

within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 4050, offered by the gentleman from Georgia, Mr. WESTMORELAND. This bill would name a post office in Thomaston, Ga. to honor Sgt. First Class Bobby Lee Hollar, who was killed in action while serving our nation in Iraq.

Sergeant Hollar was the kind of man who makes it possible for Americans to live in freedom and his service to his country was nothing short of remarkable. He was a Tank Commander in the U.S. Army National Guard before joining the 108th Cavalry Division in Griffin, Georgia. For seven years following that, he worked within the 82nd Airborne Division out of Fort Bragg and Colorado Springs. He believed passionately in what he did, and at the young age of 35, he died entirely too young.

I would also like to note here that naming this post office in honor of Sergeant Hollar is quite befitting, as he dedicated several years of his life to the Postal Service before returning to the military and deploying to Iraq. Friends and family from every part of his life remember his kindness, his spirit, and the way he put his heart and soul into everything he did. We are so fortunate for the bravery and allegiance of people like Sergeant Hollar, and it is with gratitude for his dedication and service that I support this resolution.

Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Mr. Speaker, I want to thank Chairman DAVIS and his staff, and to Mr. DAVIS and the Republican leadership for allowing this bill to come to the floor. I also want to thank Senator ISAKSON for handling this bill in the Senate and having it passed.

Sergeant First Class Robert "Bobby" Lee Hollar, Jr., was a loving husband, father of two, son, and friend. He was a respected and loved brother in arms to his brother soldiers in E Troop 108th Cavalry of the 48th Brigade of the Georgia National Guard and was mobilized and deployed as part of the U.S. Army Force Command in Operation Iraqi Freedom.

Sergeant First Class Hollar arrived in Kuwait in May of 2005, and only 10 days later went into Baghdad with his fellow troops. His unit moved down to assist with missions in the Triangle of Death, and he patrolled out of his Forward Operating Base Michael south of Baghdad in mid-June 2005. His unit faced tough, hostile conditions in the Triangle of Death.

On September 1, 2005, while on patrol, Sergeant First Class Hollar's vehicle was struck by a powerful improvised explosive device. Although he survived at the scene and was evacuated to the field hospital for emergency surgery and treatment, his injuries were too se-

vere for him to survive. He died later that day, leaving his wife Amanda, his 2-year-old son Wesley, and another son by a previous marriage.

Sergeant First Class Hollar was awarded the Purple Heart and Bronze Star. He was awarded various service and achievement awards as well.

Sergeant First Class Hollar was assigned to the Jonesboro, Georgia, Postal Facility and had taken up residence in Thomaston, Georgia. Sergeant First Class Hollar had become a pen pal for students at Crescent Middle School in Griffin, Georgia. In May of 2005, Sergeant Hollar visited the middle school and was accompanied by his then 1-year-old son, Wesley.

Sergeant Hollar touched the lives of the fourth and fifth grade classes with whom he was a pen pal. These children became very attached to Sergeant Hollar as he continued to write them from Iraq.

On September 2, 2005, their teacher, Katie Cobb, was unfortunately faced with the tough task of sharing the horrible news that their friend, Sergeant Hollar, had died from an explosive device that hit his vehicle.

That fourth grade class had the chance to know a true American hero. Sadly, when the class heard of Sergeant Hollar's death, they learned a tragic but important lesson about the high cost of defending freedom.

According to Ms. Cobb, the students all started crying and were very upset about Sergeant Hollar's death. Ms. Cobb stated that she was proud that her students became even more appreciative of their freedom from knowing Sergeant Hollar. After his death, the students proceeded to write their government officials asking that his memory be carried on by having the Thomaston Post Office named in his honor.

It is a rare occasion when a post office can be named for such a wonderful individual who was an active postal employee and Active Duty service-member who died while serving his country as an American hero.

Mr. Speaker, I ask that all Members would support S. 4050 in honor of this great man.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, as a member of the Government Reform Committee, I am pleased to join my colleague in consideration of S. 4050, a bill to designate the facility of the United States Postal Service located at 103 Thompson Street in Thomaston, Georgia as the Sergeant First Class Robert Lee "Bobby" Hollar, Jr., Post Office Building.

S. 4050, sponsored by Senator JOHNNY ISAKSON, passed the Senate by unanimous consent on December 6, 2006.

Robert Lee "Bobby" Hollar was born in Woodstock, Virginia. Hollar served in the Georgia National Guard's 108th Infantry Brigade Cavalry Division based out of Griffin, Georgia, as a tank commander in Iraq. Prior to his service

in the 108th Cavalry Regiment, Hollar was a member of the 82nd Airborne Division, and he was a military scout before that.

Mr. Hollar also was a dedicated public servant. He served as a devoted postal letter carrier for years before being deployed to Iraq.

Mr. Hollar was killed in Iraq on September 1, 2005, when a roadside improvised explosive device exploded along the Humvee in which he was riding. Mr. Hollar was 35 years old when he was killed in action. No greater service can one give to their country than to be killed in its defense. I urge passage of this bill.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and pass the Senate bill, S. 4050.

The question was taken; and (two-thirds of those voting having responded in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

PROVIDING FOR A SEVERANCE PAYMENT FOR EMPLOYEES OF LEADERSHIP OFFICES AND COMMITTEES OF THE HOUSE

Mr. EHLERS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1104) providing for a severance payment for employees of leadership offices and committees of the House of Representatives who are separated from employment solely and directly as a result of a change in the party holding the majority of the membership of the House.

The Clerk read as follows:

H. RES. 1104

Resolved,

SECTION 1. SEVERANCE PAY FOR COMMITTEE AND LEADERSHIP STAFF DISPLACED BY CHANGE IN MAJORITY PARTY STATUS.

(a) DEFINITIONS.—For purposes of this resolution, the following definitions apply:

(1) The term "committee" means a standing or select committee of the House of Representatives or a joint committee of the Congress whose funds are disbursed by the Chief Administrative Officer of the House of Representatives.

(2) The term "eligible displaced staff member" means an individual described as follows:

(A) The individual is separated from employment with a committee or a leadership office solely and directly as a result of a change in the party holding the majority of the membership of the House, as certified by the chair of the committee or head of the leadership office (as the case may be).

(B) Prior to the date of the separation from employment described in subparagraph (A), the individual was an employee of the committee or leadership office involved for not fewer than 183 days (whether or not service was continuous).

(C) During the period of the individual's employment, the individual's pay was disbursed by the Chief Administrative Officer.

(3) The term "leadership office" means the Office of the Speaker, the Office of the Majority Leader, the Office of the Minority Leader, the Office of the Majority Whip, and the Office of the Minority Whip.

(b) PAYMENT.—

(1) ELIGIBILITY FOR SEVERANCE PAYMENT.—In accordance with regulations prescribed by the Committee on House Administration, each eligible displaced staff member, upon application to the Chief Administrative Officer, shall continue to be paid at the eligible displaced staff member's respective salary for a period not to exceed 60 days following the date of the of separation from employment (as described in subsection (a)(2)) or until the eligible displaced staff member becomes otherwise gainfully employed, whichever is earlier.

(2) ACCEPTANCE OF STATEMENT OF LACK OF GAINFUL EMPLOYMENT.—A statement in writing by an eligible displaced staff member that the member was not gainfully employed during any period or portion thereof for which payment is claimed under this subsection shall be accepted as prima facie evidence that the member was not so employed.

(c) NOTIFICATION OF ELIGIBLE INDIVIDUALS.—The Chief Administrative Officer shall notify the Committee on House Administration of the name of each eligible displaced staff member.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated from the applicable accounts of the House of Representatives such sums as may be necessary for making payments under this resolution.

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

Mr. FLAKE. Mr. Speaker, I am opposed to the bill. I would like to claim time in opposition to the bill.

The SPEAKER pro tempore. Is the gentlewoman from California opposed to this bill?

Ms. MILLENDER-McDONALD. No, I am not.

The SPEAKER pro tempore. The gentleman from Arizona, pursuant to the rule, will control the 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. EHLERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of this resolution.

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

There was no objection.

Mr. EHLERS. Mr. Speaker, this bill has been submitted at the request and suggestion of the current minority leader and soon-to-be majority leader, and because of that situation I reserve the balance of my time and yield such time as she may consume to the gentlewoman from California (Ms. MILLENDER-McDONALD) to allow her, the ranking member and the cosponsor of the bill, to speak on the resolution.

□ 2245

Ms. MILLENDER-McDONALD. Mr. Speaker, Speaker-designate PELOSI has indicated that she intends to usher in a new direction and spirit in this House, a spirit which opens doors and encourages mutual recognition, trust and respect among all Members and their staffs. Likewise, she has signaled that this House, as a two-century-old institution, is held in trust for all Members as a place to debate and formulate national policy and to carry out the people's business.

Mr. Speaker, on November 7, the American people spoke loudly with their votes, and they said that they wanted a new direction in this national legislature. For many years, the sharp edge of partisanship and party interests have permeated the very fabric of this very body, its rules and its operations.

Speaker-designate PELOSI intends to change that in the legislative arena, while acknowledging the improvements made in the administrative arena during the last decade. The House has enhanced its bookkeeping and become more efficient in its operations. These are important improvements, irrespective of which party controls the House. Retention of House officers during transition recognizes continuing institutional interests which transcends party interests. That is a new direction.

And this resolution, sponsored by Chairman EHLERS and myself on behalf of our respective leaderships, is a new direction as well. This resolution recognizes that the displacement attendant to a change in majority is unpredictable and beyond the control of individuals.

This resolution further provides for up to 60 days of severance for leadership and committee staff displaced by a change in majority party status. This resolution follows the Senate model, promotes civility, and acknowledges the direct institutional contribution made by displaced House leadership and committee staff.

This is the kinder, gentler side of an institution weakened over the last decade by partisan strife. This is just one of many new directions intended to begin the process of healing in the House.

This is a sign that good faith and bipartisanship or nonpartisanship can help bridge the gap of past partisan differences. This is an acknowledgment that people matter as much as systems, that outcomes are as important as processes.

This is a small step toward a greater goal, and Speaker-designate PELOSI intends to achieve that goal, while acknowledging and respecting each Member's beliefs and values and perspectives.

I am pleased to be on the ground floor of this institutional rebuilding process, and I thank my chairman for his able, fair and balanced leadership on this resolution. It is a new direction

worthy of all Members' support, and I urge passage of this resolution.

The SPEAKER pro tempore. The Chair would inform the gentleman from Michigan (Mr. EHLERS) that you yielded time to the ranking member.

Mr. FLAKE. Mr. Speaker, may I inquire, how much time do I have?

The SPEAKER pro tempore. The gentleman from Arizona controls 20 minutes.

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

Mr. Speaker, I didn't learn about this, nor do I believe most of my colleagues did, until just minutes ago, if not an hour or so ago. This is not the way to conduct business.

It is one thing to have a policy, a long-term policy on severance packages, but to spring it in the middle of night on the last day of session is simply the wrong way to do business.

My understanding is that this would apply to leadership staff and committee staff, but not regular personal offices. Could somebody please tell me how that is fair?

If you are just talking about fairness, how is it fair to say to somebody from a personal office, your boss lost, you haven't got a severance? But, oh, if you happened to work for a committee or if you are lucky enough to work for leadership staff, you have a package. How is that fair?

We are often accused in Congress of having a package that members of the general public don't have. In doing this, we are offering a package that some people in Congress have and some people in Congress don't have, let alone the rest of the population. How is that fair? Why are we doing business this way in the middle of the night on the last day of session?

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

The SPEAKER pro tempore. The gentleman from Michigan (Mr. EHLERS) has 16 minutes remaining.

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

As colleagues, we often disagree on many issues with our friends on the other side of the aisle; but we can all agree that we are blessed by a tireless, dedicated workforce in this Congress. And whenever there is a transfer of power of this sort, there is a tremendous dislocation amongst our staff.

I think it is entirely reasonable to do as we did to a certain extent in 1994, as the Senate did in 2004, when there is a dramatic change of leadership, to provide a period of time for the staff to adjust to that changing situation. So I believe this is an appropriate measure, and I encourage the House to act favorably for it.

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

Mr. FLAKE. Mr. Speaker, before yielding to my next speaker, I was just informed that we don't even know what this will cost. We still don't have a cost estimate. If somebody has one, that would be great if we can have it.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ISSA).

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

Mr. ISSA. Mr. Speaker, this is one of those dark-of-the-night type pieces of legislation, and I am going to oppose it not because I haven't had to personally lay off three committee staff as I went from the majority to the minority on my subcommittee, but in fact because it is not well thought out. It has not gone through the legislative process it should, and it is not a precedent we want to set haphazardly.

The United States Congress is often accused of not even paying into Social Security when in fact for decades we have been part of it. The American people have a lack of confidence that we are run in a uniform and predictable way, and this is just another example of exactly that.

We don't provide moving expenses, we don't provide per diem or reimbursements that other branches of government do; and yet, on a selective basis, without a cost assessment, we are being asked to throw in something.

As a Member of the majority, the party that is in fact going to be laying these people off, I appreciate the sympathy of the minority in this effort, and I am not without some appreciation for what they are offering, but if they are going to do this, let us do it in a thoughtful, legislative fashion and let us absolutely make sure that it is something that will pass the test of the American people as a uniform policy for government employees of this body.

So I ask that this bill be defeated and a thoughtful and proper bill be brought back to the floor.

Mr. EHLERS. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. MILLENDER-MCDONALD) and ask unanimous consent that she may control that time.

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

There was no objection.

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

Mr. Speaker, this resolution parallels the Senate resolution. I am amazed that here we are at Christmastime and staff is moving, transitioning on to unemployment, that we cannot at least be sensitive to giving them some type of severance pay. We are talking about staff that has worked so hard in this House and has helped us have the successes that we have had.

So I urge my colleagues to not defeat this bill. This bill is to suggest to those staff members and leadership staff that we appreciate the work that they have done. Many of these staff members might get the job the next day so we will reduce that severance pay, but at least it is a step in the right direction. I urge support for this resolution.

Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY. Mr. Speaker, you know, whether we are Republicans or Democrats, we are all working people, working with the staffs on the Republican side and the Democratic side. Here we are. There is a change. None of us know whether we are going to be re-elected in 2 years. That is a risk that we all take.

But for the staff who have worked so hard for all of us on all of our issues, we certainly should be looking at this as positive legislation.

I have worked so many times with my Republican colleagues with their staff members and we have worked certainly well together on so many issues, but that is not the point. The point is these are people that have devoted their lives to public service. We don't even pay them enough. Any one of them can go into the private sector and earn a heck of a lot more money.

So here we are at the end of a session, 11:00, almost 12:00 at night, and we are going to deny severance pay to those who have served this country so well.

I urge my colleagues, no matter what our differences are, these people have done great service to this Nation and they certainly deserve severance pay.

I hope that this Congress and certainly the Members here will put themselves in a position of what their staff might be 2 years from now. These are people that are devoted to each and every one of us. They have served each and every one of us. They have served this Nation. I hope we can pass this resolution and give them a severance pay.

Mr. FLAKE. Mr. Speaker, before yielding to the gentleman from Arizona, let me point out that there were some 30 offices, and with retirements even more than that, personal staff who will be out on the street with no severance package at all. Again, we are picking winners and losers. Winners are those who work in leadership offices or on committee staff. If you are in a personal office, tough luck.

This is just not well thought out in the middle of the night to be doing this, and with no cost estimate.

Mr. Speaker, I yield 2½ minutes to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Speaker, I agree with the sponsor of this measure and my colleagues on the other side of the aisle that we are blessed by great staff who give tirelessly.

But I would suggest this is not a debate about whether or not we should have an appropriate severance plan for employees who lose their jobs because one party or the other loses the majority.

It is not that debate at all. Indeed, we will be back here on the 4th of January and we can deal with the issue of an appropriate severance package at that time in a thoughtful way in the sunlight of day when the American public can watch what is going on, when it is not, as the gentlewoman who

spoke just before me stated, near 11, approaching midnight, on the last day.

I would say that indeed, it is inexcusable for us to have brought this package to the floor at this late moment. We have been here all this week. We came in on Tuesday; we could have proposed this idea then. I only learned of this notion literally less than an hour ago.

And as I got on the elevator to come to the floor to vote on the measure we voted on just 30 minutes ago, I chatted with several people on the elevator, not a one of them was aware this was up for debate or consideration.

I think it is very, very important to understand that we have an obligation to be stewards of the public's money.

It was noted earlier in the debate that this parallels the Senate plan; but I would suggest that the Senate plan was not adopted in the middle of night on the last day of the session without notice to the public and without hearings. The Senate plan, as the other side and as the sponsor of this measure have pointed out, the Senate plan has been in place for months.

By all means, we should carefully consider an appropriate severance plan for our employees. But we ought not to do it in the middle of the night.

As the gentleman has pointed out, there is a fundamental unfairness in this proposal which I would suggest would not be there if we had debated this in the daylight with hearings as we should. That is that this severance package is reserved to leadership staff and committee staff. They are the best paid staff. Unfortunately, Americans across the country don't know this, but those of us who work here do, leadership staff and committee staff, those are the best, most sought-after jobs on the Hill. They are the best paid jobs on the Hill, and we are going to give them severance pay but not severance pay to the individual employees who work in a Member's office? It is fundamentally unfair and indefensible.

□ 2300

Mr. EHLERS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Speaker, I want to remind my colleagues on the other side that many bills have been passed in the cloak of night that were adverse to the American people. What we are saying tonight is that this resolution is for those hard-working workers who have given so much to this House, and for us to deny them, and especially these are Republican staff members, not Democratic staff members that we are talking about, and to deny this, to me is just absolutely unconscionable at this Christmastime.

I will urge you to reconsider this resolution and pass it as the Senate has passed their resolution to try to address those who are transitioning out because of a change in majority.

Ms. PELOSI. Mr. Speaker, will the gentlewoman yield?

Ms. MILLENDER-McDONALD. I yield to the Speaker-designate, Ms. PELOSI.

Ms. PELOSI. Mr. Speaker, I thank the gentlewoman for yielding. And I commend the chairman, Mr. EHLERS, and Ranking Democrat Congresswoman MILLENDER-McDONALD for bringing this bill to the floor.

Mr. Speaker, I think it is important to note that the money contained in this bill, the severance pay, is 100 percent for the Republican staffers who will be losing their jobs. When the Democrats lost the Congress in 1994, there was so much unrest and uncertainty among those who served on committee staffs. Every one of us who is elected to Congress and our staffs know that we have a 2-year term and the period from the election day and the swearing in of the new Congress is our severance pay. We have a 2-year term; that is it.

But the professional staff of the committees serve from term to term, and in losing the majority, the Republicans have to dismiss many of their professional and other employees. So it is just a sense of fairness, I believe, that we in the soon-to-be-majority, but the minority, recognize the need for these families to have a severance pay. If they get employed between now and before the 2 months expire, they don't get the full amount. But this isn't about leadership and committee. It is about the Republican leadership and the Republican committee staff. And as Democratic leader, I think that the fair thing to do is to treat those families with the respect they deserve for the service that these people have given to our country.

It is hard. People don't know if they are going to make their mortgage payment or if they are going to pay the tuition installment or what, and this at least gives them 2 months of certainty if they do not find employment in the meantime.

So I want the record to be clear. This is about the Republicans. It is the appropriate thing to do for the Republican staff, and I urge our colleagues to support this act of fairness in supporting this legislation.

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

Mr. EHLERS. Mr. Speaker, I yield 4 minutes to the chairman of the Energy and Commerce Committee, the gentleman from Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, this is the last evening that I will stand before this body, at least for a while, as chairman of the Energy and Commerce Committee, and there is still work that I have to do later this evening on several votes that we are still working on with the Senate, and I hadn't intended to speak on this, but I listened to the debate, and I felt compelled that at least one full committee chairman should come and speak in favor of this resolution.

I believe there are 18 standing committees of the House of Representatives, and the staff ratios on the committees is two-thirds Republican because we are in the majority and one-third Democrat because they are in the minority. Since the voters spoke in November, those ratios are going to switch. On the Energy and Commerce Committee, which is one of the larger standing committees, right now there are some 60-odd majority Republican staffers and some 30-odd minority Democrat staffers. Well, the Democrats are going to be staffing up, as they should, but it means that about half the Republican staff on the Energy and Commerce Committee is going to have to seek other employment, which is around somewhere between 30 and 35 people. Now, thanks to an agreement with the majority and the minority leadership of this Congress, for the first time we have agreed if this resolution passes to provide up to 2 months of severance pay for the majority staffers that have to be laid off.

If the Energy and Commerce Committee is reflective of the full Congress and that means that every other committee on the Republican side is losing approximately 30 staffers, that is about 540 staffers. I don't know what the leadership staff decline is, but let us say that is another 60. That is 600 Republicans who through no fault of their own are going to be out of a job December 31. If you take the average salary of about \$75,000 or \$80,000, and I do not know that that is the average but that is a pretty good guess, we are talking about a severance package, if everybody takes the full 2 months, of \$10 million, give or take half a million dollars. I think that is fair.

Now, the question has been raised about this coming up in the dead of night. I read about this in Roll Call earlier this week. I didn't know it was coming up tonight as a resolution, but I read a story in Roll Call that the Speaker, Mr. HASTERT, and Ms. PELOSI had agreed to some sort of a severance package. And I instructed my staff that I certainly wanted to apply for the Republicans on the Energy Committee who could take advantage of this.

The reason we do not do it for personal staff is because you are either retiring and the Member knows that his staff has to find a job or you got defeated in an election and a new Member is coming in to take your place. But that office, that district, will still have the same number of staffers in the next Congress. It may be a different Congressman or Congresswoman.

Now, this may not be the perfect way to do it, but it is a good way to try to do it. And I would hope that the Republicans will vote for this because if anybody wanted to be partisan and vote "no," it would be the Democrats. They are adding staff. This is something that benefits the current majority and our most loyal people, some of who could double and triple their salary if they didn't want to work on committees or

professional staff. It is a small price to pay. If we need to find a better way to do it in the next Congress, because I certainly hope that I am going to be coming back 3 years from now as chairman of the committee and not as ranking member, let us do it. But let us please vote for this tonight.

Mr. FLAKE. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. Mr. Speaker, I think the sentiment that we heard the chairman of the Energy and Commerce Committee just express, as well as the incoming Speaker of the House express, is deeply admirable. We are speaking about 600 men and women who have demonstrated their integrity and their commitment to public service in this Nation, and for that we are grateful.

But, Mr. Speaker, I say very humbly that this is still not the right way to reflect the will of the American people with regard to those capable men and women who have served our major committees and our leadership staff.

I am pleased to hear the incoming Speaker's sentiment for Republican staff, and I am confident that sentiment will be there in the early days of the 110th Congress. And well we should call it a night, Mr. Speaker, come back, and allow the people's House in an equitable and a thoughtful way to consider what the needs are of this Nation relative to all of the good men and women who have served this majority so ably, not merely in the leadership offices, not merely in the major committees, but even those excellent men and women who have served many of the colleagues for whom these waning moments will be their last moments in the House of Representatives. Let us do this right. Let us not do this tonight.

Mr. EHLERS. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Speaker, I thank the chairman for yielding.

Like the gentleman from Arizona who has objected to this humanitarian measure during the holiday season, I am a relatively junior Member of this body, but I do recognize when there is a difference between decisions from the heart and decisions of the mind. It is past 11 o'clock, but believe me, I know something about late-night voting, and this is early for late-night voting. I know that we have 12 more bills to consider.

And I also know that from our office budgets, we could have allocated amounts of money for our personal staff if we chose to, and if the gentleman from Arizona chose to, he could pay severance for his employees out of his own pocket if he really wanted to.

The fact that this act of generosity, of humanitarianism during the holidays was taken should not be held up for political points.

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

I should say that we need to remember whose generosity we are relying on here, and it is the taxpayer.

And also to make a point of fairness, again, the chairman that spoke earlier, the gentleman from Texas, mentioned that there are some 600 staffers that are affected here. I would submit that there are more than 600 staffers in the personal offices who are affected here. And rather than the average salary of \$60,000 to \$80,000 or whatever that is, the average salary in a personal office is much, much lower. Are they not worthy? Is it a fault of their own that their bosses were not re-elected? Why are we choosing here between them? Why are we saying if you work in a leadership office, you are worthy of this; if you work in a personal office, you are not? That is what happens in the middle of the night when decisions like this are made. That is why we shouldn't do decisions like that when we are given notice minutes before it comes up on the floor.

Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. Mr. Speaker, it is very unusual for me to watch C-SPAN on my television set in my office and decide this is something I want to come speak about it. It is rare for me to be on the House floor speaking about someone else's bills or speaking about an amendment. Usually when I am here, it is on a topic of interest and personal involvement from my committees and my involvement as a Member of Congress from a very rural community who is here to fight on behalf of rural America.

Well, tonight as I watched the debate on this issue, as I heard it explained, it is one of those issues that caused me to walk across the street to come talk about something that is gnawing at me.

We have talked about a double standard between the leadership staff, the committee staff, and our own personal staff. But to me the double standard is the way that Americans in the job market are not treated when they lose their job. What I see is that Americans, the taxpayers of this country, will see one more piece of evidence that Congress doesn't get it, that we are simply taking care of our own and forgetting the taxpayers, the Americans who go to work each and every day and those who may, through no fault of their own, lose their jobs.

So what I see tonight, as we discuss this issue, it is about a double standard that treats the American people differently from those who happen to work for Members of Congress, particularly in leadership or in committee staff positions. They are important. They are important to the process. They are important to good government. But the reality is we are here on behalf of the American people, on behalf of the American taxpayer, and those are the people we ought to be thinking about tonight as we debate how to spend the taxpayers' dollars.

It is easy to be generous with other people's money. Tonight we ought to remember it is the taxpayers' money that we are attempting to be generous with. Let us recognize that once again Congress should not create a special opportunity for people who happen to work here. Do not treat ourselves, do not treat our staffs differently from the American people.

Mr. EHLERS. Mr. Speaker, I yield 1 minute to the Speaker-designate.

Ms. PELOSI. Mr. Speaker, this legislation is probably one of the last opportunities I will have to enjoy the back and forth of debate on the floor of the House. And I can't resist coming to the defense of the Republican Members' committee staff people who will lose their jobs because of the results of the election.

But I want to make this point, standing up again, seeking recognition again: first I hear the distinguished gentlemen from various States stand up and say we shouldn't be spending this money, it is \$10 million-plus, to give severance pay to families who have lost their jobs.

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One hundred percent of those jobs will be lost by Republicans, so as the Democratic leader, I want to support the Republican employees getting the severance pay. Then I hear the gentlemen stand up and various ones say that we oppose the expenditure because it's not a good use of the taxpayers' money and why aren't you spending more to cover the personal offices? And the point is clear. All Members of Congress are elected for 2 years, our staffs understand it is a 2-year job and our opportunity to find employment is between November and January.

But all of this reminds me of a story that was told about Yogi Berra, which may or may not be a Yogi Berra story, because many stories are attributed to him. When asked about a particular restaurant, he said, "I don't like to go there. The food's lousy. Besides, the servings are too small."

That is really what this reminds me of. I am opposed to this spending of money because we shouldn't be spending money to help these families, and why aren't we spending more to help the other families?

This is really the fair thing to do. Again, I urge my colleagues to very forcefully support this act of fairness for the Republican committee staffers.

Mr. FLAKE. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. SOUDER).

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

Mr. SOUDER. I would like to make several points:

First off, that committee staff knows there are elections every 2 years, too. I was a staff director in the minority before we became the majority and when the ranking member changed, all staff loses their job whether there has been

an election or not. Yes, you could take your personal accounts for the losing Members and cover some. But the fact is so could committees. If they withheld funds, they could have done it as well.

I lose five staff. They have been very close to me. Many of them have been personal friends. They have had 2 months. It would be nice if they could have the extra months, but it is no more their right as higher-paid staff than personal office staff. We are not arguing to spend even more money. We are saying, how did you come up with the double standard? Why do leadership staff get the dollars, why do committee staff get the dollars and not the personal office? The budgets are the same. The elections are the same. You know the risks. In fact, for a committee the risks are higher, because you could change your ranking member, you could change your chairman. You could have your chairman switch subcommittees and the staff change. This is the nature of the business.

I think it is great to be generous with your own dollars, but when you're generous with the taxpayers' dollars, there are obligations with that. At the very least, there should have been a discussion. There should have been hearings. We hear that all the time. There should have been hearings. Sometimes there aren't. But at this point, at the last day, for us to come up here and give special benefits to the few, including some of my own staff, is just wrong.

I hope the Members give this a resounding "no."

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

Mr. FLAKE. Mr. Speaker, I would be glad to yield to anyone who can tell me that a committee staffer has a longer contract than somebody who works in a personal office. It is simply not the case. So the notion that a committee staffer should be treated differently is simply wrong. The gentleman from Indiana, I think, said it best. Nobody is here arguing that we shouldn't be generous. It is that when you come here in the middle of the night the last day of session, you rarely think things out very well and this isn't thought out very well. How can you say some people, we're just going to target who gets this benefit and who doesn't? This isn't how the public expects us to conduct our business.

As I mentioned before, we are already accused of having different rules for Congress than exist out there in the general public.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, will the gentleman yield?

Mr. FLAKE. Does the gentleman have an answer to the question I asked?

Mr. DANIEL E. LUNGREN of California. A partial answer to the question.

Mr. FLAKE. Yes, I would yield.

Mr. DANIEL E. LUNGREN of California. That is, on the night that Members found out that they were defeated,

their staffs knew they were out of a job. It is my information that a number of Republican staffers on some of the committees were not informed until just yesterday that they were out of a job because we didn't know what the staff ratios were going to be, we didn't know which people were going to have to be selected, and so just in that particular regard, they got far less notice.

I understand what the gentleman is doing here. I happen to be one of those who has been accused about not being concerned enough about staff, but the fact of the matter is, if we want small government to work well, we need to have good people to work here. I don't know why we are taking the time tonight to berate, in essence, our people, to suggest that somehow they knew this was coming.

Mr. FLAKE. I reclaim my time.

No one has berated anyone. I have worked with very, very able committee staff. Very, very able leadership staff. Also very able personal staff. That is not the point here. The point is if we want small government and we want it to work, let's not conduct it in the middle of the night on the last day of session. Let's actually come here in January and say, should we have a different severance package? Should it be different for committee staff? Should it be different for personal staff? But let's do it in the light of day. Let's do it with some kind of deliberation. That is all we are asking. No one is berating anyone's staff. No one is. That is the last thing on my mind or anyone who has spoken here.

So let's just step back. Please withdraw this resolution. Let's have a little more thought to this. I think the American people want us to deliberate. They want us to do it in the light of day, not at 11:40 at night, or 11:20 at night. We shouldn't be doing business this way.

With that, I yield back the balance of my time.

Mr. EHLERS. Mr. Speaker, the gentleman from Arizona said no one was being berated, but frankly I feel berated. This is not the middle of the night. We all know that. I never thought my fellow Republicans would accuse me of doing something in the middle of the night. I would have rather done it in the light of day but this just happened to be when it came up in the schedule.

This action, what we are doing here, does not preclude later action to take care of those problem cases in personal offices. That is beside the point. The point right now is we have a large number of committee staff who are learning fairly late in the game who it is that is being laid off; namely, those particular persons. They do not have the opportunity to suddenly rush out and find a job immediately.

Some committee chairmen have talked to me and are very concerned because they don't know whether they should use their leftover year-end

funds for this purpose. Some of them have money left. Others do not. There is a huge inequity. This is an attempt to provide an equitable severance package. A severance package is not unusual in today's world. Ford Motor Company just bought out huge numbers of employees who they just wanted to get off the payroll. It is a very common practice. We are doing the proper thing to assure that everyone is treated equally in the committee staffs that are losing their jobs.

Mr. Speaker, in the little time I have remaining, I would like to recognize the gentleman from California for a closing statement.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman has 45 seconds.

Mr. DANIEL E. LUNGREN of California. The only thing I would suggest is please at this late hour, don't make some of our employees punching bags. I mean, the fact of the matter is some of these people just learned this week that they are not going to have employment. If you think it is an easy thing to try and find a job over the holidays, if you say come back in January, sure, let's give them more uncertainty. Let's give their families more uncertainty. Let's have them bear the burden of this.

And frankly at times we ought to be thinking of those people. I would just ask you to vote "yes" for this. Not for us, not for them, not for anybody in this House, but for the individuals who have served us well and their families.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. EHLERS) that the House suspend the rules and agree to the resolution, H. Res. 1104.

The question was taken; and (two-thirds of those voting having not responded in the affirmative) the motion was rejected.

DEPARTMENT OF STATE AUTHORITIES ACT OF 2006

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6060) to authorize certain activities by the Department of State, and for other purposes, as amended.

The Clerk read as follows:

H.R. 6060

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Department of State Authorities Act of 2006".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Fraud prevention and detection account.
- Sec. 3. Education allowances.
- Sec. 4. Interference with protective functions.
- Sec. 5. Persons excused from payment of fees for execution and issuance of passports.

Sec. 6. Authority to administratively amend surcharges.

Sec. 7. Extension of privileges and immunities.

Sec. 8. Removal of contracting prohibition.

Sec. 9. Personal services contracting.

Sec. 10. Proliferation interdiction support.

Sec. 11. Safeguarding and elimination of conventional arms.

Sec. 12. Imposition of sanctions to deter the transfer of MANPADS.

Sec. 13. Additional authorities.

SEC. 2. FRAUD PREVENTION AND DETECTION ACCOUNT.

Section 286(v)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1356(v)(2)(A)) is amended—

(1) in clause (i), by inserting "or primarily" after "exclusively"; and

(2) by amending clause (ii) to read as follows:

"(ii) otherwise to prevent and detect visa fraud, including primarily fraud by applicants for visas described in subparagraph (H)(i), (H)(ii), or (L) of section 101(a)(15), in cooperation with the Secretary of Homeland Security or pursuant to the terms of a memorandum of understanding or other agreement between the Secretary of State and the Secretary of Homeland Security; and"

SEC. 3. EDUCATION ALLOWANCES.

Section 5924(4) of title 5, United States Code, is amended—

(1) in the first sentence of subparagraph (A), by inserting "United States" after "nearest";

(2) by amending subparagraph (B) to read as follows:

"(B) The travel expenses of dependents of an employee to and from a secondary or post-secondary educational institution, not to exceed one annual trip each way for each dependent, except that an allowance payment under subparagraph (A) may not be made for a dependent during the 12 months following the arrival of the dependent at the selected educational institution under authority contained in this subparagraph."; and

(3) by adding at the end the following:

"(D) Allowances provided pursuant to subparagraphs (A) and (B) may include, at the election of the employee, payment or reimbursement of the costs incurred to store baggage for the employee's dependent at or in the vicinity of the dependent's school during one trip per year by the dependent between the school and the employee's duty station, except that such payment or reimbursement may not exceed the cost that the Government would incur to transport the baggage in connection with the trip, and such payment or reimbursement shall be in lieu of transportation of the baggage."

SEC. 4. INTERFERENCE WITH PROTECTIVE FUNCTIONS.

(a) OFFENSE.—Chapter 7 of title 18, United States Code, is amended by adding at the end the following:

"§ 118. Interference with certain protective functions

"Any person who knowingly and willfully obstructs, resists, or interferes with a Federal law enforcement agent engaged, within the United States or the special maritime territorial jurisdiction of the United States, in the performance of the protective functions authorized under section 37 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709) or section 103 of the Diplomatic Security Act (22 U.S.C. 4802) shall be fined under this title, imprisoned not more than 1 year, or both."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following: