the United States Trade Representative has committed to ensuring public health experts are included on this advisory committee. We have been led to believe this issue will be resolved in the near future, but with that understanding, I have no objection to the amendment personally. So I would accept the amendment.

Mr. WAXMAN. Mr. Chairman, I hope this will be resolved very quickly. This is to give a push so it will be resolved.

Mr. Chairman, I have time, and I yield the balance of the time to the gentlewoman from California (Ms. LEE), a cosponsor of this amendment, who wishes to speak on it.

(Ms. LEE asked and was given permission to revise and extend her remarks.)

Ms. LEE. Mr. Chairman, let me thank the gentleman for yielding.

I also want to acknowledge the leadership of the gentleman from California (Mr. WAXMAN) and the work of his staff, Zahava Goldman, and Jamila Thompson on my staff for their tireless advocacy for access to affordable medicines for all people.

I am delighted this amendment has been accepted tonight because it is a very important policy that we must have. It is not really an extraordinary request.

Basically, we just are asking that what has been required in the past, public health officials, that they actually be appointed to these committees. Unfortunately, 7 months later, neither the USTR nor the Department of Commerce has provided a name or a plan or even a timeline to begin these appointments.

Now, with these very aggressive bilateral and multilateral trade negotiations continuing, we cannot afford to wait.

So this is a very important step in the right direction, and I thank both sides for accepting this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. WAXMAN).

The amendment was agreed to.

AMENDMENT NO. 5 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 No. 5 offered by Mr. GARRETT of New Jersey:

Page 110, after line 8, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, 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 of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

I come to the floor this evening with an amendment that, quite frankly, I have offered and has been accepted on various other appropriation bills throughout this process, and I think it is time to, once again, thank the various chairmen of those respective committees for accepting some of those similar amendments.

We may differ on each side of the aisle as to how we exactly got to the point that we are today, but one thing that we do agree on, as I have said on this floor in the past, one thing we do agree on is that we spend too much and our deficit is way too high.

So my amendment that I come to the floor with tonight is basically a commonsense approach to see, how do we rein in that spending? How do we deal with the angst of our constituents at home that say we are spending too much of their hard earned dollars?

What does that amendment do? It places a limit, a number, a ceiling, if you will, on the number of staffers that can travel on international conferences. The number that we place on here, the limit that we place, is 50 staff members. I am not saying that staff are not important. All we have to do is look around us and recognize the significance that staff plays in the role of the House of Representatives and right here on the floor as well, but we are just saying that, when it comes to going over to other international conferences, there should be some reasonable limit to numbers that go there.

In the other House, the Senate has held hearings on this, and Senator COBURN from Oklahoma has actually pointed out egregious examples of over 100 or more staffers attending various conferences and literally close to millions of dollars for those respective conferences. If I wanted to take the time, I could go through a litany of such egregious examples.

But I will be brief and just simply say that, to rein in the spending, to put some appropriate, reasonable standards on this, we are going to try to do the same on this legislation as we have in the past and say that all agencies of the Federal Government should be responsible in the number of staff they send.

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

Mr. WOLF. Mr. Chairman, we accept the amendment.

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. NADLER

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

The CHAIRMAN. The Clerk will designate the amendment.

The Clerk designated the amendment.

Mr. WOLF. Mr. Chairman, I ask unanimous consent that the amendment be read.

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

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. NADLER:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. For ''OFFICE ON VIOLENCE AGAINST WOMEN—VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS'' for the Jessica Gonzales Victims Assistants program, as authorized by section 101(b)(3) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162), and the amount otherwise provided by this Act for ''DEPARTMENT OF JUSTICE—GENERAL ADMINISTRATION—SALARIES AND EXPENSES'' is hereby reduced by, $5,000,000.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

First of all, I want to make it clear, I am just reading this revised amendment. This should increase the Jessica Gonzales program. It should put money into that by $5 million and reduce by $5 million the general administration salaries and expenses. I want to make clear that that is the intent of the amendment.

The Nadler-Capps amendment will increase the funding for the Jessica Gonzales Victim Assistance Program by $5 million. The offset is from the Department of Justice general administration account.

The Jessica Gonzales program places special victim assistants to act as liaisons between local law enforcement and victims of domestic violence in order to improve the enforcement of protection orders.

The current system has undermined the effectiveness of protective orders. Last year, the Supreme Court decided the case of Jessica Gonzales, who had obtained an order of protection against her violent husband. Despite Ms. Gonzales' numerous pleas to the police to arrest her husband for violating the order, even providing the police with information on his whereabouts, the police failed to do so. Mr. Gonzales then murdered their three children. When Ms. Gonzales sued the police for their failure to protect her and the children by enforcing the protective order, the Supreme Court ruled the police did not have the mandatory duty to enforce the order by making an arrest. The Jessica Gonzales Victim Assistance Program restores some of the effectiveness of restraining orders that the Supreme Court destroyed with this ruling.

This is the first opportunity to fund this program which was authorized last year in the Violence Against Women Reauthorization Act.

The Jessica Gonzales Victim Assistance Program will help enforce restraining orders and protect women who are victims of domestic violence. I, therefore, urge my colleagues to support the Nadler-Capps amendment to provide it with more adequate funding.

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

Mr. WOLF. Mr. Chairman, we accept the amendment.

Mr. NADLER. Mr. Chairman, I thank the gentleman, and I yield 2½ minutes to the gentlewoman from California (Mrs. CAPPS), the cosponsor of the amendment.

Mrs. CAPPS. Mr. Chairman, I thank my colleague, and I also thank the chairman very much for his acceptance of this amendment already.

But I want our colleagues to know how much we all appreciate the fact that there was a tremendous bipartisan victory this past year with the reauthorization of the Violence Against Women Act. In VAWA 2005, we were able not only to keep in place the successful programs of the past 11 years but also to initiate new programs to serve victims of domestic violence, sexual assault and stalking.

One such program is the Jessica Gonzales Victim Assistance Program, which improves our local law enforcement agencies' effectiveness in complying with restraining orders.

Now that we have taken the initiative and instituted this program, we must also now take that next step and properly fund this program. That is why I thank the chairman very much.

Nearly one in three women experiences at least one physical assault during her adulthood, assaults by a partner, but far too many of these cases go unreported, often because victims are skeptical about receiving adequate protection against their attackers. Not surprisingly, nearly half of all victims who obtain restraining orders are abused again.

What kind of message does that send about our Nation's ability to protect victims of domestic violence? This newly authorized program to address the shortfalls of restraining order enforcement is named after, as my colleague has said, Jessica Gonzales who, as many of you may remember, was ignored when she informed police that her estranged husband had violated his restraining order and kidnapped their three children. Ms. Gonzales' three children were murdered that night by her husband, even though the police had been informed about Mr. Gonzales' whereabouts with the children. We must vow not to let this happen again.

I urge my colleagues to support this amendment so that we can properly fund the Jessica Gonzales Victim Assistance Program. We owe victims enforced protection against their attackers, and we must ensure that the next time a woman is attacked, she knows that reporting a crime and obtaining a restraining order are not fruitless gestures.

I thank the chairman, and I thank my colleague.

Mr. NADLER. Mr. Chairman, I yield back my time.

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

The amendment was agreed to.

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:

Page 110, after line 8, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. (a) ANNUAL REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to Congress a report listing all assessed and voluntary contributions of the United States Government for the preceding fiscal year to the United Nations and United Nations affiliated agencies and related bodies.

(b) ELEMENTS.—Each report under subsection (a) shall set forth, for the fiscal year covered by such report, the following:

(1) The total amount of all assessed and voluntary contributions of the United States Government to the United Nations and United Nations affiliated agencies and related bodies.

(2) The approximate percentage of United States Government contributions to each United Nations affiliated agency or body in such fiscal year when compared with all contributions to such agency or body from any source in such fiscal year.

(3) For each such contribution—

(A) the amount of such contribution;

(B) a description of such contribution (including whether assessed or voluntary);

(C) the department or agency of the United States Government responsible for such contribution;

(D) the purpose of such contribution; and

(E) the United Nations or United Nations affiliated agency or related body receiving such contribution.

Mr. WOLF. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Virginia reserves a point of order.

Pursuant to the order of the House of Tuesday, June 27, 2006, 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 of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

I come to the floor tonight to address the issue of funding for the U.N. We have heard some discussion about it already, whether we are spending too little, not enough; whether we should not be making cutbacks in the various funding for the U.N.

The real question is, how can we make any of those decisions if we do not know the total amount of money that we are spending for the U.N. and its programs and its services?

Each year, the United States spends literally billions of dollars to fund the United Nations and its work. We fund the U.N.'s work year after year, regardless of how it is used or misused, and certainly, with the countless instances of waste, fraud and abuse, scandals and corruption over the last several years that we have talked about on this floor in the past, we can at the very least question the body's ability to police itself, at the very most call for that money as being misused.

At this time, the United States Government does not have a method for knowing the total amount of money we send to the U.N. While we can tally what is paid in dues, what we can contribute to various peacekeeping operations, additional funding is spent on voluntary programs and other support; there is no collective number for it. There is no comprehensive and public report of all the different ways that we fund U.N. operations with U.S. tax dollars.

□ 2045

So the amendment that I bring to the floor today calls for such a comprehensive accounting of all those dollars. Not for a cutting, not for increasing, just an accounting so we know what is being spent.

A similar amendment was made on various legislation on the Senate side.

Reform at the United Nations, that is that this Congress has encouraged in the past, has been complicated, as I have indicated earlier this evening, by the fact that the majority of the nations in the U.N. General Assembly oppose even the most modest forms of reform put forth by this House or even by the General Secretary. For instance, almost 5 years after the events of September 11, the U.N. has not yet even today agreed on a definition of terrorism. As I spoke earlier, they have also not agreed on a definition of genocide, even though that continues to go on to this day.

How can the U.N. expect to contribute to the fight against genocide or continue to fight against terrorism, one of the greatest threats to peace in the world today, if it can't even decide how to define it? Yet while the majority of the nations at the U.N. stand in the way of progress, they only fund 10 percent of the U.N.'s budget.

So it is up to the United States to lead for the U.N. That has worked in the past. In 1979, the Camp-Moynihan amendment successfully limited the U.N.'s support of terrorist organizations simply by the threat of withholding funds. And when the U.N. budget was ballooning in the 1980s, our use of financial leverage helped to bring about a compromise in 1986. And in 1992, Congress again had to withhold funds in order to see that an inspector general would be appointed to expose and fix mismanagement.

You see, Mr. Chairman, reform is possible at the U.N., but only if the United States is willing to lead. And for us to be able to lead, we must be fully aware of just how big a stick we carry; that is, how much we are funding. We must be fully aware of how much U.S. tax dollars goes from this House to the U.N.

So on behalf of the citizens that we represent at home who demand that we call for accountability in the U.S. Government, we should be doing the same from the U.N. We must have an accounting for those dollars spent.

I reserve the balance of my time.

POINT OF ORDER

Mr. WOLF. 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 imposes additional duties.

I ask for a ruling of the Chair.

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

Mr. GARRETT of New Jersey. Mr. Chairman, I appreciate the chairman's citing the point of order; and I am in agreement that the point of order appropriately falls within this amendment that I bring before the House tonight.

It is, of course, a frustration for us when we are dealing with spending of dollars that we do not know exactly how much of the total dollars we are spending for a particular purpose, especially when that purpose is the U.N. and especially with their dismal record of the past.

With that said, Mr. Chairman, at this point I seek unanimous consent to withdraw my amendment.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. NADLER

Mr. NADLER. 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. NADLER:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to issue a national security letter to a health insurance company under any of the provisions of law

amended by section 505 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

Mr. Chairman, this amendment prohibits any funds from being used to issue National Security Letters to health insurance companies to obtain people's private and personal medical records.

Currently, under section 505, any FBI field office director can demand your personal medical records without a warrant or any judicial approval and the insurance company is legally required to give it to them and is legally prohibited or gagged from telling you or anyone else about the order.

Last year, almost 10,000 unreviewed National Security Letters were issued by the FBI without showing any connection between the records sought and any suspected foreign terrorist. Post PATRIOT Act reauthorization, I remain very concerned, because National Security Letters are still issued without court approval simply on the letter's assertion that the request is relevant to a national security investigation, without any showing of a connection to a suspected terrorist.

The right to challenge the gag order is not real, since the government's mere assertion that lifting the gag order would pose a threat to national security must be treated by the court as conclusive, with no evidence necessary as to the truth of that assertion.

Government officials already have access to so much of our personal information, such as credit reports, library user, and telephone communications. Do we want the government to have such unchecked access to personal and private information as revealed by our medical history: psychiatric profiles, lab studies, and diagnostic tests like CAT scans and MRIs?

If somehow your medical records are necessary in fact to a terrorist investigation, the government should be required to explain to a judge why they are needed, as is provided in section 215 of the PATRIOT Act, rather than simply allowing an FBI field agent to demand those records in secret.

The FBI already has far-reaching compulsory powers to obtain documents when it is investigating terrorism under both its criminal and intelligence authority. The FBI can obtain a search warrant if there is judicial finding of probable cause that a crime has or will be committed. The FBI can use Grand Jury subpoenas; and, in terrorism cases, the FBI has sweeping authority to obtain all the records, including medical records, under section 215 of the PATRIOT Act. But it has to go to a judge.

Given these existing search powers, there is no reason to authorize the FBI to issue unchecked National Security Letters demanding medical records without any showing of anything to a judge.

Mr. Chairman, if you have visited a doctor's office or a hospital in the last few months, you may have seen a notice telling you that your medical records may be turned over to the government for law enforcement or intelligence purposes. We can all agree that giving the FBI access to our most intimate private information is too great an intrusion on our privacy to leave unlimited and unsupervised.

There may very well be reasonable legitimate reasons for the FBI to need this information in terrorist investigations. Section 215 of the PATRIOT Act provides for them to get that information if they simply go to a judge and tell them why they need it. The NSLs, which this amendment would stop, or would say you can't spend money on, skips the necessity of even going to a judge in private, in secret, and saying why they need that.

Let them use section 215. We had almost a majority on this floor to eliminate section 215, but at least that requires a showing to a judge. The National Security Letters allows any FBI field office director to get these most private records without any showing to a judge. That is wrong, and I urge my colleagues to vote for this amendment.

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

Mr. WOLF. Mr. Chairman, I rise in strong opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

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

We are talking about terrorism. Every time the gentleman gets up, he paints something that really is inaccurate; and I think the gentleman from California will explain what you said. There have been changes in the PATRIOT Act.

The threat of terrorism and espionage is real. Thirty people from my district died in the attack on the World Trade Center. Two of my children live up in your congressional district. And if you read the article the other day about gas in the subways, you sort of make these statements, and you act like the Justice Department and the FBI is going to go after somebody's medical records. They are trying to stop terrorism. They are trying to stop what took place on 9/11 from taking place again.

We have a letter from the Justice Department. ''National Security Letters are extremely valuable to investigations of international terrorism.'' Not your MRIs, but international terrorism and espionage, al Qaeda.

This Congress stood by and did nothing while Osama bin Laden lived in Sudan from 1991 to 1996. I was the author of the National Commission on Terrorism, which came out in the year 2000. In 2000, NANCY PELOSI supported me in the committee when we got the funding for it. On the cover of the Bremer Commission report that came out in the year 2000, there is a picture of the World Trade Center on fire, and this body did nothing. It stood by and it watched, and the previous administration did nothing. And now there are people that have died because they have done nothing.

This is a bad amendment. The PATRIOT Act has been authorized by the Judiciary Committee. Mr. LUNGREN will tell you the changes that have been made. There have been protections put in it.

My goodness, do we want to tie the FBI's hands when they are trying to catch bin Laden and people like that? This is a bad amendment. We went through it on the authorizing act.

I reserve the balance of my time.

Mr. NADLER. Mr. Chairman, I would like to hear what Mr. LUNGREN has to say before I use the balance of my time.

The CHAIRMAN. The gentleman from New York reserves his time.

Mr. WOLF. Mr. Chairman, do I have the right to close?

The CHAIRMAN. The gentleman from Virginia has the right to close.

Mr. WOLF. How much time do I have?

The CHAIRMAN. The gentleman has 3 minutes remaining.

Mr. WOLF. Mr. Chairman, I yield 2½ minutes to the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for yielding.

Let us be clear what this would do. The Nadler amendment would prohibit the FBI from using these NSLs to obtain any financial records or health records from health insurance companies even if those records are indisputably relevant to an international terrorism or espionage investigation.

Indeed, the FBI would be prohibited from using the NSL to obtain financial records of a known terrorist from a health insurance company, no matter how much evidence the FBI possessed of the target's involvement with terrorism. It would not just prevent the FBI from obtaining medical records.

Currently, the FBI can obtain health insurance records through the use of administrative subpoenas without the approval of a judge to investigate not terrorism but health care fraud offenses. So if the FBI is allowed to use administrative subpoenas to obtain these records to investigate health care fraud by dirty doctors, then it should be allowed to use these NSLs, which are similar to administrative subpoenas, to obtain these same records in international terrorism investigations which may involve dirty bombs.

This is basically the same amendment Mr. NADLER offered to last year's appropriation bill that was defeated on

this floor. The only thing that has changed since that time is not the language of his amendment but in fact the enactment of the reauthorization of the USA PATRIOT Act which contains several new protections to prevent abuse of this authority.

However, even without the new protections, there is no evidence of the abuse of these letters. Nonetheless, in March of this year, the President signed the bill; and it adds these protections which were not present last year when we debated this same amendment:

Clarification that recipients may disclose that they have received an NSL to an attorney or others necessary to comply with the NSL.

Secondly, explicit language that a recipient may challenge an NSL in court.

Third, explicit language that a recipient of an NSL may challenge the prohibition on publicly disclosing that he or she has received an NSL.

Next, for the first time, language requiring public reporting on the use of NSL authorities.

Next, requirement for additional classified reporting to Congress on the use of NSL authorities so we can exercise oversight in a more effective way.

And, finally, requirement that the Inspector General conduct two audits of the Justice Department's use of NSLs.

Last year, we debated this same amendment, same issue, similar appropriation bill. The only difference is we have added protections since that time by the reenactment of the PATRIOT Act and the signature of the President.

So if you voted against it last year, if you thought we should defeat it last year, you have more than sufficient reason to defeat it this year.

Mr. NADLER. Mr. Chairman, how much time do I have left?

The CHAIRMAN. The gentleman has 1½ minutes remaining.

Mr. NADLER. I yield 30 seconds to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY of Rhode Island. I thank the gentleman.

Right now, everybody has access to your medical records. Obviously, I would like to support more privacy. But, frankly, your insurance company has a right to your medical records, all the data processing companies have a right to your medical records, and all the financial institutions that are collocated with the insurance companies have your financial records.

The Health Care Information and Privacy Act in this country has no teeth. Some nurse or doctor can sell your medical records and not be liable civilly or criminally. Someone can sell your records to a tabloid, and you have no right to sue the tabloid. They can obtain it under illegal and false pretenses. No recourse whatsoever.

This notion of privacy is really bunk. We have no privacy in terms of medical records. And I would ask the American people, please call your representative and demand medical privacy from our HIPAA laws.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would remind Members to address their remarks to the Chair and not to a viewing audience.

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

Mr. Chairman, I respect everything that the gentleman from Virginia said. 9/11 happened in my district. Terrorism is terrible. We are waging a war against it, and we have to wage that war against it, and we have to protect ourselves. The question is intelligent protection.

The FBI should not have the right to get our medical records without going to a court. That is what this question is about. Should they have the right to get these records simply on an assertion or a letter that nobody even has to look at, that it is simply relevant to an investigation, without going to court?

Yes, certain protections were put into the bill. Those protections are insubstantial. For example, you can challenge the gag order. Yeah, but if the government says that lifting the gag order would harm national security, that assertion must be taken as dispositive. The court can't say, really? The court can't say, what evidence?

□ 2100

For all practical purposes, they have an absolute right to these records without showing them to a court. I am not saying they should not get the records. My amendment doesn't say they shouldn't get the records. What it says is a general principle, one that we should always adhere to, if they think they need the records for a terrorist investigation, go to a court, go to a FISA court, go to a secret court. Use section 215 of the PATRIOT Act.

But we shouldn't allow the FBI to have access to private records without some showing in court of necessity of probable cause or something. That is why this amendment should pass.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Chairman, just one last point. We have no medical privacy in this country now. The health care and privacy act is nonexistent. It has no teeth in it. Your medical records can be found out from anybody anywhere.

They pass through a million different institutions as they get processed through transaction companies, insurance companies, financial companies. It is absolutely bogus.

We haven't even passed the genetic nondiscrimination act here in this place, which means, if you have genetic disposition to a particular illness, you are not protected. There is no privacy in our medical records. Let us just understand that from the get-go.

The American people are outraged by not having privacy, they have to get to their Members of Congress and request that we do more to strengthen the HIPAA law, the healthcare information and privacy act.

Mr. WOLF. Mr. Chairman, I move to strike the requisite number of words.

I agree with the gentleman from Rhode Island on the medical records' safety and privacy. I think the gentleman makes a valid point, but that is really not what we are talking about tonight. We are dealing with the FBI dealing with terrorism.

As I mentioned, a newly released book by a Pulitzer Prize winning author states that al Qaeda came within 45 days of attacking the New York subway system with lethal gas. We never completely know why they didn't move ahead, but within 45 days. If a National Security Letter would stop something like this, and they are still out there. Al Qaeda is still out there. They are still committed.

There is a book by Mary Habeck, Knowing the Enemy. They are still out there and committed to coming. So if a National Security Letter could stop what took place on 9/11 at the World Trade Center or at the Pentagon over in that area or in the bombing of the Khobar Towers, the USS *Cole* or the Marine barracks or places like that, we certainly would want to stop that.

Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for yielding. Let us be clear what we are talking about here. We are not talking about, generally speaking, about the question of the privacy of medical records. We are asking whether NSLs are an appropriate means with which to obtain information from health insurance companies as they are utilized or a similar process, that is administrative subpoenas that are not obtained by a court, are utilized to look at health care fraud.

One of the things that we got out of the 9/11 Commission was the fact that we had failed to not only connect dots but failed to adapt our criminal justice investigative procedures in the face of this new threat, which is terrorism. Some people would say, well, why would health records be relevant to such a case?

Well, in the instance of anthrax, for instance, it would be relevant if someone had sought medical attention that would, in fact, basically inoculate them if they came into contact with anthrax. It would be of some assistance if a group of people involved, that we had suspicion were involved with a terrorist group, were inoculated for smallpox. I mean, these are those sorts of things that help us connect the dots.

Mr. WOLF. If the gentleman would yield.

Mr. DANIEL E. LUNGREN of California. Yes.

Mr. WOLF. I appreciate what the gentleman said. Members should know in our bill our committee established

in the Justice Department an Office of Privacy and Civil Liberty for the very reason that Mr. SERRANO used to raise, and rightly, to protect to make sure something did not happen.

Mr. DANIEL E. LUNGREN of California. If the gentleman will recall, the Judiciary Committee has been very aggressive in oversight of Justice Department actions with respect to the PATRIOT Act. Several of the changes made in the law that I referred to before give us a greater handle on that because it requires more reporting to the Congress on what has been done with respect to NSLs in this regard.

So as I said, the biggest difference between our consideration of the gentleman's amendment last year and this year is there are more protections built in to the use of NSLs by the Justice Department than there were before. I thank the gentleman for yielding.

Mr. WOLF. Mr. Chairman, I submit the letter that I referenced earlier.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS,
Washington, DC, June 28, 2006.

Hon. FRANK R. WOLF,
Chairman, Subcommittee on Science, the Departments of State, Justice, and Commerce and Related Agencies, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: We have been advised that Congressman Nadler may offer an amendment to the pending Justice Appropriations bill that would restrict the use of National Security Letters (''NSLs'') relating to medical records. Congressman Nadler offered a very similar amendment last year. That amendment was defeated. We remain opposed to any such amendment.

NSLs are similar to subpoenas and may be used by the Federal Bureau of Investigation (FBI) to obtain from specified companies information relevant to authorized investigations of international terrorism and espionage. It is unwise to create carveouts from the scope of these important investigative tools, particularly since there has been no allegation of abuse regarding medical information, the subject of the proposed carveout. NSLs are generally used to obtain: (1) billing and transactional records maintained by telephone companies and Internet service providers; (2) credit reports and other consumer information maintained by consumer reporting agencies; and (3) financial information maintained by financial institutions. It would be an exceedingly rare circumstance in which an NSL issued to one of these institutions would capture medical records.

Moreover, the Congress addressed in a full and considered manner the concerns of critics of the use of NSLs when it passed the USA PATRIOT Improvement and Reauthorization Act earlier this year. That bill included numerous changes to all the NSL statutes to clarify and improve the laws' privacy protections. Congress also mandated a comprehensive audit by the Department's Inspector General on the use and effectiveness of NSLs. The findings of that review are expected to be available early next year.

It is also interesting to note that Congress has already provided the FBI the authority to obtain health insurance records through the use of administrative subpoenas (without the approval of a judge) when investigating criminal health care fraud. NSLs and administrative subpoenas are very similar except for some of the additional civil liberty protections added to the NSL statutes during the debate to reauthorize the USA PATRIOT Act. It would be odd if the Congress were to make a different policy determination when, rather than a health care fraud matter, the investigation involved international terrorism.

NSLs are extremely valuable to investigations of international terrorism and espionage. Information obtained through NSLs has significantly advanced numerous sensitive terrorism and espionage investigations and has assisted the FBI in discovering links to previously unknown terrorist operatives. We see no justification for artificially restricting the reach of those investigative tools.

Thank you for this opportunity to express our concerns. The Office of Management and Budget has advised us that from the perspective of the Administration's program, there is no objection to this letter.

Sincerely,

WILLIAM E. MOSCHELLA,
Assistant Attorney General.

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

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

Mr. NADLER. 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 will be postponed.

AMENDMENT NO. 13 OFFERED BY MR. MICA

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. MICA:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used in contravention of the Buy American Act (41 U.S.C. 10a et seq.).

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from Florida (Mr. MICA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

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

This is a Buy America amendment. I usually don't offer these. I believe in free and open competition. But I am pleased that the committee is going to entertain this amendment. Just for the record, I want to enter into the record why I am here and why I think this is necessary.

For the record, the Department of Commerce has awarded for nearly two decades a contract which promotes United States products and goods overseas in European trade fairs to a Dutch firm. Now, this has gone on for some two decades.

Several years ago, I was contacted by a U.S. firm that was interested in competing back in 2004. They contacted me and said they wanted to compete, and there were problems in entering.

NOAA handles the contracting and solicitation for, again, for this civilian business and awards the contract. They issued a solicitation.

When I was contacted, this firm said, all we want to do is compete. This Dutch firm has had this for two decades. They made some moves toward considering others, but then they gave the contract to the European Dutch firm and excluded the U.S. They just continued the contract.

I told the American firm, well, maybe next year, we will try it again, a little late, see if you can't get fair competition. Then they opened it again this past year, and in fact, they put out a request for proposal. The American firm was allowed to compete, and then once this process and submissions had started, they ended the competition; they changed the rules. They changed the rules to favor the European firm, the Dutch firm, which has had the contract for 20 years.

Now, I think all that should be fair is that an American firm also gets the opportunity, and this is to put on an exposition of United States goods sponsored by the Department of Commerce and the U.S. taxpayers. All I want is a fair shot for Americans to compete in putting on exhibitions and compete in a fair and open manner. That is the purpose of this, and I want that as part of the record.

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

Mr. WOLF. We accept the amendment.

Mr. MICA. Thank you. Again, I am pleased, I appreciate the cooperation and want to make certain that hopefully this amendment corrects an unfair situation, unfair competition.

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

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

The amendment was agreed to.

Mr. MOLLOHAN. Mr. Chairman, I rise to strike the last word.

I yield to the gentleman from Ohio for a colloquy with the chairman.

Mr. KUCINICH. I want to thank the gentleman from West Virginia.

Mr. Chairman, I would like to thank the chairman, Mr. WOLF, for his leadership in helping to keep our NASA centers healthy in the long term, a concern that I share and that requires extremely difficult decisions under tight funding caps.

At the same time, I am concerned with the bedrock of NASA's success, its world class workforce. The 2005 NASA Authorization Bill enacted a moratorium on involuntary reductions in force until March of 2007.

In addition, the act required 11.5 months between the submission of a complete workforce plan and the end of a ban on RIFs. However, NASA has thus far been unable to determine their existing skills mix and future skills mix demand. Any hasty action would cause NASA to lose irreplaceable intellectual capacity and institutional

memory and would harm its recruiting capabilities.

Any workforce reshaping should therefore only be implemented after clearly establishing the agency's current and future workforce needs and after exhausting all cost-effective voluntary means to maintain critical skills and to fill any gaps. This is especially true given that so much Constellation work on the horizon relies heavily on Apollo era and shuttle era design elements.

Mr. WOLF. Would the gentleman yield?

Mr. KUCINICH. I yield to the gentleman from Virginia.

Mr. WOLF. I share the gentleman's concerns about NASA's high quality workforce, and I expect NASA to develop and move forward with a long-term strategy to replenish the skills of its aging workforce while also maintaining key institutional memory. I urge NASA to address and correct any imbalances through an aggressive campaign of retraining, work transfer across centers, judicious buyouts and carefully managed recruitment, all with a minimum of disruption to the workforce. The people really have to be treated fairly, fair in the sense that everyone will say it is fair.

I expect that NASA will respect the moratorium on reductions in force in the 2005 NASA Reauthorization Act and will not engage in any reduction in force until they have met the workforce planning requirements in that act and provide it sufficient time for congressional oversight. So I would be happy to continue to work with the gentlemen on these issues as the gentleman moves forward in conference.

Mr. KUCINICH. I want to thank the gentleman for his commitment and thank him for the outstanding work that he has done in the past in helping us on these matters.

Thank you, Mr. Chairman and, thank you Mr. MOLLOHAN.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. 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. JACKSON-LEE of Texas:

At the end of the bill, insert the following:

SEC. ____. None of the funds made available in this Act may be used to support programs that target segments of the Muslim and Arab communities for national security investigations.

Mr. WOLF. I reserve a point of order.

The CHAIRMAN. The gentleman from Virginia reserves a point of order.

Pursuant to the order of the House of Tuesday, June 27, 2006, 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 of Texas. Mr. Chairman, I intend to ultimately withdraw this amendment, but I thank the chairman for allowing me to rise to discuss, I think, a very important element of our foreign policy.

First of all, I will like to acknowledge the U.S. Global Leadership Campaign that brought to my attention, after meeting with former Secretary Powell and former Secretary Albright, the very poor state of foreign aid in terms of dollars. Previously, we had some $35.1 billion, and now $32.28 billion.

Obviously, working under the constraints of the budget amendment passed by this administration and this Congress certainly misdirected or at least caused confusion among the population because they believe we spend too much on foreign aid; whereas it really shows it is only about 1.2 percent.

I say that because my amendment specifically talks about eliminating funds for supporting programs that target segments of the Muslim and Arab American communities for national security investigations.

Now, Mr. Chairman, as a Member of the Homeland Security Committee, I am not standing here in complete ignorance of the war on terror and of the importance of securing the homeland and ensuring that all of our law enforcement agencies are able to conduct the investigations necessary to secure the homeland.

□ 2115

In fact, I am a strong proponent, as a member of the Subcommittee on Intelligence of that Homeland Security Committee, of increasing intelligence, if you will, backed up by civil liberties and other necessary protections.

But it is well known that after 9/11 the Muslim community and the Arab community in America have been racially profiled. In fact, recently, at an Arab American Economic Summit just held in Houston this week, some of the diplomats, dignitaries, individuals with the appropriate paper, if you will, ambassadors that were traveling from the District of Columbia to Houston were, in fact, detained by our local airports and other authorities. And one would say that an ounce of prevention is worth a pound of cure, if you will, and I have probably made that particular phrase up, but I do understand the cautiousness.

But what we are doing is we are discouraging the legitimate travel for business, cultural exchange, diplomacy and education. We are distracting focus and attention from the guilty to the innocent, and we are diverting scarce Federal law enforcement resources by utilizing them in a targeting fashion.

I hope that we will have an opportunity in this Congress to focus on the issues of intelligence so that we can target individuals who are truly here to harm us.

But I also hope that we can establish the fact that racial profiling for your last name, for your religious faith, is clearly un-American and that what we should be doing is encouraging travel from the Mideast of those who are here for cultural reasons, those who come for business and, yes, the many, many students who have been discouraged from coming to the United States because of the tough requirements on visas directing and their family sending them to European countries, as much for not being able to get visas as being fearful for their young people to be here, that they might be racially profiled.

This is a concern that I believe is necessary to express to this body, and I hope as the various initiatives of this particular appropriations through Justice, through the State Department, really become concerned with the unfair targeting of the Muslim American and Arab American community.

Mr. Chairman, I reserve my time.

Mr. WOLF, I intend to withdraw this amendment.

Mr. WOLF. That is what I was led to believe. I still reserve the point of order.

Ms. JACKSON-LEE of Texas. I accept the unfortunate aspect of legislating on an appropriations bill. But I do believe it is an important enough issue that I hope, as it is placed in the RECORD, we will know that it is important as we proceed with the appropriation.

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

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. SODREL

Mr. SODREL. 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. SODREL:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used for the purpose of enforcing the final judgement of the Federal District Court for the Southern District of Indiana issued in Hinrichs v. Bosma.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from Indiana (Mr. SODREL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

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

Mr. Chairman, I offer this amendment today as a means to protect the rights of State legislatures and the speech, conscience and independence of State legislators from unelected and unaccountable judges serving for life. While my amendment is only half the solution, it is a step in the right direction which I hope this body will adopt until a broader solution can be enacted.

A Federal court in Indiana has imposed itself on the independence of State legislators. A Federal district court judge, David Hamilton, in the case of Hinrichs v. Bosma, has made a ruling to limit religious speech within the Indiana State Legislature and to impose this restriction on the legislators themselves. This decision threatens freedom of speech and imperils the separation of powers in the U.S. Constitution. If Federal courts can regulate any speech of the members of a legislative body, it follows that those courts can regulate all speech.

Our neighboring State, Kentucky, adopted what is known as the Kentucky Resolutions on November 10, 1798, when our republic was in its infancy. These resolutions were adopted as a protest against the Alien and Sedition Acts passed by Congress. This historic document protesting violations of the first amendment states in part, and I quote, ''Another and more special provision has been made by one of the amendments to the Constitution, which expressly declares that Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press: Thereby guarding in the same sentence, and under the same words, the freedom of religion or speech and of the press; insomuch, that whatever violated either, throws down the sanctuary which covers the others.'' End quote.

These words are not my own. They come from the pen of Thomas Jefferson, author of the Declaration of Independence and our third president, who wrote the Kentucky Resolution. They were adopted by the Kentucky Legislature and are a matter of historical record. Jefferson understood these rights were, and are, inseparable. A Federal judge is not above the law. A judge cannot amend the Constitution, nor should a judge be permitted to ignore the context of a constitutional right.

Mr. Chairman, the Indiana Legislature did not make any law. They didn't enact any statute. They didn't even pass a resolution. The legislature was only carrying out a 188-year tradition by beginning each session with a prayer just like the U.S. House of Representatives. Many other legislative bodies throughout the Nation practice this same tradition. But Judge Hamilton ruled the Indiana Legislature must not make any reference to Jesus Christ or to the Christian religion. In addition, the judge specified he would review the speech of the legislators to ensure that they also did not make reference to Christianity or Jesus Christ as Lord. The judge did not make any reference to other religions for any similar restrictions.

Mr. Chairman, my amendment would prohibit the use of funds in this bill from being used to enforce Judge Hamilton's erroneous decision and send a message that Congress is serious about judges legislating from the bench. The Indiana State Legislature is appealing the Judge's decision in this case, but I believe Congress must exercise its right to protect the independence of State legislatures from overzealous judges.

Mr. Chairman, earlier this year, I introduced H.R. 4776 to limit the review of Federal courts over the content of speech in State legislatures. My amendment does not encompass all of H.R. 4776, but it does enough to send a signal to the judiciary that Congress will not tolerate legislating from the bench. Congress cannot permit the court system to rewrite our Constitution.

I have heard the argument that some were offended at hearing a Christian prayer, and that was the reason for the lawsuit. Mr. Chairman, I have searched the U.S. Constitution, and I have found no mention of the right that protects any citizen from being offended. Members of this body, in this Chamber, say things that offend me. But as the patriot Patrick Henry once said, ''I do not agree with what you say but I will defend to the death your right to say it.''

Mr. Chairman, some may question why this amendment is necessary. I would counter by saying what can be more necessary than upholding the U.S. Constitution? We all took an oath to do so. If Congress cannot correct the court when it has strayed from the letter and the intent of the U.S. Constitution, who can? If we don't, who will?

Right now, Indiana legislators must huddle in the back of the chamber, hidden from public view, to pray.

The courts are now going beyond interpreting laws and have begun inserting themselves in the legislative process. The U.S. Constitution prohibits the legislative branch from restricting the free exercise of religion. Why should the judicial branch be an exception?

Judge Hamilton's court is presuming to dictate what State legislators may or may not say and decide how they should represent their constituents. It violates the principles of separation of legislative and judicial powers and separate sovereignty between State and Federal power.

As Jefferson wrote 208 years ago, they are guarded in the same sentence and under the same words, the freedom of religion or speech and of the press. To fail to uphold any of these puts them all at risk.

I urge my colleagues to support my amendment to stand up for freedom of speech and the autonomy of the State legislators.

The CHAIRMAN. The time of the gentleman has expired.

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

The CHAIRMAN. The gentleman is recognized for 5 minutes.

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

Mr. Chairman, this amendment can be very simply summed up simply by reading the one sentence of it. None of the funds made available in this Act may be used for the purpose of enforcing the final judgment of the Federal District Court for the Southern District of Indiana issued in Hinrichs v. Bosma.

I listened to the distinguished gentleman from Indiana as he told us why he disagrees with this, the judgment of the court, of the Federal court of Indiana and why he thinks the court is wrong. He is entitled to his opinion. But let the litigant appeal the decision. That is why we have courts.

The Soviet Union under Stalin in 1936 adopted a constitution. That constitution had a bill of rights, freedom of speech, freedom of association, freedom of the press, freedom of religious and anti-religious propaganda, as they quaintly put it. The problem, of course, was that if you tried to assert the rights they shot you instead of letting you go to court.

No rights are worth anything. There is a maxim in the law, there is no right without a remedy. No right is worth anything if you can't enforce that right. The way we enforce rights in this country is in courts. We tried it a different way once. We had a civil war.

Either Mao is right, that power comes out of the barrel of a gun, or we do it the way we do in this country. We obey court orders.

When a court says something unpopular, you shall not have Jim Crow segregated schools in the South, we obey the law. The President sends in the National Guard in Little Rock in 1957 if he has to. No matter how unpopular the court's decision is.

And here we have an amendment that says, because we disagree with a given decision of a local court, a Federal court in Indiana, no funds will be expended to enforce that decision. That way lies tyranny, Mr. Chairman.

If the gentleman from Indiana doesn't like the opinion, it should be appealed. And if he still doesn't like it, if he doesn't like the final judgments, let him bring an amendment to the Federal Constitution to this body. We can amend the Constitution.

But to say that when a court has decided on a matter of rights, the court has decided that something or other, I am not sure what this case was about, but something or other, some action that someone was taking violated some plaintiff's civil rights, that we should say that no funds will be expended to obey the court order to protect the civil rights of whoever the plaintiff was that the court found that somebody was violating; that some agency of government was violating someone's rights. The Court said that that is the case and, therefore, they should stop it; and we should say, no, no, no? No funds should be used to enforce the order of the court because the victim of the discrimination or the violation of civil rights is unpopular, unpopular with our constituents or unpopular on this floor?

The whole point of religious liberty is that it is not subject to a popularity contest. Minority religions have the right to be protected. Your liberty is protected because you are an American, because we value liberty, not because you can win a vote on the floor of the House or the Virginia Legislature or the Indiana Legislature.

It is absolutely destructive of the structure of our society, the structure of our government and of our guarantees of liberty to say, with regard to any court order, I am not going to defend this court order because I don't know much about it. But to say we will not allow the expenditure of the funds to enforce a court order, that is not our judgment.

If you want to destroy the Constitution, destroy the Constitution, destroy the Bill of Rights, vote for this bill.

I reserve the balance of my time.

The CHAIRMAN. The gentleman from Indiana's time has expired.

Mr. NADLER. I will take the balance of my time.

Mr. Chairman, I will simply say again, it is extremely subversive of liberty, of civil rights, of civil liberties to vote for this bill. I cannot recall a worse bill. To say that we won't enforce a court order because we don't agree with the court, change the judges. You have got the President. Amend the Constitution if you think it is that bad. But don't say that we are going to usurp the function of the courts and let somebody who went to court, exercised his American right to go to court, won in court, and we are going to shaft him and say your rights are violated. The court found your rights are violated, but we, because you are unpopular, we won't let the court enforce your rights. We will take the money away. For shame.

Vote against this amendment.

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

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

Mr. SODREL. 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 Indiana will be postponed.

□ 2130

AMENDMENT OFFERED BY MR. BAIRD

Mr. BAIRD. 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. BAIRD:

Page 110, after line 8, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to file a motion under section 3730(b)(3) of title 31, United States Code, for an extension of time of more than 6 months, or to file more than one motion under such section in any one case.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from Washington (Mr. BAIRD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

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

My amendment is about something that we talk about a lot in this body, and that is reducing waste, fraud and abuse and the waste of U.S. taxpayer dollars. People are concerned about this in the Katrina area. They are concerned about it quite a bit in Iraq as well.

What this amendment would do is ensure that contractors are held accountable for any fraudulent claims they may make against the U.S. Government and the American taxpayers. The most pressing need for the amendment is in Iraq, where the Department of Defense reports spending $6 billion a month, a substantial portion of which currently goes to contractors.

Under present law, whistle blowers may sue contractors suspected of defrauding the government. The administration is then granted 60 days to decide if they will join the case or not. However, the administration can also continually request extensions and thereby delay making a decision, which keeps the cases sealed and unable to proceed through the courts, thereby effectively allowing any fraudulent practices to go uninterrupted and unpunished.

Since the cases are sealed, we can only estimate how many are actually pending in the value of the contracts. But one estimate that is well informed suggests that at least 50 cases are currently awaiting action.

The American taxpayers deserve their day in court. If contractors are being paid for services which they did not perform or when they did not fulfill contracted objectives, those dollars must be recovered on behalf of the American taxpayers.

My amendment would limit the Justice Department to one extension of 6 months. This mirrors a provision of the Stop Fraud in Iraq Act, H.R. 5290, which I introduced along with my colleague, Congresswoman LOFGREN of California. Once the 6-month period lapses, the administration would have to decide to either join the case or to let it proceed without administration participation. One way or another, the cases must be brought before a court and resolved.

Again, this is about ensuring the taxpayer dollars are managed better, and for too long we have seen these cases delayed.

I would urge a ''yes'' vote on the Baird-Lofgren amendment.

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

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

I am inclined to accept the amendment, but before doing so, I yield to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I appreciate the opportunity to address this issue. As a member of the Judiciary Committee, we do have concerns about our jurisdiction over this particular subject matter. But it is certainly true that there are whistle blower cases where multiple requests for extensions by the Department of Justice unnecessarily delay a final resolution of the case in the courts. But this amendment in its rigidity is not an appropriate solution, and I am concerned about this.

The courts currently make the decision as to whether an extension should be provided to the government in these cases. The government cannot singularly decide to stall the case, and the use of the False Claims Act has proven to be one of the most effective tools we have to go after fraud against the government, especially large-scale fraud.

But in those cases where a whistle blower has brought large acts of fraud to the attention of the government, the fraud is spread throughout a large enterprise. And in those cases, there may be a very real need to request multiple extensions in order to establish a viable prosecution on behalf of the government and therefore maximize the chances of recovery. In those cases, multiple extensions are to the benefit of both the government and the whistle blower.

I point out some issues that have to be dealt with by the Department of Justice in these cases, and that would be, first of all, that if the government has a tip, they will have a 5-year statute of limitations to bring a criminal charge, a 6-year statute of limitations to bring a civil charge. And when you look at all the things that a case has to do, first we should keep in mind, each case is different, and they cannot all fit in necessarily to a 6-month extension clause, but they might be stretched out across that. They might be less time than that. The whistle blower often agrees to those extensions, but it is the judge that has to decide.

And then, think in terms of the work that must be done by the Department of Justice. First of all, they have got to interview the whistle blower and document evidence and establish an investigative team and then to consider whether to conduct a criminal investigation and coordinate that with the agency. They may need also to issue subpoenas for documents, interview relevant witnesses and even perhaps defer a decision in case to case and also perhaps also include a grand jury. All of these things are things that have to be considered into this amendment that is offered by Mr. BAIRD.

So I would suggest also that, of these kinds of whistle blower cases, a list of some of the very high dollar cases that took extensions beyond what the limitation of this amendment would be, for example, these are the things that would not have happened if we had been limited to a 6-month extension: HCA, $1.7 billion claim; Serono, $700

million claim; GlaxoSmithKline, $140 million claim; TAP Pharmaceuticals, $875 million; Astra Zeneca, $354 million; and I hesitate to say this, King Pharmaceuticals, $124 million; Advanced PCS, $137 million; Schering-Plough, $345 million.

You get the understanding. That is about half of my list that I present here. I know there is a lot more discussion to take up. But all extensions must be approved by the judge, and I think it is worthy of deliberation.

I appreciate the gentleman for bringing the amendment, and I am hopeful that we can find a resolution that is constructive to the justice we all seek and the efficiency that we seek within the judicial branch of government and the Department of Justice.

Mr. WOLF. Mr. Chairman, reclaiming my time, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. BAIRD).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RENZI

Mr. RENZI. 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. RENZI:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. The amounts otherwise provided by this Act are revised by increasing the amount made available under title I for ''COMMUNITY ORIENTED POLICING SERVICES'' and reducing the amount made available under title IV for ''INTERNATIONAL ORGANIZATIONS—CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS'', by $5,000,000.

The CHAIRMAN. Pursuant to the order of House of Tuesday, June 27, 2006, the gentleman from Arizona (Mr. RENZI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

I thank the chairman for working with me on this amendment. My amendment increases the funding for tribal law enforcement through the COPS program by $5 million, while decreasing the funding for the United Nations.

I appreciate your help on this.

I represent the largest land mass of poverty in America. And many of my colleagues also represent areas in America as shown on the 2000 census that are poverty ridden. Some of you represent areas that have more concentrations of poverty than I do, but I represent an area the size of West Virginia that is the largest land mass of poverty in America.

You want to see children malnutritioned with extended bellies? You do not need to go to Africa. You can go to Kaibito in the Navajo Nation. You want to see children who have not seen a doctor in 30 days, whose jaws are so swollen shut, so infected with pus because they haven't seen an oral surgeon in 30 days, you can go to San Carlos Reservation. The map proves it and shows it.

And you lay on top of this poverty the fact that there is a lawlessness that has come back. The days of the Wild West are back, and they exist on tribal lands. They have no police officers, no equipment. They do not have the tools to bring back the rule of law. On the Navajo Nation, the size of West Virginia, there is one police officer per 4,000 residents. Do you know what the rest of us have in America? We get one police officer for every 800 residents in America.

I am really sorry to interrupt your conversation and bother you all back there. Not real funny.

The people of the San Carlos Reservation, 1.8 million acres, they have five police officers at any time patrolling the San Carlos, 13,000 residents, 20,000 offenses reported last year. Do you know that 25 percent of their babies are born testing positive to meth? Fifty percent of the babies born in the San Carlos test positive to drugs or alcohol. The gangs have taken over. It is a lawlessness.

If you are a felon in Los Angeles, do you know where you run to hide? Do you know a safe haven in America? The Navajo Nation. Safe haven. Do not tell me about terrorist safe havens. I got you a safe haven in America right here in our backyard. All of us share this responsibility.

Now, I realize this bill and the parameters of the bill and the fact that we needed to cut and eliminate pork and earmarks and Members' spending, and this bill is reduced $3 million from last year for tribal law enforcement. My amendment simply says, give back a little bit, one first step towards helping tribal law enforcement, those police agents out there in tough areas in the Wild West trying to pull back a whole generation of Native American youth who are losing their heritage, who are losing their culture, who have become so addicted that no one can even help pull them back. This is a first step.

I ask my colleagues, please, to help me and join with me. I beg on behalf of the Native Americans for $5 million from the U.N. Before you spend it overseas, let us spend it at home. I urge my colleagues to support this amendment.

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

Mr. WOLF. Mr. Chairman, I rise in support of the amendment.

I will certainly accept it, and I think the gentleman makes a very powerful case. I had an amendment several years ago which was defeated on this floor which would have set up a national commission to really go in and look at the conditions on the reservations. I used to work for former Congressman Jon Kyl, the father of now Senator JON KYL, who had really a great burden for many of the Indians, particularly in that area in Arizona. And it is a disgrace. And I really believe, not to make this too controversial, but I think this whole issue of gambling on reservations has almost made people say, well, now, they can have a gambling casino, so we are not going to put any money in.

Many of these reservations are in areas that are very difficult to access, very difficult to get there. Some are in very barren areas, and others are in very cold areas, so people aren't going to go there. So listening to the gentleman, at an appropriate time, I think maybe next year, I am going to offer this thing again. I think it got tied up in the whole gambling issue, which I think is corrupting this Nation, and unfortunately, this Congress and this administration have been too silent on the issue.

But the gentleman makes a very powerful case. So what I think I may do when we come up next year at the appropriate time is offer an amendment to set up a commission that doesn't get involved with the gambling issues but looks at crime. I read the New York Times series about 2 or 3 months ago, back in February, about some of the reservations where organized crime was coming in and the meth problem. And I want to see if we can put together some bold new way to really help the first Americans, the Native Americans.

So I accept the amendment. We will work hard to keep it in conference, too, not just to kind of get out of your hair, to accept it, but to really kind of keep it. And I think listening to you sensitizes me to next year offer this amendment to create this Blue Ribbon Panel of people who really care about the conditions on reservations and see what we can do to really make it concrete.

But I do accept the amendment.

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

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

Just to compliment the gentleman on his argument, I am very supportive of his amendment. I support the chairman's comments. And I invite the gentleman to testify before our subcommittee next year. He is obviously well versed on the issue, and the committee and the Congress need to be more sensitive to the concerns that the gentleman raises.

Mr. KENNEDY of Rhode Island. Mr. Chairman, will the gentleman yield?

Mr. MOLLOHAN. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I want to congratulate the gentleman for his passion in advocating on behalf of Native Americans. I salute him entirely in his efforts to represent his district but also all of Native American country.

Growing up, I had a picture in my house of my Uncle Robert Kennedy out in Pine Ridge Reservation, and the pictures were of like a developing country

that we would never think was here in our own country. And your description today of the conditions are no different than the descriptions that occurred 40 years ago when people were thinking what a tragedy it is, the way we are treating our Native Americans. And what is even more of a tragedy is that, over all of these years, we have done nothing to improve the conditions of Native Americans in this country who have absolutely been decimated in so many ways because the United States has failed to fulfill its very basic trust responsibility to our first Americans.

I cannot thank the gentleman enough for his passion and his advocacy, and I think he has done an admirable job laying out the statistics for the American people. I think if the American people only knew how bad these situations were, their conscience would be raised and we would be about trying to solve the problems that the gentleman talked about in his speech.

□ 2145

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

The CHAIRMAN. The gentleman from Arizona is recognized for 1½ minutes.

Mr. RENZI. Mr. Chairman, I want to thank all of you for helping me on this. It is something that is so big, it is something that is so severe, it is going to need all of our help.

PATRICK, you have come out and you have seen San Carlos. Your family has visited there. There is a school named after your uncle there, and that schoolyard is filled with gang leaders right now. So I need your help, and I need the ranking member's help and all of those who weighed in on this issue, and I am grateful for it.

Mr. Chairman, I want to thank you also for your understanding on this. This money doesn't go to Arizona or for me. It is for all of us. It is for the gentlelady from South Dakota. It is for the gentlemen from New Mexico and Arizona, everyone who represents our first Americans, who are watching them become addicted. They are watching the gangs take over. They are watching their whole culture be destroyed, be wiped out. Much like in the 1800s when they were wiped out by alcohol and smallpox, the same thing is occurring with methamphetamines. They are more susceptible to it.

I also want to want to say I also appreciate the view on the gaming issue. The Hopis and the Navajo don't engage in gaming. It is against their spiritual foundations. So there are no extra revenues to pull in, and I recognize the social ills tied to that.

But these are safe havens for drug dealers and for felons. When you have five police officers on the San Carlos Reservation, 13,000 people, there is lawlessness, there is no rule of law, and the gangs are running the show and the rats have taken over the ship. And I need help on this issue.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. RENZI).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HINCHEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The Clerk designated the amendment.

Mr. WOLF. Mr. Chairman, I ask unanimous consent that the amendment be read.

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

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. HINCHEY:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used in contravention of section 3109 of title 18, United States Code.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from New York (Mr. HINCHEY) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from New York.

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

Mr. Chairman, I am introducing this amendment today with my good friend and colleague, RON PAUL. It is a bipartisan amendment.

This amendment simply states that none of the funds in this Act can be used to obtain evidence in contravention of the United States Code pertaining to the knock and announce policy.

The history of the knock and announce requirement can be traced back to common law. The rule requires officers with a warrant to knock and announce their presence before entering a private residence.

Earlier this month the Supreme Court ruled in a 5–4 decision in Hudson v. Michigan that evidence can still be obtained even if the officer or officers violated the knock and announce policy.

In that case, Justice Breyer gave a passionate dissent. Among his dissenting objections were these. He said, ''As a result of this decision, the Court destroys the strongest legal incentive to comply with the Constitution's knock and announce requirement, and the Court does so without significant support in precedent. At least I can find no such support in the many fourth amendment cases the Court has decided in the near century since it first set forth the exclusionary principle in Weeks v. The United States back in 1914.''

This ruling goes against the precedents set by the Supreme Court most recently in Wilson v. Arkansas, 1995. The court held that the fourth amendment's reasonable search and seizure clause requires police officers to knock and announce their presence before entering a private residence.

Just a couple of years ago, in United States v. Banks, 2003, the court held that officers must wait at least 15 to 20 seconds before breaking a door down, again reaffirming the knock and announce rule. This ruling by this activist Supreme Court will create a slippery slope unless we stop it.

Justice Breyer also mentioned in his dissenting opinion the slippery slope and in mentioning it stated that if a warrant specifies that you can search the home on Monday, can police officers arrive on Tuesday?

We have a very serious issue before us, and that is a Supreme Court which has taken it upon itself to enact new law, in contrary not just to existing law, but in contrary to the Constitution of the United States, and this particular decision against the knock and announce policy goes markedly against the fourth amendment to the Constitution.

It is something against which this Congress must stand up. We cannot have a Supreme Court which continues to infringe upon the rights and privileges of American citizens, a Supreme Court which continues to insist on violating the privacy rights of American citizens which are protected in the fourth amendment to the Constitution. That is why I am offering this amendment this evening.

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

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment.

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

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

Mr. Chairman, you are hearing history tonight. A member of the House Appropriations Committee is offering an amendment to repeal, overturn, a Supreme Court decision. I think that is unbelievable. At first, when I asked what the Hinchey amendment was, then I said, the Hudson case, was that the case 2 weeks ago on June 15? And they said it is.

The gentleman's amendment would overrule a Supreme Court decision through a funding limitation on an appropriations bill. If this ever passed, I think it would be just horrible.

This is not an appropriate way. There is much more I can say. I will just end, the Justice Department sent a letter up here, and we will submit it for the record, that says, ''The department also believes that it is inappropriate to hamstring law enforcement efforts that are permissible under the Constitution. If the Constitution does not require the application of the exclusionary rule to knock and announce searches that are subsequently deemed by a judge to have been conducted in an unreasonable manner, then Congress ought not force Federal law enforcement agents to play by rules not constitutionally required, especially when there is no way procedurally to comply with the amendment.''

We ought not on the floor of the House at 10 minutes before 10 overrule Supreme Court decisions, no matter what you think of the decision. I don't think this is the way to go.

If the gentleman wants to offer a constitutional amendment, go through the Judiciary Committee. But with 5 minutes on this side, 5 minutes on that side, 10 minutes, to overrule the Supreme Court of the United States I think would be a mistake.

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

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

Mr. Chairman, I am not going to debate the Hinchey amendment, but I do want to make one observation: We have just been told by my good friend from Virginia that we should not overturn a Supreme Court decision. I don't disagree with that. But just a few minutes ago this House considered an amendment overturning another court decision or insisting that no money be allowed to enforce that decision, and a few weeks ago you had this House vote to deny funds to enforce another court decision on eminent domain.

Now, I happen to disagree with that court decision on eminent domain. Demagogues, when they attack me on that, will forget that fact. But I would just say it is interesting to me to see the selectivity with which we produce sudden concern about vacating court decisions.

I don't think this institution has any business trying to, by law, deny funds for the enforcement of any court decision, even if I disagree with those court decisions, because I respect the processes of law defined by the Constitution.

But if we are going to attack this amendment, then I would suggest we go back and take a look at the other amendments that this House has whooped through without a modicum of thought about what it means if politicians start arbitrarily refusing to support funding for any court decision. That crosses the line.

I attended a meeting at the Supreme Court, a luncheon called by the Supreme Court, where the previous majority leader, Mr. DeLay, informed Justice Scalia and Justice O'Connor, roughly this: You need to understand we are coming after you, and we are going, we are coming after you with your jurisdiction, and you need to listen to us because we are the only ones connected with public opinion. That is what Mr. DeLay said to Justice Scalia and Justice O'Connor.

So although I greatly respect the gentleman from Virginia, I don't think we need to hear any lectures suddenly expressing concern for this Congress trying to withhold support for court decisions. It is a little late, given the track record of the majority on that score.

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

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

Mr. NADLER. Mr. Chairman, I appreciate the gentleman yielding.

I would simply like to point out that this amendment differs fundamentally from the Sodrel amendment that we heard a few minutes ago. The Sodrel amendment is subject to the disparaging comments that the gentleman from Virginia just made, because the Sodrel amendment does say no funds herein appropriated shall be used to enforce the court decision in a certain case and says we are not going to enforce a court decision.

The Hinchey amendment doesn't do that. Nor does the Hinchey amendment, contrary to what we heard from the distinguished chairman, overturn a Supreme Court decision. The Supreme Court decision in this case said you may do something. You may execute a search warrant without knocking. What this amendment says is, because we may doesn't mean we should.

So what the gentleman's amendment is saying is, despite the fact that the Supreme Court gave us permission to do this, we will deny funding to do this because we don't think it is right. So the gentleman's amendment is not overturning an Supreme Court decision. It is saying, thank you for the permission; we choose not to exercise the permission you gave us.

It is very different from the Sodrel amendment, which says do not enforce the court order. Do not spend any money enforcing the court order. That is subversive of the Constitution. That is subversive of a liberty.

Mr. HINCHEY's amendment, whether you agree with it or not, does not subvert the court order, does not subvert what the court said, and simply says, what you gave us permission to do, we choose not to do.

Mr. OBEY. Mr. Chairman, reclaiming my time, I would point out that the Supreme Court said that the actions that were taken were wrong. That is what the Court said. They just suggested there were other remedies.

Mr. WOLF. Mr. Chairman, I yield the balance of my time to the gentleman from Iowa (Mr. KING).

□ 2200

Mr. KING of Iowa. Mr. Chairman, may I inquire as to how much time remains?

The CHAIRMAN. The gentleman has 3 minutes remaining.

Mr. KING of Iowa. Mr. Chairman, let's be clear about what we are talking about here. This is a case where the police officers had a warrant, and it was a legitimate warrant, and that is not in question. And then, when they approached the location to serve the warrant, they knocked, and within about 3 seconds, and they admit this, then they entered to conduct the search, there was the subject of the warrant.

And the question is, did the police officers then wait a reasonable time? Did they meet that reasonableness standard? And they agreed that they did not. But the issue really is, the warrant was there. It was a legitimate warrant. It was a warrant that, had it been served exactly according to the letter of the intent of previous case law and the Constitution, then that evidence would have been admissible in court, not excluded.

So the court ruled that simply because the officers were abrupt in their entry was not a reason to exclude the evidence from the court. That is the case here with Hudson v. Michigan. That is the kind of thing that the Hinchey amendment would seek to preclude.

Now, I do not know what the motivation is for that. I do not know why one would want to, because we had some maybe abrupt or rude police officers exclude evidence from a court, especially criminal court. I would think we would want to have that evidence available to the court, and then we would want to take a look at the kind of activities on the part of those officers, because there are other remedies that can be found.

Those other remedies are in the civil courts, the remedies are in police officer enforcement, and there is also a particular Federal statute that allows for that relief. So I would submit then, Mr. Chairman, that there is plenty of relief here to resolve this, and the Hinchey amendment goes the wrong way.

Furthermore, by the time, it would be impossible for Justice to comply with this amendment, because by the time the court ruled that they had not complied with the Hinchey language, they would have already served the warrant, already taken action on this, and already the funds would have been expended. So it would be impossible to comply with this particular amendment.

The effect of it would be to tie the hands. If they did, they would have to be very, very cautious about how they take care of these activities, and that would mean that there will be times when these criminal cases that would not be investigated, warrants that would not be appropriately served for fear that they would be in violation of this amendment, even though there is a not a way to avoid it.

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

Mr. KING of Iowa. I yield to the gentleman from Wisconsin.

Mr. OBEY. I thank the gentleman.

Let me simply say, without getting into the merits of the Hinchey amendment, I would simply suggest that if arguments are going to be made on that side of the aisle, that they not be based on the question of whether we should be vacating court decisions, and the majority has already tried to do that on two separate occasions

Mr. KING of Iowa. Mr. Chairman, reclaiming my time, I do not believe that was my argument, was the practicality of how we comply with the Hinchey amendment, and the fact that it is impossible to comply with the Hinchey amendment, however impractical it is.

So I would submit that this does tend to circumvent Hudson v. Michigan, and I would ask for opposition to the amendment.

The CHAIRMAN. The gentleman from New York has 1½ minutes remaining.

Mr. HINCHEY. Mr. Chairman, I just want to make it clear what we are doing here. The knock and announce policy is enshrined in the Constitution, in the context of the fourth amendment. It goes back at least to the 13th century. It is enshrined in common law. It is held up by numerous Supreme Court decisions over the last 100 years, going back at least to 1914, and several of them in recent years, late 1990s, one again in 2003.

Now, all of a sudden, we have this more activist Supreme Court coming to the fore and intruding itself on the law, a Supreme Court which believes it can make the law, not just interpret it. One of the most brilliant aspects of our Constitution is the separation of powers provision. Every law in this country can be made only by this Congress.

Now I know some of my friends on the other side want the President to make the law. But if they do so, they are violating the Constitution again. Every law in this country, according to the Constitution, can only be made by this Congress. Not by the President, not by the Supreme Court. The Courts can only interpret the law.

What this court has done is attempt to make the law and to intrude itself upon previous Supreme Court decisions and, by doing so, violate the fourth amendment to the Constitution and the knock and announce provision which has been in effect for many centuries.

It is up to this Congress to stop that. That is why this amendment is being offered.

Mr. WOLF. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it is not appropriate, no matter what the gentleman from New York thinks, for a House Appropriations Committee to take this action tonight. I think it is wrong and therefore urge a defeat of the Hinchey amendment.

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

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

Mr. HINCHEY. 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 will be postponed.

AMENDMENT OFFERED BY MR. WOLF

Mr. WOLF. 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. WOLF:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. The amounts otherwise provided by this Act are revised by increasing the amount made available for the item ''COMMUNITY ORIENTED POLICING SERVICES'', and by reducing the aggregate amount made available for ''Department of Justice, General Administration, Salaries and Expenses'', by $2,000,000.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from Virginia (Mr. WOLF) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I will be very brief.

I am offering this amendment to add $2 million for prisoner reentry programs. I think that reentry programs help offenders to move back into their communities and be productive citizens.

Mr. Chairman, I thank the gentleman from Florida (Mr. STEARNS) for bringing this to my attention. I think the more we can help people, and there is a record number of people that are being released from prisons at this time, the more that we can do and help them as they reenter and become good citizens is good.

Mr. Chairman, so I offer that amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. WOLF.)

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The 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. 21 by Mr. STEARNS of Florida.

Amendment by Mr. WEINER of New York.

Amendment No. 20 by Mr. STEARNS of Florida.

Amendment No. 16 by Mrs. MUSGRAVE of Colorado.

Amendment by Mr. NADLER of New York.

Amendment by Mr. SODREL of Indiana.

Amendment by Mr. HINCHEY of New York.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 21 OFFERED BY MR. STEARNS OF FLORIDA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. STEARNS) 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 vote was taken by electronic device, and there were—ayes 167, noes 254, not voting 11, as follows:

[Roll No. 340]

AYES—167

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Bonilla
Bonner
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cantor
Carter
Chocola
Coble
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Deal (GA)
Doolittle
Drake
Dreier
Duncan
Emerson
Everett
Feeney
Foley
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Gutknecht
Hall
Harris
Hart
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Latham
Leach
Lewis (KY)
Linder
Lucas
Mack
Manzullo
Marchant
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nussle
Otter
Paul
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryun (KS)
Schmidt
Schwarz (MI)
Shaw
Shimkus
Shuster
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Wamp
Weldon (FL)
Weldon (PA)
Westmoreland
Whitfield
Wicker
Wilson (SC)
Young (FL)

NOES—254

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehlert
Boehner
Bono
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Calvert
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chabot
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson

Filner
Fitzpatrick (PA)
Flake
Forbes
Frank (MA)
Frelinghuysen
Gilchrest
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Hastings (WA)
Herseth
Higgins
Hinchey
Hinojosa
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kirk
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Petri
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Regula
Reichert
Renzi
Reyes
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weller
Wexler
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—11

Cannon
Davis (FL)
Evans
Ford
Gerlach
Holden
Holt
Hyde
Johnson, Sam
Kanjorski
Sherwood

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in the vote.

□ 2232

Ms. VELÁZQUEZ, Mr. SWEENEY, and Mr. DAVIS of Tennessee changed their vote from ''aye'' to ''no.''

Messrs. CONAWAY, WELDON of Florida, TERRY, HUNTER, BACHUS, PORTER, SCHWARZ of Michigan, Ms. HARRIS, Messrs. ISSA, GILLMOR, and FOSSELLA 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 MR. WEINER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. WEINER) 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 2-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 236, not voting 11, as follows:

[Roll No. 341]

AYES—185

Abercrombie
Ackerman
Allen
Andrews
Baldwin
Barrow
Bass
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boswell
Bradley (NH)
Brady (PA)
Butterfield
Camp (MI)
Capito
Capuano
Cardoza
Carson
Case
Chabot
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dingell
Doggett
Doyle
Duncan
Emanuel
Emerson
Engel
Eshoo
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Fossella
Frank (MA)
Gibbons
Gillmor
Green (WI)
Grijalva
Gutierrez
Hefley
Herseth
Higgins
Hinchey
Hooley
Inslee
Israel
Jackson (IL)
Jefferson
Johnson (IL)
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (NY)
Kingston
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
McCollum (MN)
McHugh
McIntyre
McKinney
McNulty
Meehan
Melancon
Michaud
Millender-McDonald
Miller, George
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Nadler
Neal (MA)
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Otter
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Platts
Pomeroy
Porter
Pryce (OH)
Rahall
Ramstad
Rangel
Reichert
Renzi
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Shimkus
Simmons
Skelton
Slaughter
Smith (NJ)
Snyder
Spratt
Stark
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (NM)
Upton
Velázquez
Walden (OR)
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Woolsey
Wynn

NOES—236

Aderholt
Akin
Alexander
Baca
Bachus
Baird
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boucher
Boustany
Boyd
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Campbell (CA)
Cantor
Capps
Cardin
Carnahan
Carter
Castle
Chocola
Coble
Cole (OK)
Conaway
Costa
Costello
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (TN)
Davis, Tom
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Drake
Dreier
Edwards
Ehlers
English (PA)
Etheridge
Everett
Feeney
Flake
Foley
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hinojosa
Hobson
Hoekstra
Honda
Hostettler
Hoyer
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Keller
Kilpatrick (MI)
King (IA)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matsui
McCarthy
McCaul (TX)
McCotter
McCrery
McDermott
McGovern
McHenry
McKeon
McMorris
Meek (FL)
Meeks (NY)
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Myrick
Napolitano
Neugebauer
Northup
Nunes
Ortiz
Osborne
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Price (GA)
Price (NC)
Putnam
Radanovich
Regula
Rehberg
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (OH)
Ryun (KS)
Sabo
Saxton
Schakowsky
Schiff
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shuster
Simpson
Smith (TX)
Smith (WA)
Sodrel
Solis
Souder
Stearns
Strickland
Sullivan
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Udall (CO)
Van Hollen
Visclosky
Walsh
Wamp
Wasserman Schultz
Weldon (FL)
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—11

Cannon
Davis (FL)
Evans
Ford
Gerlach
Holden
Holt
Hyde
Johnson, Sam
Kanjorski
Sherwood

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 2236

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 20 OFFERED BY MR. STEARNS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. STEARNS) 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 2-minute vote.

The vote was taken by electronic device, and there were—ayes 131, noes 288, not voting 13, as follows:

[Roll No. 342]

AYES—131

Aderholt
Akin
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Beauprez
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brown-Waite, Ginny
Burton (IN)
Buyer
Campbell (CA)
Cantor
Capito
Chabot
Coble
Conaway
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Deal (GA)
Doolittle
Drake
Duncan
Everett
Feeney
Flake
Forbes
Foxx
Franks (AZ)
Garrett (NJ)
Gibbons
Gingrey
Gohmert
Goode
Goodlatte
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hostettler
Hunter
Istook
Jenkins
Jindal
Johnson (IL)
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
Kingston
Lewis (KY)
Linder
LoBiondo
Lucas
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Neugebauer
Ney
Norwood
Otter
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Poe
Pombo
Porter
Price (GA)
Rehberg
Renzi
Rogers (AL)
Rogers (MI)
Rohrabacher
Royce
Ryun (KS)
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Sodrel
Souder
Stearns
Sullivan
Tancredo
Taylor (MS)
Terry
Tiahrt
Tiberi
Wamp
Weldon (FL)
Westmoreland
Wicker
Wilson (SC)
Wu
Young (AK)
Young (FL)

NOES—288

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Bass
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehlert
Boehner
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Burgess
Butterfield
Calvert
Camp (MI)
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chandler
Chocola
Clay
Cleaver
Clyburn
Cole (OK)
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gilchrest
Gillmor
Gonzalez
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
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
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Pickering
Pitts
Platts
Pomeroy
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Reichert
Reyes
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wilson (NM)
Wolf
Woolsey
Wynn

NOT VOTING—13

Cannon
Davis (FL)
Evans
Ford
Gerlach
Holden
Holt
Hyde
Johnson, Sam
Kanjorski
Reynolds
Sanders
Sherwood

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 2242

Mr. POMBO changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. SANDERS. Mr. Chairman, on rollcall No. 342, had I been present, I would have voted ''no.''

AMENDMENT NO. 16 OFFERED BY MRS. MUSGRAVE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Colorado (Mrs. MUSGRAVE) 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 2-minute vote.

The vote was taken by electronic device, and there were—ayes 230, noes 191, not voting 11, as follows:

[Roll No. 343]

AYES—230

Aderholt
Akin
Alexander
Baca
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carter
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Cooper
Costello
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
Dent
Dingell
Doolittle
Drake
Duncan
Edwards
Emerson
English (PA)
Etheridge
Everett
Feeney
Flake
Foley
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Graves
Green (WI)
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (IL)
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kind
King (IA)
Kingston
Kline
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (KY)
Linder
Lucas
Mack
Manzullo
Marchant
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McIntyre
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (TX)
Sodrel
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Upton
Walden (OR)
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)

NOES—191

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldwin

Bean
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boyd
Brady (PA)
Brown (OH)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Clay
Cleaver
Clyburn
Conyers
Costa
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Doyle
Dreier
Ehlers
Emanuel
Engel
Eshoo
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Fossella
Frank (MA)
Frelinghuysen
Gilchrest
Gonzalez
Granger
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
King (NY)
Kirk
Knollenberg
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Maloney
Markey
Marshall
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McHugh
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Nadler
Napolitano
Neal (MA)
Olver
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Ramstad
Rangel
Reichert
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Stark
Sweeney
Tauscher
Thomas
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—11

Cannon
Davis (FL)
Evans
Ford
Gerlach
Holden
Holt
Hyde
Johnson, Sam
Kanjorski
Sherwood

Mr. CONYERS and Mr. TOWNS changed their vote from ''aye'' to ''no.''

Messrs. STRICKLAND, BACA, KUHL of New York, BILBRAY, GREEN of Wisconsin and Mrs. KELLY changed their vote from ''no'' to ''aye.''

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 2249

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. NADLER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. NADLER) 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 2-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 230, not voting 13, as follows:

[Roll No. 344]

AYES—189

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Chandler
Conyers
Costa
Costello
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Duncan
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Frank (MA)
Gingrey
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
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
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Petri
Poe
Pomeroy
Price (GA)
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn
Young (AK)

NOES—230

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barton (TX)
Bass
Bean
Beauprez
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Cardoza
Carter
Case
Castle
Chabot
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Edwards
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
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
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Porter
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOT VOTING—13

Bishop (UT)
Cannon
Davis (FL)
Evans
Ford
Gerlach
Holden
Holt
Hyde
Johnson, Sam
Kanjorski
Marchant
Sherwood

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 2253

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SODREL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. SODREL) 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 2-minute vote.

The vote was taken by electronic device, and there were—ayes 246, noes 174, answered ''present'' 1, not voting 11, as follows:

[Roll No. 345]

AYES—246

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boucher
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carter
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Costa
Costello
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doolittle
Drake
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinojosa
Hobson
Hoekstra
Hooley
Hostettler
Hunter
Issa
Istook
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (IL)
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Melancon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Musgrave
Myrick
Napolitano
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Salazar
Saxton
Schmidt
Schwarz (MI)
Scott (GA)
Sessions
Shadegg
Shaw
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Spratt
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wynn
Young (AK)
Young (FL)

NOES—174

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Bono
Boswell
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Clay
Cleaver
Clyburn
Conyers
Cooper
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Tom
DeGette
Delahunt
DeLauro
Dent
Dicks
Doggett
Doyle
Dreier
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fitzpatrick (PA)
Frank (MA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Honda
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Knollenberg
Kolbe
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Price (NC)
Rangel
Rothman
Roybal-Allard
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (VA)
Sensenbrenner
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Stark
Strickland
Stupak
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Waxman
Weiner
Wexler
Wolf
Woolsey
Wu

ANSWERED ''PRESENT''—1

Watt

NOT VOTING—11

Cannon
Davis (FL)
Evans
Ford
Gerlach
Holden
Holt
Hyde
Johnson, Sam
Kanjorski
Sherwood

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there is 1 minute left in this vote.

□ 2258

So the amendment was agreed to.

The result of the vote was announced as above.

AMENDMENT OFFERED BY MR. HINCHEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. HINCHEY) 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 2-minute vote.

The vote was taken by electronic device, and there were—ayes 109, noes 310, not voting 13, as follows:

[Roll No. 346]

AYES—109

Abercrombie
Ackerman
Baldwin
Bartlett (MD)
Becerra
Berman
Bishop (NY)
Blumenauer
Boucher
Brown, Corrine
Capps
Capuano
Cardoza
Carson
Clay
Conyers
Crowley
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Dicks
Engel
Eshoo
Farr
Filner
Grijalva
Gutierrez
Harman
Hastings (FL)
Hinchey
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Lewis (GA)
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy
McDermott
McGovern
McKinney
McNulty
Meeks (NY)
Millender-McDonald
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Oberstar
Olver
Otter
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Price (NC)
Rangel
Rothman
Roybal-Allard
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Scott (GA)
Scott (VA)
Serrano
Sherman
Slaughter
Solis
Stark
Thompson (CA)
Towns
Udall (CO)
Udall (NM)
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Wexler
Woolsey
Wu
Wynn

NOES—310

Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barrow
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Cardin
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
English (PA)
Etheridge
Everett
Fattah
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
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
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth

Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Hooley
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Jones (NC)
Kaptur
Keller
Kelly
Kennedy (MN)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Lantos
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Meehan
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Oxley
Pascrell
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stearns
Strickland
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Upton
Van Hollen
Walden (OR)
Walsh
Wamp
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—13

Cannon
Davis (FL)
Evans
Ford
Gerlach
Holden
Holt
Hyde
Johnson, Sam
Kanjorski
Obey
Sherwood
Sullivan

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there is 1 minute remaining in this vote.

□ 2304

Mr. MARKEY and Mr. BLUMENAUER changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. NEUGEBAUER. Mr. Chairman, I rise today in support of the fiscal year 2007 Science, State, Justice Commerce Appropriations bill. I am particularly pleased that Chairman. WOLF included language that directs the Bureau of Prisons (BOP) to renew agreements with local governments housing federal criminal aliens, as long as the facilities meet Bureau of Prisons' standards and a fair and reasonable price is offered.

This provision of the bill is notably important to Big Spring, Texas and Garza County, Texas, both of which are located in my district, because these communities currently house federal criminal aliens and operate under an intergovernmental agreement (IGA) with the BOP. Renewing IGA's in west Texas will ensure that the federal government can meet the increasing demand for the incarceration of criminal aliens and continue to build upon already strong relationships for the long term.

This language also proves that Congress is committed to fiscal discipline. Big Spring and Garza County offer secure facilities to house dangerous individuals, while providing the American taxpayers some of the lowest per diem rates in the Nation.

Mr. Chairman, in closing I urge my colleagues to support this important piece of legislation.

Mr. GENE GREEN of Texas. Mr. Chairman, I rise to express my support for the fiscal year 2007 Science-State-Justice Commerce appropriations bill. The subcommittee has taken a difficult allocation and done an admirable job of funding important federal programs within these agencies. I am particularly grateful to the subcommittee for dedicating funding for Houston Community College's Public Safety Institute within the Department of Justice's accounts.

The Houston Community College has taken the steps to build a much-needed Public Safety Institute in Houston, Texas. PSI will be a state-of-the-art facility that will offer specialized training for area fire fighters, law enforcement, medical technicians and other first responders. While Houston-area first responders will be the first to benefit from PSI's training programs in bio-hazards, command and control, shipboard spills and swift water rescue, I have no doubt that first responders from across the state—if not the Nation—will soon be traveling to PSI for this high-tech training.

Houston is home to the country's fourth largest metropolitan area and the Nation's second largest port in terms of foreign tonnage. We are also home to the world's second largest petrochemical complex and the world's single largest petrochemical refinery. Given the critical nature of these assets, the PSI's training programs will help further not only our local law enforcement but also our homeland security.

Mr. Chairman, with great pride that we are working to secure federal funding for PSI, which will be located in our district. While no training scenario can fully simulate a true emergency, the offerings at PSI will be as close as technology will allow. First responders will benefit from PSI's ''skills village,'' which will house a number of structures that simulate a real-world training environment for participants. PSI will also house a 10,000 square foot burn building to create fire-fighting scenarios and a 10,000 square foot tower for fire and rescue training.

I appreciate the subcommittee's recognition that PSI is an important project worthy of federal investment. The Congress can be as proud as I am that this funding will further PSI's mission to provide comprehensive training to the firefighters and local law enforcement who serve as first responders to any threat the City of Houston, and the national security assets in our area.

Mr. WOLF. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCCAUL of Texas) having assumed the chair, Mr. HASTINGS of Washington, 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. 5672) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, had come to no resolution thereon.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 5688

Mr. GENE GREEN of Texas. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 5688.

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, 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 tomorrow.

AMENDING SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5689) to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes.

The Clerk read as follows:

H.R. 5689

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SURFACE TRANSPORTATION TECHNICAL CORRECTIONS.

(a) CORRECTION OF INTERNAL REFERENCES IN DISADVANTAGED BUSINESS ENTERPRISES.—Section 1101(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1156) is amended in each of paragraphs (3)(A) and (5) by striking ''(1)'' each place it appears and inserting ''(2)''.

(b) TECHNICAL CORRECTION OF DISTRIBUTION OF OBLIGATION AUTHORITY.—Section 1102(c)(5) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1158) is amended by striking ''among the States''.

(c) CORRECTION OF DESCRIPTION OF NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROJECT.— Item number 1 of the table contained in section 1302(e) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1205) is amended by inserting ''LA,'' after ''TX,'' in the listing of States.