going to assess the capabilities and readiness of Iraqi security forces and when we can expect them to take over vital security missions in their country. We need to know the number of U.S. and coalition advisors needed to support Iraqi security forces. And, finally, we need to know the benchmarks by which we will measure the political stability of Iraq.

The fog of war is thick in Iraq, and this administration has only added to it by sticking to their vague notions of success and stability. But the President can cut through the fog by providing clear and demonstrable criteria by which we can judge our progress and, hopefully, success in Iraq.

Since the start of this war, I and many of my colleagues have implored the President to level with the American people and our troops over the true cost and end strategy for the war. It is time for the administration and Congress to be honest with us about a path forward in Iraq—a path towards a success that brings our men and women home and restores our credibility at home and abroad.

I urge my colleagues to oppose the rule, and allow consideration of a critical amendment that will give our Nation a clear path forward in Iraq.

The material previously referred to by Mr. MCGOVERN is as follows:

PREVIOUS QUESTION ON H. RES. 315—RULE FOR H.R. 2863 FY06 DEPARTMENT OF DEFENSE APPROPRIATIONS

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

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

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

AMENDMENT TO H.R. ____, AS REPORTED
OFFERED BY MS. PELOSI OF CALIFORNIA
(Defense Appropriations, 2006)

At the end of title VIII (page ____, after line ____), insert the following new section:

SEC. _____. (a) Not later than 30 days after the date of the enactment of this Act, the President shall transmit to the Speaker and minority leader of the House of Representatives and the majority leader and minority leader of the Senate a report on a strategy for success in Iraq that identifies criteria to be used by the Government of the United States to determine when it is appropriate to begin the withdrawal of United States Armed Forces from Iraq.

(b) The report shall include a detailed description of each of the following:

(1) The criteria for assessing the capabilities and readiness of Iraqi security forces, goals for achieving appropriate capability and readiness levels for such forces, as well as for recruiting, training, and equipping such forces, and the milestones and timetable for achieving such goals.

(2) The estimated total number of Iraqi personnel trained at the levels identified in paragraph (1) that are needed for Iraqi security forces to perform duties currently being undertaken by United States and coalition forces, including defending Iraq's borders and providing adequate levels of law and order throughout Iraq.

(3) The number of United States and coalition advisors needed to support Iraqi security forces and associated ministries.

(4) The measures of political stability for Iraq, including the important political milestones to be achieved over the next several years.

(c) The report shall be transmitted in unclassified form but may contain a classified annex.

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

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

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

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 2862, and that I may include tabular material on the same.

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

There was no objection.

SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 314 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2862.

□ 1149

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2862) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, June 15, 2005, the amendment by the gentleman from Vermont (Mr. SANDERS) had been disposed of, and the bill had been read through page 108, line 7.

AMENDMENT NO. 11 OFFERED BY MR. PAUL

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. PAUL:

Page 108, after line 7, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to pay any United States contribution to the United Nations or any affiliated agency of the United Nations.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Texas (Mr. PAUL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. PAUL).

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

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

Mr. Chairman, the amendment I have is very simple, and it tells us exactly what it does, so I am just going to read it. It says, ''None of the funds made available in this Act may be used to pay any United States contribution to the United Nations or any affiliated agency of the United Nations.''

So, very simply, a vote for my amendment would be a vote to defund the United Nations, and it would be a policy statement, obviously. We have had some debate already on the United Nations, and we will be having another debate either later today or tomorrow dealing with reform of the United Nations. Yesterday we had a vote dealing with removing half of the funding from the United Nations. This would be in the same direction, but it would remove all of the funding.

The United Nations has been under serious attack, and most Americans know there is a big problem with the United Nations. There is corruption involved with the oil-for-food scandal, as well as the abuse of human rights. There are a lot of people who believe that we can reform the United Nations and make it much more responsive to our principles. I do not happen to share that belief.

I have been a longtime opponent of the United Nations not so much because of the goals they seek, but because of their failure to reach these goals, as well as the attack on our national sovereignty. For me, it is a sovereignty issue, and that is the reason that I believe that it does not serve our interests to be in the United Nations, and we should make a statement for the many Americans who share that particular view.

But I would like to take a little bit of this time right now to relate my position on the United Nations with the bill that is coming up later today or tomorrow, and that is the reform bill. The reform bill is very controversial. We already have former Republican and Democrat ambassadors, Secretaries of State who are in opposition to this, and our own President has expressed opposition to this. It is not for the same reasons that I am opposed to that reform bill, but they are opposed to it because there is a threat of cutting some funding.

But in their attack on the reform bill, they do say they support the policy changes. That is what I would like to emphasize here. Most people see the reform bill as a mere threat to the United Nations to shape up, or we are going to cut half of their funds. Yesterday we had a much more straightforward vote, because if you, also, believe in true reform, all those supporters of the reform bill should have supported the Hayworth amendment and just flat out cut half of the funding. But the reform bill says that, well, if you do certain things, we are going to give you your money. Of course, those who really like the U.N. find that offensive and think that is too intrusive on the functioning of the United Nations.

But I, quite frankly, do not believe that if the U.N. reform bill gets anyplace, that there is any way, since the President is opposed to it and so many individuals are opposed to it, that any funds will ever be cut. But I do believe a bill could get passed, and, that bill, also changes policy, which I think that too many of my conservative colleagues on this side of the aisle have failed to look at, and that is what I am concerned about, the policy changes.

So instead of tightening up the reins and the financial control of the United Nations and getting them to act more efficiently and effectively, what they are doing, if they do not have the ability to really strike the 50 percent, the bill institutionalizes new policy changes.

I want to just mention the policies that I believe that are risky, especially if you are interested in protecting our national sovereignty.

The first thing it would do is it would change the definition of terrorism as related to United Nations, and it would change the ability and the responsibility of the United Nations to become involved. Today it is currently understood that if there is an invasion of one country by another, the United Nations is called up, and they assume responsibility, and then they can put in troops to do whatever they think is necessary. But if this new policy is adopted, it will literally institutionalize the policy that was used by our own government to go into Iraq, and that is preemptive war, preemptive strikes, to go in and either support an insurgency, or in order to get rid of a regime, or vice versa. This is a significant change and an expansion of U.N. authority. I, quite frankly, think that this is a move in the wrong direction.

Also, the Peacebuilding Commission, I think, is very risky, and also something that we should look at.

So not only do I urge my colleagues to vote for my resolution to defund the United Nations, I urge my colleagues to look very cautiously at the U.N. reform bill, because there is a lot more in there than one might think. The one thing we do not need is John Bolton and Paul Wolfowitz, the authors of our policy for regime change in Iraq, in charge of the same policy in the U.N.

Mr. WOLF. Mr. Chairman, I rise in opposition to the gentleman's amendment, and I yield myself such time as I may consume.

Mr. Chairman, this amendment amounts to a complete rejection of the United States' engagement with the United Nations and many other nations of the world.

Last year this bill created a high-level task force to review the efforts of the United Nations. This task force was chaired by former Speaker of the House Newt Gingrich, and former Majority Leader Senator Mitchell, and the task force came out with its recommendations yesterday. They are fairly dramatic, which will mandate, if you will, and force the United Nations to make dramatic change. Hopefully the Bush administration will embrace the Gingrich-Mitchell recommendations that will then be adopted by the United Nations when they meet in September.

As the chairman knows, we initiated this task force because of the U.N.'s lack of involvement on the Darfur, Sudan, issue, the sexual exploitation of young girls by U.N. peacekeepers, and the oil-for-food scandal. If we were not participating at all, we would not be able to put pressure on the U.N. to do the right thing with regard to Darfur. Genocide is taking place in Darfur as we now speak. Also, the U.N. will be sending peacekeepers to the North-South Sudanese peacekeeping agreements, and, as my colleagues know, better than 2.1 million people, mainly Christian, some Muslim, died at the hands of the Khartoum government as a result of their activities for the North. Also, Sudan is involved in terrorist activities, and we need to be able to put pressure on the Sudanese.

Not speaking boldly in an effort to force the U.N. to do something on this issue, the genocide in Darfur, and also to be able to implement and monitor, not with American soldiers, but with U.N. peacekeepers in Sudan, would be a mistake.

As the gentleman knows, we already have cut the administration request for international organizations by $130 million; therefore, essentially we are already recommending holding back any growth of the U.N. Lastly, as the gentleman from Texas says, the Hyde bill will be coming up shortly after this bill, and that is where you should address these issues.

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

The CHAIRMAN. The time of the gentleman from Texas (Mr. PAUL) has expired.

Mr. WOLF. Mr. Chairman, I yield the balance of my time to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. How much time remains, Mr. Chairman?

The CHAIRMAN. The gentleman has 3 minutes remaining.

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

I rise in joining the chairman in opposition to this amendment, and I hope the same majority of our colleagues reject this amendment this year as did last year. I would note that this is the same or an extremely similar amendment that the gentleman from Texas (Mr. PAUL) introduced last year and was defeated by a 83-to-355 vote majority.

□ 1200

I hope that the body takes the same position with regard to this amendment this year as it did last. At a time when the United States is involved in a war against global terrorism, at a time when the international economic community is becoming increasingly integrated and the world is becoming increasingly smaller and we are increasingly bumping up against our friends and adversaries around the world, this is no time to do away with the organization.

However imperfect it may be, that brings together all of those divergent political interests, all those divergent countries, all those divergent political philosophies that represent people around the world. We need to bring people closer to us so that we can debate them, so that we can fight them in the context of a civilized body, rather than going out and fighting them in wars. That is what the U.N., at its best represents. That is what we ought to be aspiring to, that is, perfecting the U.N., making it better, dealing with its imperfections instead of doing away with it.

We are lucky to have the U.N. in that sense. We are also fortunate to be a powerful enough country to influence the U.N. for the better because of the size of our contribution. If we were to withdraw our contribution, there is no doubt that that whole process would unravel. That would be a tragedy.

For all the above reasons, Mr. Chairman, I oppose the gentleman's amendment and urge my colleagues to oppose it as well.

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

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

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

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

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

AMENDMENT NO. 4 OFFERED BY MR. HEFLEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. HEFLEY:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. Appropriations made in this Act are hereby reduced in the amount of $570,000,000.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Colorado (Mr. HEFLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. HEFLEY).

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

Mr. Chairman, I rise again today to offer this amendment to cut the level of funding in this appropriation bill by approximately 1 percent. This would equal $570 million. As you well know, I have offered this amendment on a number of bills this year and in prior years. And I understand the difficulty that the appropriators have with narrowing down the requests from Members and from the administration; and although this committee has done an excellent job on this, and I understand also that the committee will oppose me and beat me into submission, I will whimper and go away.

But I still think the point needs to be made that we need to begin to really draw the line, and the projected deficit is simply too large. We could do something about the deficit. Now, this will not solve it by any means if we did 1 percent. I mean, we are talking one cent on the dollar, and that will not solve it. But it would tell the American public that at least we are concerned about the deficit and we are willing to do something significant in that direction.

I have no doubt that some of the good programs in this bill would take a cut, and that is unfortunate. But the budget should be no different from the taxpayers' budgets at home. When you have less money, you spend less money. It is really as simple as that, although we all know it is not really simple. It is a difficult thing to do.

I would ask for support of the amendment.

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

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

Mr. Chairman, I rise in opposition to the gentleman from Colorado's (Mr. HEFLEY) amendment.

As the gentleman can see, and I have great respect for the gentleman from Colorado (Mr. HEFLEY). I know what he is trying to do, and I want to acknowledge that. As the gentleman can see from the debate and the other amendments offered on the bill, many Members feel the funding for the whole host of programs in this bill is already inadequate. In fact, all the amendments, most that we have been able to reject, have been to add money into the bill. The one that was accepted by the body was the one to add $73 million in for 7(a) loan programs which nobody in the country wants or needs. So the gentleman can see the trend that things are moving.

The budget resolution passed by the Congress has imposed upon us a very restrictive spending climate. This amendment constitutes attempts to reopen the decisions we already made in the budget resolution. The bill we are considering today stays within the budget resolution framework and represents a lot of hard work and difficult decisions to match limited funds to competing national priorities. A number of accounts in the bill are funded very close to the bone and a reduction of 1 percent in many salaries and expenses would have a dramatic effect on the FBI, DEA, ATF, Marshals Service.

And so for those reasons, respecting what the gentleman is trying to do, I would ask for a ''no'' vote on the amendment.

Mr. Chairman, I yield the balance of time to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Chairman, the gentleman knows that I have the greatest respect and friendship for him and for all the tremendous work that he does in this body. But I must rise and oppose this across-the-board cut. First of all, I oppose across-the-board cuts generally because they are indiscriminate, and I think anybody who supports across-the-board cuts has to admit that the cuts are bound to affect some good programs, even in their judgment, as well as adversely affect programs that the author of the amendment may not fully appreciate.

Having said that, I hope that the body judges this amendment in the same way it has in past years and on other bills and expresses its concern for the offering of across-the-board cuts generally. But having said that, I think that if the gentleman is not successful, if he does not prevail on his amendment, he should feel good for the same reasons I feel bad about this bill, and that is that it represents a huge number of cuts much greater than 1 percent on programs that I consider to be extremely worthy and that I would hope the chairmen of the sub and full committees, as well as ranking, would consider the same.

NASA is increased by 2 percent, the Justice Department by 4 percent, and the FBI by 10 percent. That is the good news. Federal law enforcement programs have increased. Almost everything else in the bill has decreased a lot more than 1 percent. State and local law enforcement experienced a 22 percent reduction. The COPS program, a 13 percent reduction. Juvenile justice programs, a 12 percent reduction. The Commerce Department, a 12 percent reduction. And the State Department is receiving 11 percent less than the current level, in addition to international organizations receiving 10 percent less.

The gentleman ought to be pleased with the reductions in most of this bill, and surely he would not oppose the increases to the FBI and the Justice Department and hopefully not NASA.

This bill has taken its fair share of cuts. It has experienced the pain that has been imposed upon domestic discretionary programs generally, by the budget resolution; and I will note an inordinate number of amendments being offered by the majority here in the last 3 days have been trying to increase the author of each amendment's particular favorite domestic discretionary program.

But you add them all up and the majority has offered a lot of amendments increasing domestic discretionary spending. For those who have done that, I suggest that you look at the budget resolution the next time around, understand the relationship, the real relationship between a vote for the budget resolution and a squeeze on domestic discretionary programs as I have just described in response to the gentleman from Colorado's (Mr. HEFLEY) amendment.

For all those reasons, Mr. Chairman, I rise in opposition to the Hefley amendment and hope that my colleagues will turn it down.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

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

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

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

For what purpose does the gentleman from Massachusetts (Mr. MARKEY) rise?

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

Mr. Chairman, if the next is the amendment that I think the gentleman is offering, I was going to say I accept it. I understand the gentleman from Massachusetts (Mr. MARKEY) wants to speak on it. I have to go upstairs briefly for a brief moment. But I wanted to be on record as being for it, and so I did not want to have my absence for 5 minutes look like I was avoiding an issue. I think this is the torture amendment. If it is, I think it is a good amendment, and I urge the Congress to adopt it, and I am going to vote for it.

I will yield to the gentleman from Massachusetts (Mr. MARKEY).

AMENDMENT OFFERED BY MR. MARKEY

Mr. MARKEY. 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. MARKEY:

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 following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other

Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and any regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 7½ minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, I yield myself 1 minute. And in that 1 minute, I will say that I appreciate very much the statement by the gentleman from Virginia (Mr. WOLF). Even when he is not physically present, he is a huge spiritual presence in this Chamber when it comes to the issue of human rights and torture, and I appreciate his willingness to support this amendment.

The amendment, quite simply, says that the United States, because of our support for the convention against torture, because of our support for the Geneva Convention, cannot condone the United States, after we have prisoners in our possession, sending those prisoners to other countries in the world that do not abide by the convention on torture, that do not abide by the Geneva Convention.

So this amendment will make it unambiguously clear that that is a responsibility that the United States takes very seriously, and notwithstanding what goes on at Guantanamo, that when the United States has possession of a prisoner that we will not outsource torture, that we will not actually put these prisoners on planes and send them to countries which we know do engage in torture.

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

The ACTING CHAIRMAN (Mr. GILLMOR). Is there any Member seeking time in opposition to the amendment? If not, the gentleman from Massachusetts is recognized.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM of Minnesota. Mr. Chairman, torture is a crime. It is an international crime, and it is a violation of U.S. law. The state-sponsored exportation or outsourcing of torture called ''extraordinary rendition'' is repugnant and it is immoral. Outsourcing torture threatens America's security. It destroys our Nation's moral authority in the world, and it is the height of hypocrisy.

The fact that this country, through the Bush administration, has been sending detainees, including innocent individuals, to countries like Syria to be tortured and abused is a stain on America's reputation, and it is a shameful rejection of our national values.

Extraordinary rendition is indefensible. It is legally and morally to be condemned by this Congress.

I am pleased that it is to be incorporated into the bill. I strongly urge all Members of Congress to watch this issue carefully. Those of us who value human rights want to end the use of our tax dollars to fund the outsourcing of torture. And I am very pleased that this has been included in the bill.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. HARMAN).

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

Ms. HARMAN. Mr. Chairman, I thank the gentleman for yielding to me and rise to applaud the fact that this amendment will clearly be accepted as no one is speaking against it. This amendment has already passed the House on the 2005 supplemental appropriations bill by a vote of 420 to 2, and a modified version of it was signed by the President.

This amendment states a policy we can all endorse. It does not expand existing law. Existing federal law makes it illegal and it is also a violation of international law to torture people. And existing law also bans cruel, inhuman, and degrading treatment of detainees.

I want to say to the gentleman from Massachusetts (Mr. MARKEY) that, as the ranking member on the Intelligence Committee, I have followed his work on this closely. I am pleased that he has raised this subject, that the entire House has heard him and agrees with him.

□ 1215

Let me go further, however, because this amendment does not expand existing law.

I think in light of clear issues around detentions and interrogations, some of which are being investigated very responsibly on a bipartisan basis by the House Permanent Select Committee on Intelligence Subcommittee on Oversight, in light of many questions and what I might call a fog of law on these issues, I think we need additional legislation.

It is going to be hard to put together the right bill, the right bill that states what we believe in with respect to detentions. My own personal view is no one should be detained without a status and without the ability to challenge that status, but the right bill, should also state what we believe in with respect to interrogations policy.

I firmly believe that we need interrogations consistent with our values so that we learn the plans and intentions of the bad guys before they attack us. But precisely how to set limits is the hard part.

So I hope to work on a bipartisan basis to craft a legal framework for the detentions and interrogations. I commend the gentleman from Massachusetts (Mr. MARKEY) for this useful effort to remind us all that on a bipartisan basis we condemn the use of torture.

Mr. MARKEY. Mr. Chairman, I thank the gentlewoman for her eloquent statement, and I yield 1½ minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank my good friend for yielding me time, and I rise in strong support of this amendment. I want to thank the gentleman from Virginia (Chairman WOLF) for accepting it in advance because it is a very important amendment.

Let me make two very brief points. The Convention against Torture could not be more clear in proscribing any kind of torture. It is never acceptable. The United States is a signatory and has ratified that convention, and that includes, as the gentleman from Massachusetts (Mr. MARKEY) pointed out, the outsourcing of torture, and I think his amendment is very, very important. It comes at a very important time.

Let me also make the point, too, that next Thursday I will be holding a hearing on the victims of torture. I have written three laws on torture, The Torture Victims Relief Act, as it is called, and two reauthorizations over the last several years, and during the course of hearings that we have held, and we have one set for next Thursday in my subcommittee, we heard from people who actually suffered, the psychological scars that they bear, the posttraumatic stress, the sleepless nights that they endure because they have had to endure severe torture.

We want absolutely no part of torture in any manifestation. This amendment makes it very clear. This is already law. This makes it very clear that there is an absolute bright line of demarcation between interrogation methods that are real, that are listed, that are ethical and those that cross that line.

So I want to thank the gentleman for offering his amendment.

Mr. MARKEY. Mr. Chairman, I thank the gentleman, and I yield 30 seconds to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Chairman, I rise in strong support of this amendment. If we look at it clearly, it is only an affirmation of current law, but I think in the environment in which we are operating, with some of the revelations that are coming out about America's policy with regard to the treatment of incarcerated persons, it is really important to affirm current law.

We are identifying and pointing out and prosecuting very low-level people in the military with regard to certain transgressions, and I think it is particularly important to affirm to the whole chain of command, right up to the very top, that our laws with regard to incarceration are to be obeyed.

Mr. MARKEY. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, America's treatment of prisoners over the last several years speaks poorly, and that is an understatement, to our national integrity.

Since 9/11, prisoners have been tortured in Iraq, Afghanistan, Guantanamo Bay, and considering the widespread use of torture, no one can claim that these are isolated incidents, that it is merely the work of a few bad apples.

At a time when the United States is courting the support of the international world, particularly the Arab world, the torture of foreign prisoners gives the world's extremists and Iraqi insurgents what they believe to be a reason to hate the United States. There has been no better recruiting tool for al Qaeda than our attacking Iraq in the first place and the events at Abu Ghraib in the second place.

Mr. Chairman, there is a better way to conduct foreign policy. I urge all of my colleagues to support the Markey amendment and to end the use of torture by the United States.

Mr. MARKEY. Mr. Chairman, I yield myself the remaining time.

I urge the House to embrace this amendment unanimously. It is wrong for the political, military and moral leader of the world to be taking prisoners which we have captured, putting them on planes, blindfolding them, drugging them and sending them to Syria, sending them to Uzbekistan, with the sure and certain knowledge that those prisoners are going to be tortured by countries that have already been condemned by the United States for those practices. That is wrong. It undermines our position in the world. It gives al Qaeda more ammunition to put up on al Jazeera that undermines our moral leadership.

Vote ''aye'' on this very important amendment.

The amendment I am offering today simply reaffirms the U.S. commitment to the Convention Against Torture by prohibiting the use of funds in contravention of laws and regulations promulgated to implement the Convention Against Torture. The U.S. signed this treaty under President Reagan, and the Senate ratified it in 1994.

The House voted overwhelmingly to approve an identical amendment that I offered to the Emergency Supplemental Appropriations bill on March 16, 2005 by a vote of 420 to 2. That amendment, however, only applied to funds appropriated in the Emergency Supplemental. The amendment I am offering today would apply to all funds appropriated for fiscal year 2006 to the Departments of State and Justice.

I am offering this amendment today because despite our commitments under this treaty and the statements made by the Administration emphasizing that the U.S. is emphatically and unambiguously against the use of torture, reports keep growing of the U.S. sending detainees to countries where they are likely to face torture, including to countries notorious for human rights violations. This practice, known as ''Extraordinary Rendition,'' amounts to nothing more than Outsourcing Torture.

In order to meet its obligations under the Convention Against Torture, the Administration has been engaging in a piece of legalistic fiction. It obtains ''diplomatic assurances'' that the transferred detainee will not be tortured, and then based on these assurances it argues that our obligation under the Convention Against Torture has been satisfied because there is no longer a substantial likelihood that the person we are sending to one of these known torturing countries will, in fact, be tortured.

This is a sham. If Uzbekistan, a country that has actually boiled prisoners to death says they will not torture a prisoner, can we believe them? If Syria, a country that Secretary Rice says we cannot trust, says they won't torture—can we believe them?

Syria has broken off all relations with U.S. military and CIA. What does this mean for the ''diplomatic assurances'' we received from Syria?

Here is what the State Department's annual human rights report says about Syria's methods of interrogation:

> administering electrical shocks, pulling out fingernails, forcing objects into the rectum, . . .

In Uzbekistan, hundreds of protesters were recently killed under the corrupt regime of President Karimov in what human rights groups are calling a massacre.

Last year former Secretary of State Colin Powell refused to certify that Uzbekistan had met its human rights obligations. Why?

Because the State Department found that Uzbekistan used the following interrogation techniques:—''suffocation, electric shock, rape, beatings, and boiling prisoners to death . . .''

The amendment I am offering today prohibits the use of any funds included in this bill to the contravention of our legal obligations under the Convention Against Torture, U.S. Law, and regulation. While I would have liked to include language barring the use of diplomatic assurances as the basis for renditions, I have not done so today, out of recognition that such an amendment would go beyond the scope of this bill and constitute new legislation. But what we can do today is take another step by having the U.S. Congress reaffirm that it does not support or condone torture, or rendition to countries likely to torture an individual.

Throughout United States history we have encountered and defeated brutal enemies, inhumane and monstrous dictators and met with hideous violence. We take pride that even as our Nation fought for its survival against the Nazis and the Japanese Empire during World War II, that we did not ask our ''Greatest Generation'' to engage in torture or other war crimes. The legacy of the U.S. then, and now, is that we uphold our commitment to justice in the face of shadows of terror and war. The test of a nation is found as much in how it wages war as how it promotes the values of peace and democracy. That is what we must to today.

I urge you to vote ''yes'' on this amendment, and say ''no'' to torture.

The Acting CHAIRMAN (Mr. GILLMOR). The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

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

Mr. MARKEY. 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 Massachusetts (Mr. MARKEY) will be postponed.

AMENDMENT NO. 19 OFFERED BY MR. TANCREDO

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 19 offered by Mr. TANCREDO:

At the end of the bill, insert after the last section (preceding the short title) the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds made available in this Act for the State Criminal Alien Assistance Program under the heading ''DEPARTMENT OF JUSTICE—OFFICE OF JUSTICE PROGRAMS—STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE'' may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373).

The Acting CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Colorado (Mr. TANCREDO) and the gentleman from West Virginia (Mr. MOLLOHAN) each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. TANCREDO).

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

Dozens of American cities, major cities, have policies that tie the hands of police officers to cooperate with immigration enforcement agents. The cities include Houston, Los Angeles, Chicago, San Francisco, Denver, Boston, Portland and Seattle.

Cities that have such policies extend to their jails as well. Often jails do not identify or report illegal aliens to ICE, these illegal aliens that have been incarcerated, so they are released back into the community after serving a sentence for a minor crime. These policies, I have pointed out in the past, violate Federal law.

It is especially galling, however, that local governments who have these illegal policies and practices do not hesitate then to seek and receive Federal reimbursement for the costs of incarcerating illegal aliens, aliens they refuse to turn over to ICE for deportation. They take the money and then turn the folks loose.

In 2004, the Federal State Criminal Alien Assistance program, or SCAAP, gave awards totaling $300 million to States and counties in reimbursements for housing illegal aliens. Yesterday, or the day before, we added another $50 million to the amount that was being appropriated for that purpose, and I voted for the amendment.

In Los Angeles in 2003, over 30,000 criminal aliens were released from the county jail and not deported.

In Denver in 2004, the city-county jail asked for reimbursement for over 1,900 illegal aliens, but only turned over the names of 175 to Immigration Customs Enforcement.

It is amazing that Denver alone sent the Federal Government a bill for over 1,900 people they have incarcerated for committing other kinds of crimes, besides the fact they are here illegally; yet, when it came to turning those names over to ICE, they refused to do so, or turned over only 175, again as a result, I think, to a large extent, of these things we call sanctuary policy.

Why should Denver or Los Angeles be asking for Federal taxpayer dollars to reimburse their costs of housing illegal aliens but then refuse to turn those names over to ICE for deportation?

There are real human consequences to these ''don't ask, don't tell'' policies. From 1995 to 1999, the INS released over 35,000 criminals who were not deported. Over 11,000 of them, almost 30 percent, went on to commit other crimes, and 2,000 committed violent crimes.

In Denver last month, on Mother's Day, a police officer was shot and killed and a second officer critically wounded by an illegal alien who has now been arrested in Mexico. He had been stopped twice by the Denver police for driving without a license and had appeared in municipal court twice. In April, less than 1 month before the shooting, this man was in court with a Mexican driver's license; yet no one asked him about his immigration status because of Denver's sanctuary policy.

In July of 2004, a young man was riding his motorcycle in north Denver. He was struck and killed by a hit-and-run driver. The driver has been arrested. He has been arrested and is in jail awaiting trial. He is an illegal alien. He had six prior arrests, but was released every time because the offenses were ''minor.'' Never, of course, was he reported to the Department of Immigration and Customs Enforcement. So they are free to commit other crimes.

This policy is insane, responsible for thousands of major crimes that could have been prevented.

One ICE agent told me recently that when he was doing routine checks in jail bookings in a major city, routine checks that are no longer done, by the way, 25 percent of all the files he looked at were of illegal aliens eligible for deportation. That means we could possibly reduce crime rates significantly by detaining and deporting illegal alien criminals who are already in local jails, but instead, the revolving-door sanctuary policies allow them to go free over and over again.

Today, over 1 year and several meetings with these agencies later, the answer appears to be that nothing will happen. The chairman of the committee graciously allowed for us to meet with several of the agencies involved with Justice and Homeland Security. We were to have heard from them as to exactly how they were going to enforce the law that is already on the books, but their answer is, of course, silence, and it is deafening.

Mr. Chairman, we as a Nation need to get serious about deporting criminal aliens, and we as a Congress need to get serious about requiring the agencies to comply with the law.

My amendment does not make any new laws or create any new penalty or change any laws on the books. It merely requires the Federal administration to comply with the Federal law, and I hope my colleagues will support the amendment.

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

Mr. Chairman, the gentleman probably does not intend his amendment and argument to be thus, but I am afraid he is burgeoning on local police force bashing here.

He makes statements like, they take the money and let the aliens go. Well, in fact, by the gentleman's own statistics that he cites, local law enforcement does turn over illegal aliens at some percentage of those that they arrest and identify, and I assume that they turn over a very large percentage of those that they identify. I have not looked closely at that question, but in any regard, it is clear they are participating in this process with the Federal Government of identifying and turning over some illegal aliens.

I would suggest to the gentleman that local law enforcement, first of all, are not trained to do this mission. We have a Federal police force. We have Federal agents that are trained to perform this mission.

Local law enforcement have a little different mission. They are in the business of trying to maintain stability in neighborhoods, and are particularly trained in identifying criminals in neighborhoods, which is a full-time job.

While this is not my constituency, I can imagine in talking to my colleagues who do represent constituencies that have sizeable numbers of newly arrived immigrants, that it is a particularly difficult job to operate in those communities effectively if the policemen are seen as reporters on or, if you will, tattle-talers on the people who live in that community.

□ 1230

I can see where it would dry up information about what is going on and have the opposite effect of what we are trying to achieve with the COPS program. We are trying to establish relationships with the local community so we can help the local police force maintain stability and keep down crime in those local communities.

So for that reason, I think this is an ill-advised amendment. We do not give local police forces responsibilities of the Federal Government, unless we train them to do that and they freely take on that mission and unless we give them additional resources to fulfill that mission.

So first of all, local police have to agree to do what the gentleman is suggesting, go out and perform the Federal mission; and, secondly, if we are going to ask them to take on this Federal mandate, it seems to me we ought to give it to them not on an unfunded basis, but we should give them additional resources to perform that mission, if they would voluntarily accept it.

Mr. Chairman, as I have outlined, I am strongly opposed to the Tancredo amendment.

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

The Acting CHAIRMAN (Mr. GILLMOR). The time of the gentleman from Colorado (Mr. TANCREDO) has expired. Does the gentleman from West Virginia yield back?

Mr. MOLLOHAN. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from New York (Mr. SERRANO).

The Acting CHAIRMAN. The gentleman from New York (Mr. SERRANO) is recognized for 2 minutes, the balance of time of the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. SERRANO. Mr. Chairman, I rise in strong opposition to the amendment. The irony of this amendment would be amusing if its implications were not so serious. On one hand, we are providing SCAAP funding to help our States and localities incarcerate criminal aliens that pose a danger to our communities; yet, on the other hand, the gentleman's amendment would make it harder for our State and local law enforcement agencies to catch criminals in the first place.

Many law enforcement agencies have carefully built a relationship of trust with their immigrant communities over the years. If we were to damage this trust by confusing a State's law enforcement roles with Federal immigration enforcement roles, we would be hampering the ability of our police departments to perform their primary function: protecting communities from crime.

That is why police departments in our districts do not want this amendment. The amendment would have a chilling effect on immigrants' willingness to report crimes and cooperate with government overall, because immigrants are less likely to come forward with tips or to testify as witnesses if doing so could lead to deportation or other adverse consequences.

The effects of the amendment would be devastating. Law enforcement agencies, whether performing counterterrorism or other public safety functions, must rely on cooperation from immigrant communities to operate effectively. Furthermore, the harm of this amendment would extend beyond law enforcement. Public health could be

harmed if, out of fear of being reported to the INS, immigrants were reluctant to make use of State and local services.

For instance, I imagine many communities throughout the Nation consider it in the best interest of all of its residents, documented or not, to ensure that everyone gets a vaccine shot for their children from city hospitals. If an undocumented person were presented a choice between deportation and risking illness, I am sure that person would make a choice that is not in the best interest of the community.

In closing, please understand law enforcement gets information and wants information from the immigrant community. If they now become Federal immigration officers, that information will not be forthcoming.

The Acting CHAIRMAN. All time for debate has expired. The question is on the amendment offered by the gentleman from Colorado (Mr. TANCREDO).

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

Mr. TANCREDO. 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 Colorado (Mr. TANCREDO) will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. CLEAVER

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. CLEAVER: Page 108, after line 7, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available by this Act may be used to process or approve a competition under Office of Management and Budget Circular A–76 for services provided by the National Logistics Support Center of the National Oceanic and Atmospheric Administration in Kansas City, Missouri.

The Acting CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Missouri (Mr. CLEAVER) and a Member opposed each will control 7½ minutes.

The Chair recognizes the gentleman from Missouri (Mr. CLEAVER).

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

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

Mr. CLEAVER. Mr. Chairman, let me begin by thanking the gentlemen from Virginia and West Virginia. They have both been very easy to work with.

Mr. Chairman, the amendment I am offering with my good friend and colleague, the gentleman from Missouri (Mr. SKELTON), is a very simple amendment. It would simply prohibit any funds appropriated under the bill from being used to carry out an A–76 privatization review of 25 employees at the National Oceanic and Atmospheric Administration's National Logistics Supply Center, known as the NLSC, in Kansas City, Missouri.

Our amendment does not require Members to vote on the A–76 issue overall; rather, it simply asks that our colleagues take a stand against this particular A–76 review. The NLSC's A–76 was begun in order to achieve a quota established by OMB that Congress subsequently prohibited. That fact was outlined in a June 2002 NOAA memorandum. No other rationale other than this quota was given to justify targeting the NLSC for an A–76 review. Even after OMB repudiated privatization quotas, the NLSC A–76 went forward.

Additionally, the review seemingly ignores the inherently competitive nature of the NLSC. There is no requirement that any agency use this service; rather, agencies decide on their own whether or not to use the NLSC. The NLSC competes every day to sell its services to agencies. It has been the recipient of multiple service awards, and it has reduced its response time to 2 days and raised its accuracy rates to 99 percent.

Finally, let me just say that the trouble that I have with this, that I hope every Member of Congress will have, is that we have spent over $1 million hiring consultants to study 25 employees. That turns out to be $41,000 per employee, more than many of them earn.

In April of this year, I, along with the gentleman from Missouri (Mr. SKELTON), Senators BOND and TALENT, wrote the Department of Commerce urging Secretary Gutierrez to bring this privatization review to an end. However, despite this bipartisan support and the clear reasons for stopping this review, the Department of Commerce moved ahead.

Let me be clear, Mr. Chairman. This amendment does not address even slightly the overall issue of contracting out Federal jobs.

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

Mr. WOLF. Mr. Chairman, I claim time in opposition to the gentleman's amendment, and I yield myself such time as I may consume.

I rise in opposition to the gentleman's amendment to prohibit funds for a competitive sourcing study. We had asked the gentleman to consider withdrawing the amendment. We would have a meeting with the Weather Bureau and really do everything we could. But for the Congress to interfere and do something like this, would be unprecedented.

I understand that NOAA first announced this particular cost competition in 2003. NOAA recently canceled the competition to ensure that the statement of work is comprehensive and plans to reannounce the study shortly. These competitions are conducted pursuant to the Competitive Sourcing Initiative in the President's Management Agenda, and NOAA supports the competition.

Though I understand the gentleman's concerns and have no preconceived notion as to the outcome of the study, I believe we cannot have the Congress on every A–76 proposal coming down and stopping it.

I see the gentleman from Virginia is here, the chairman of the committee.

Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Chairman, I too understand the gentleman's concern on particular employees. The difficulty here is if the Congress starts coming out with each and every single group trying to protect this group or the other from competitive sourcing, we lose basically one of the best tools the executive branch has to make it run more efficiently.

Federal employees win 70 percent of the A–76 competitions at this point. But in almost every case, even when they have won, they have retooled themselves and made themselves more efficient than when they started. And to cherrypick one group or another, I think we will have every Member coming to the floor trying to protect this group or the other group, and the whole thing falls apart. And if that happens, the Federal executive branch loses its major tool in trying to become more efficient and saving the taxpayers' dollars.

I do not know anything about the specifics of this one, but I know from a committee perspective we have tried to look at this, we have tried to give Federal employees appeals rights now, so that if they lose it that they can have appeals rights and things they have not had in the past. We have tried to give them protections.

But, Mr. Chairman, I would also join the gentleman from Virginia (Mr. WOLF) in opposing this amendment, and urge my colleagues to do likewise.

Mr. WOLF. Mr. Chairman, I yield myself such time as I may consume just to say again, for the Congress to be voting on each and every procurement issue like this, it would just never end. So I reluctantly oppose the amendment.

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

Mr. CLEAVER. Mr. Chairman, I ask how much time remains.

The CHAIRMAN. The gentleman from Missouri (Mr. CLEAVER) has 5 minutes remaining.

Mr. CLEAVER. Mr. Chairman, I yield 1 minute to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Chairman, I rise in strong support of the amendment; and I certainly understand the reasons for the opposition of the chairman, the gentleman from Virginia (Mr. WOLF), and the gentleman from Virginia (Mr. TOM DAVIS) as well. If every one of these studies were challenged in this way, then it would be a lot of activity on these A–76 privatization reviews in the United States Congress.

But not every one is, and those that are particularly egregious, I think,

need to be brought to the floor. The gentleman from Missouri has done that today, and I compliment him for that. The gentleman from Missouri (Mr. CLEAVER) makes the case that is being made by his constituents in Missouri, in addition to the Members from the other side of the Capitol, who are also supportive of his position.

Just understand that the National Logistics Support Center is a particularly fine organization, and this review is being undertaken for only one reason. It is because management has been ordered to hit a particular numerical privatization number. That is it. That is how arbitrary it is. It has nothing to do with the organization itself. This organization has won tremendous awards. It does not merit privatization, and I think it would be inefficient to do so.

Mr. Chairman, I thank the gentleman for allowing me to rise in support of his amendment.

Mr. WOLF. Mr. Chairman, I yield the balance of my time to the gentleman from Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Chairman, just a couple of things. First of all, to my friends here, I understand their concern. I tell them that I do not know anything about this particular office. But it is not privatization; it is competitive sourcing. Basically, this allows the government sector to compete with the private sector to see how we can deliver a service to taxpayers the most efficiently.

The government wins 70 percent of these competitions, but in most cases ends up being more efficient as a result of that. They are able to retool their organizations and do things that, without the competition, the marketplace would probably not be incentivized to do.

Secondly, there are no numerical quotas or figures. In fact, Congress took those out several years ago when this administration set targeted figures in terms of the amounts of competitive sourcing they wanted to do under OMB Circular A–76. So that should not be part of this. It is not legal to be doing this, and I hope that is not driving it in this case.

But, again, for Congress to come back and cherrypick different segments and say, this is exempt, and this is exempt, basically destroys the whole system. And once again, although I am sympathetic with where the gentleman wants to go on this, I think there are other ways to accomplish it rather than coming to Congress. I think this will encourage everybody to offer these kinds of amendments, and we will lose one of the greatest tools we have toward government efficiency, and I would urge the amendment be defeated.

Mr. CLEAVER. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Chairman, if the gentleman from Virginia will yield for a colloquy, I fully understand, as the gentleman knows I am a co-sponsor of this amendment with the other gentleman from Missouri, and I think there are several good reasons for it and that the economics of the case would compel that this proceed and that the amendment be adopted.

As I understand it, the chairman, and we also heard from the gentleman from Virginia (Mr. TOM DAVIS) a few moments ago, would be willing to work on this, because this is an exceptional situation. I think the gentleman from Virginia, the chairman, recognizes that.

What would the chairman be willing to do to see that this gets a fair shake? Because we have 25 employees out there that are doing such a magnificent job, I just hate to see them go down the drain when, truth in fact, it just should not happen.

□ 1245

If there was ever an amendment that ought to be adopted, but I understand the gentleman's position because you would have 15 dozen of these amendments coming up here every time this bill is brought up, but would you tell the gentleman from Missouri (Mr. CLEAVER) what you are willing to do.

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

Mr. SKELTON. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, we would be glad to work with the gentleman from Virginia (Chairman TOM DAVIS), too. The chairman of the committee has jurisdiction. We could have a meeting, the gentleman could bring the representative of the group out there, and we would try to make sure that this is done appropriately. We would do everything we possibly can.

This concern is if we did every one of these on the floor, and if we did one for the gentleman, there are probably 15 Members that would then come forward and say, Why did I not have an opportunity? I give my word, we would work in good faith.

Mr. TOM DAVIS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. SKELTON. I yield to the gentleman from Virginia.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I think the gentleman makes a strong case for this particular item. I would be happy to work with the gentleman as well in my position as chairman of the Committee on Government Reform to make sure that these employees are fully protected as we move forward on this and given the benefit of the doubt.

Mr. CLEAVER. Mr. Chairman, I ask unanimous consent to withdraw my amendment, and express appreciation to both gentlemen from Virginia, and look forward to working with them.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 18 OFFERED BY MR. TANCREDO

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 18 offered by Mr. TANCREDO:

Page 108, after line 7, insert the following:

TITLE VIII—ADDITIONAL PROVISIONS

SEC. 801. None of the funds appropriated or otherwise made available in this Act may be used to include in any bilateral or multilateral trade agreement any provision that would—

(1) increase any limitation on the number of aliens authorized to enter the United States as a nonimmigrant, or to adjust to such status; or

(2) increase any limitation on the number of aliens authorized to enter the United States as an alien lawfully admitted for permanent residence, or to adjust to such status.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Colorado (Mr. TANCREDO) and the gentleman from California (Mr. THOMAS) each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. TANCREDO).

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

Mr. Chairman, as a result of a peculiar event arising out of the inclusion of immigration provisions in the Singapore and Chile fast track trade bills of last year, I have decided to offer this amendment that would restrict the use of funds in the bill to include in any provision in any bilateral or multilateral trade agreements that would increase the number of aliens authorized to enter the United States as an immigrant or nonimmigrant.

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

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

Mr. Chairman, except for the provision of the limitation of funds which has become a gimmick to avoid the committees of jurisdiction, this particular piece of legislation would land right smack right in the middle of the Committee on Ways and Means in terms of international trade.

There are two reasons to oppose the amendment. The gentleman from Colorado (Mr. TANCREDO) indicated that he was concerned about content in the Singapore and Chile free trade agreements. Had he consulted the chairman of the committee of jurisdiction, he would have found out that we had entered into significant negotiations with the United States Trade Representative, and that they fully appreciate the fact that there will be no temporary provisions in any additional bilateral bills. They have expressly stated this in side letters accompanying various agreements. In addition, the United States Trade Representative has committed to the committee of jurisdiction that it will not deal with any issues related to temporary entry without extensive consultation with Congress and the appropriate committees.

The second reason to oppose this amendment is because as we speak, the United States is attempting to negotiate the Doha Round, especially in the

area of market access for U.S. goods, services and agricultural products in emerging markets. The United States was principally responsible for making sure the Doha Round went forward.

A provision of the market access, or so-called GATS Mode 4, involves the discussion in negotiation over temporary movement of business personnel. If this amendment were to pass, we would be fundamentally and substantively undermining the United States in its attempts to negotiate agreements favorable to the United States in terms of market access.

The chairman of the Committee on Ways and Means would have appreciated knowing that this amendment was coming because of these two vital pieces of information: One, it is not necessary. We have taken steps to ensure it does not happen. And, two, an expression of undermining the United States as it attempts to negotiate through the World Trade Organization fundamental agreements beneficial to the United States makes no sense whatever.

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

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

Of course, this amendment was printed in the CONGRESSIONAL RECORD 4 days ago. I assume that was an indication of our intent to offer it. I am pleased also to hear, as the chairman has indicated, that arrangements have been discussed about this, and there have been promises made that none of this kind of thing will come forward. Of course, if that is the case, this amendment should not provide a problem for anyone. We should simply make sure that we put in place the rule that Congress determines our immigration policy. We did not give that up with TPA.

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

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

Mr. Chairman, having to search through the CONGRESSIONAL RECORD to discover that someone is meddling in another committee's jurisdiction is probably not the best way to make sure that the United States passes laws that are in the interest of the United States.

Mr. Chairman, I yield 1 minute to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Chairman, I rise in strong opposition to the Tancredo amendment. Let me first say that I take a back seat to no one in being concerned about the effects of the internationalization of our economy. I represent the steel industry and other basic industries that have been disadvantaged in this whole process terribly, and we have been concerned about the inadequacy of trade agreements as they do not protect these industries during the short term.

The first thing I want to say about the Tancredo amendment, is that this is a particularly bad vehicle to make the kind of decisions that this amendment is trying to make. This is an appropriations bill. This is for the Committee on Ways and Means, to do, and not to try to slip into an appropriations bill.

Second, this amendment addresses legal immigration. If there is anything we need to do, it is to be able to debate and discuss and compromise on how we deal with legal immigration, not to limit it on an appropriation bill.

Finally, Mr. Chairman, there are skills that we need in this country, and we have to be very careful about how we might impact our ability to access those skills through this kind of a process.

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

Mr. Chairman, the gentleman mentions the need to debate. I absolutely believe in the need to debate these issues, especially immigration issues. But when they get wrapped up into trade agreements, we cannot. That is the purpose of my amendment, to ensure that debate stays in this Congress where it belongs, not in the negotiations between trading partners.

It is the unique responsibility of the Congress of the United States to establish immigration procedures. It is not something that we should cede over to our trade negotiators.

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

Mr. THOMAS. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, we just voted in committee on the question of a trade agreement with the Central America free trade region. It is extensively debated, it is discussed by the committees of jurisdiction, and the administration has to listen to what Congress has to say. It is entirely appropriate that it be done through the appropriate committees.

Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. SHAW), the chairman of the Subcommittee on Trade.

Mr. SHAW. Mr. Chairman, this amendment does not just apply to these trade agreements. The amendment would prevent the use of the funds by State, Justice, Commerce and related agencies for any negotiations that would have the effect of increasing immigration.

The amendment is unnecessary. The U.S. Trade Representative, as we have already heard, has long recognized that trade agreements are not the appropriate forum to negotiate provisions regarding permanent immigration.

In addition, the U.S. Trade Representative has confirmed with the Committee on the Judiciary that it will refrain from negotiating any immigration provisions in any trade agreement negotiated since implementation of the Singapore and Chile agreements, including the agreement in the World Trade Organization.

This amendment would send a very negative signal to our trading partners about the United States' commitment to seeking liberalization in goods, agricultural services in the Doha Round. At a time when the services sector accounts for 8 out of 10 U.S. jobs and roughly 30 percent of U.S. exports, we have much to gain from these negotiations. Let us not tie the hands of those negotiating for the United States.

Mr. TANCREDO. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, the fact is if there is an agreement made, and Members feel secure in the fact that there are never going to be any immigration provisions in a trade agreement, then no Member should be concerned about my amendment. We should allow it to pass in order to establish that as the will of Congress.

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

Mr. Chairman, I will repeat the second point I made. We are currently in delicate negotiations in the World Trade Organization on market access, and one of the provisions is the question of temporary movement of legal aliens; not that it will be done, but that it is being discussed.

The gentleman's amendment will pull the rug out from the United States. The amendment will have significant effects, and it should not pass.

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

If it would have significant effect, then I am even more sure we need to pass it, because, of course, we have to make sure that this is something that the Congress deals with, not trade representatives.

It happened last year when the trade agreements with Chile and Singapore came to the floor. A number of Democrats joined with me in expressing their concern about that. I remember particularly the gentlewoman from Texas (Ms. JACKSON-LEE) who came down and was furious about the fact that these trade agreements included immigration provisions.

Well, I would respectfully request, just remember your words because they are true. It is an example of the fact that we do have something to fear that this amendment is being opposed to the extent it is by the chairman and others. The fact is if they are fearful of what this amendment might do, then we have to pass it.

I supported fast track authority for the President when it passed the House and have supported a number of trade agreements that have come before this body. It is not the issue of trade that we are debating here. It is also not the issue of whether or not service agreements should be dealt with, because service agreements, that is just a euphemism for immigration provisions that are identified mostly by certain categories that mean essentially guest worker provisions. We have that. It is in the law. Congress establishes the number of people that will be allowed into this country for the purpose of providing services. That should be

something we decide. It should not be a part of these agreements.

They come to us after the discussions. Even in committees, they come to the floor, and Members know what happens; it is either we take it or leave it. We cannot amend it. That is the concern that we have.

Whether or not we agree with immigration caps, issues that should be debated openly and talked about openly are immigration, who has the responsibility for establishing immigration law? As I say, it is the Congress of the United States. It has nothing to do with people who are negotiating our trade arrangements. That is something that is important for us to understand. It is a peculiar aspect of these trade arrangements that, as I say, has only happened in the last few years. But I fear that the past is prologue, and that is exactly where we are going with these things. They will attempt to obfuscate, and it will not be all that clear that they are in there, but they will be in there. They will be in there as service agreements, as the chairman has indicated.

□ 1300

Does that even raise a red flag with regard to immigration policy? But it most certainly is immigration policy.

It is imperative, therefore, that we simply establish our control over immigration policy. Enough authority has been handed over to our trade negotiators already. When we enter into bilateral and multilateral trade policies, we also, then, of course, enter into jurisdictional issues with regard to the WTO. I am not willing to turn over my responsibility as a Congressman to the WTO for trade or for immigration issues.

I ask for an ''aye'' vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. TANCREDO).

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

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

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

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 (preceding the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 8. ____. None of the funds made available in this Act under the heading ''OFFICE OF JUSTICE PROGRAMS—JUSTICE ASSISTANCE'' may be used by the State Authorizing Agent that has not shared, with the Attorney General, its improvement of criminal justice records as described in Section 3759 of Title 41, United States Code.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from Virginia (Mr. WOLF) each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is an amendment that does not violate current law, does not in any way violate any concerns that the majority would have, and I thank both the chairman and the ranking member for over the past couple of days working with me on some of the concerns I have expressed. But I particularly offer to them this amendment because it is an amendment of fairness in Federal funding that, by the way, the President of the United States extinguished, if you will, in his budget but we added back in a bipartisan way the antidrug task forces. But what we did not support in the supporting of the funding was the discriminatory treatment of the prosecutions and arrests.

I rise today in the name of the victims of Tulia and Hearne, two cities in the State of Texas symbolic of cities around the Nation with antidrug task forces who in the past have had arrest and conviction on the single testimony of one individual. The case in Tulia showed premeditated perjury, no other evidence but the word of one task force member against 15 to 30 African Americans who were ultimately destroyed, taken away from their families, prosecuted, convicted, and jailed.

This amendment speaks to the need of ensuring that there is corroborated evidence either showing the drugs, either showing video or another witness that would corroborate that this particular individual was engaged in drug usage or drug possession or drug selling. The Jackson-Lee amendment seeks to restore justice into the justice system by making the operation of federally funded State and local antidrug task forces more transparent in order to prevent nightmares such as those that occurred in Tulia, Texas. Grants to fund State and local antidrug task forces come from the Edward Byrne grants.

As a member of the House Law Enforcement Caucus, I am an ardent proponent of initiatives that strengthen and support our law enforcement, but we also need to ensure that we have the right kind of training and funding and better facilities, the same thing that I argued for as a member of the Committee on Homeland Security in supporting first responders. But we have a grant process that does not protect against the racial imbalance of the prosecutions of African Americans and other minorities.

Racial imbalance requirement restrictions: notwithstanding any other provision of law, nothing contained in this chapter shall be construed to authorize the National Institute of Justice, the Bureau of Justice Statistics, or the Law Enforcement Assistance Administration to ensure that there is fairness. We have worked on this matter with my colleagues on the Judiciary Committee, particularly the gentleman from Michigan (Mr. CONYERS).

I offer this amendment to my colleagues to say it does not violate current law; it only requires State agencies to share the ability to improve their criminal justice records to show that they are not discriminating.

Mr. Chairman. I thank the Chairman from Virginia as well as the Ranking Member, from West Virginia for their bipartisan work to produce a Unanimous Consent Agreement that made this very important amendment in order. The Jackson Lee amendment seeks to restore "justice" into the Justice system by making the operation of federally-funded state and local anti-drug task forces more transparent in order to prevent nightmares such as those that occurred in Tulia, Texas and more recently in Hearne, Texas.

Grants to fund state and local anti-drug task forces come from the "Edward Byrne Memorial State and Local Law Enforcement Assistance Programs (Byrne Program), " In Title 42 U.S.C. Subchapter V. As a member of the House Law Enforcement Caucus, I am an ardent proponent of initiatives that strengthen and support our law enforcement agencies. Furthermore, as a member of the Committee on Homeland Security, I make it a goal whenever possible to advocate for increased funding, better facilities, training, and equipment, and for improved interoperable communications for these first responders. However, with this amendment, I seek to restore the integrity, honesty, evenhandedness, and judiciousness of our law enforcement agencies.

42 U.S.C. Sec. 3789d section (b) of the "Omnibus Crime Control and Safe Streets Act of 1968," reads

(b) Racial imbalance requirement restriction

Notwithstanding any other provision of law, nothing contained in this chapter shall be construed to authorize the National Institute of Justice, the Bureau of Justice Statistics, or the Law Enforcement Assistance Administration—

(1) to require, or condition the availability or amount of a grant upon the adoption by an applicant or grantee under this chapter of a percentage ratio, quota system, or other program to achieve racial balance in any criminal justice agency; or

(2) to deny or discontinue a grant because of the refusal of an applicant or grantee under this chapter to adopt such a ratio, system, or other program.

The Jackson Lee amendment does not seek to contravene this provision of the law. Rather, the amendment does seek to hold the State and local grant recipients accountable for the manner in which they conduct their anti-drug programs.

Mr. Chairman, the type of reporting that is prescribed under my amendment is authorized in law as found in 42 U.S.C. 3782, 42 U.S.C. 3759, and 42 U.S.C. 3789e, the Byrne Program as well as 42 U.S.C. 3751 and 3753.

Section 3782 lays out the parameters of the establishment of rules, regulations, and "procedures that are necessary to the exercise" of

agency function in carrying out the provisions of Byrne. Specifically, it authorizes the promulgation of rules and regulations that ensure that the entire program has a ''high probability of improving the criminal justice system'' and is ''likely to contribute to the improvement of the criminal justice system and the reduction and prevention of crime.'' More importantly, however, the rules and regulations promulgated must help the reporting agencies determine the program's ''impact on communities and participants.'' The very negative results of the program that we saw in Tulia and Hearne, Texas clearly and unequivocally contravene these provisions, and the Jackson Lee amendment seeks to correct this problem.

Section 3789e contains a report to the President and to Congress that relates to the nature of the activities conducted under this program. The Jackson Lee amendment seeks to ensure that unethical and dishonest application of anti-drug task forces funded under this program do not slip through the cracks. Mr. Chairman, this amendment is vital to protecting the integrity and the evenhandedness of the activities funded under this program. Many years of Civil Rights jurisprudence and law have been ignored and thrown out the window when America permitted situations such as that in Tulia and Hearne to take place with impunity!

Improper and illegal operation of anti-drug task forces was the impetus for my introduction of H.R. 2620, The Law Enforcement Evidentiary Standards Improvement Act of 2005. This bill will provide much-needed oversight and accountability for the millions of federal dollars distributed to state and local law enforcement agencies to fight the drug war. Its provisions propose to minimize the injustice of erroneous arrests and convictions by (1) enhancing the evidentiary standard required to convict a person for a drug offense and (2) improving the criteria under which states hire law enforcement officers to participate in drug task forces.

In recent years, it has become clear that programs funded by the Edward Bryne Memorial Justice Assistance Grant program have borne opportunities for the abuse of the penal system, racially disparate treatment, corruption and tainting of law enforcement agencies, and the commission of civil rights abuses across the country. This is especially the case when it comes to the program's funding of hundreds of regional narcotics task forces. Operation of anti-drug task forces around the country, which has lacked state or federal oversight, has been riddled with corruption and is the root of some of America's most horrific law enforcement-related scandals.

One of the better known federally-funded anti-drug task force scandals occurred in Tulia, Texas several years ago. Fifteen percent (15%) of the African American population was arrested, prosecuted, and sentenced to decades in prison based on the uncorroborated testimony of a federally-funded undercover officer who had a record of racial impropriety in the course of enforcing the law. The Tulia defendants have since been pardoned, but these kinds of scandals continue to plague the Byrne grant program.

In fact, just a month ago, on May 11, 2005, the defendant, the District Attorney of Robertson County, in Hearne, Texas and the South Central Texas Narcotics Task Force, in a case filed by the American Civil Liberties Union on behalf of 28 African Americans, offered to settle the case after five years of litigation. This case arose from the arrest of these 28 individuals—out of 4,500 other residents of Hearne in November 2000 on charges of possession or distribution of crack cocaine. During litigation, the presiding judge was asked to dismiss the charges because they were based on evidence from an unreliable informant, as reported to the Houston Chronicle. Furthermore, reportedly, Task Force officers in the case suggested that the informant had added baking soda to narcotics recovered as evidence in one of the cases.

These scandals are not the result of a few ''bad apples'' in law enforcement; they are the result of a fundamentally flawed bureaucracy that is prone to corruption by its very structure. Byrne-funded regional anti-drug task forces are federally-funded, state managed, and locally staffed, which means they do not really have to answer to anyone. In fact, their ability to perpetuate themselves through asset forfeiture and federal funding makes them unaccountable to local taxpayers and governing bodies.

To date, fifty (52) organizations at the national, state, and local levels have signed on their support for this legislation and would support this important amendment that is consistent with its goals. Mr. Chairman, I ask that my colleagues on this very distinguished Subcommittee work with me to accept this important amendment.

I would like to thank my staff member Dana Thompson for his detailed work on this important amendment. Thank you, Dana.

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

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

Mr. Chairman, this is a different amendment than was printed in the RECORD. I am not even sure that it addresses the same issue. We were told we had the ability to prohibit the amendment to be offered and I did not even want to do that. We felt that whatever the outcome was, it should be. The amendment unnecessarily takes away from funds from State and local law enforcement. We just saw the amendment. I saw it 2 minutes ago, maybe it was 5 or 6 minutes ago.

We do not know the full impact of the funding prohibition. All we know is that the amendment will cut funds to fight crime. I told the gentlewoman we will continue to work with her on this issue. Just 5 minutes before, is it the same thing that the reference said it would be? Where does the language come? If my memory serves me correctly, there have been many amendments to add into that category that we have spent time here.

Because of all those reasons, not for the subject matter, but for all those reasons, I would urge a ''no'' vote on that.

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, how much time is left?

The CHAIRMAN. The gentlewoman has 2 minutes remaining.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Michigan (Mr. CONYERS).

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

Mr. CONYERS. Mr. Chairman, the Jackson-Lee amendment, which is really based on the concept of no more Tulias, is one that I hope my colleagues will support. None of the funds made available in this act under the heading ''Office of Justice Programs'' may be used by a State authorizing agent that has not shared, with the Attorney General, its improvement of criminal justice records as described in section 3759 of title 42.

We remember the Tulia incident with great pain. This case arose out of Texas in which huge numbers of African Americans, 15 percent of the African American population was arrested and prosecuted and sentenced to decades in prison. This is our response to how we handle it. I urge support of our colleague from Texas, a member of the Judiciary Committee, on this amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 20 seconds to the distinguished gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Chairman, what happened in Tulia was a true disgrace. It is not an isolated example. While most of our law enforcement officers and prosecutors do a fine job and we support them, the type of information that this amendment would gather can only be helpful to them and effective law enforcement, and will do more to protect innocent victims like those in Tulia. A gubernatorial pardon or a damage award, do not satisfy the full concerns of those who were injured in Tulia.

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

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

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

Ms. WATERS. Mr. Chairman, I rise in support of this very important amendment. This amendment would simply cause to have funds withheld for State or local antidrug task forces that do not collect and make publicly available data as to the racial distribution of convictions made as a result of their operation. This is so important. I had many of the members from Tulia, Texas, here at the Congressional Black Caucus week where we do our legislative conference. Thirty-nine of them were black. They were arrested on drug charges. There were 38 convictions, based primarily on the testimony of one informant who was later discredited. This one informant, this one man, had a record, he had a history, he lied, they came from a small town where nobody cared whether or not there was real evidence, and this was just outrageous.

The gentlewoman from Texas is absolutely correct. This information must

be made available so that we can stop this kind of misjustice and miscarriage of the law. I not only support it, I would urge my colleagues to do so.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Chairman, I rise to commend the gentlewoman from Texas for her leadership on this issue. I believe that getting additional information can only be helpful to the many law enforcement and prosecuting agencies that are trying to do an effective job of protecting our families.

We have had now two instances that are publicly known in Texas of prosecutorial abuse concerning the investigation and enforcement of our drug laws, and they were really outrageous examples—so outrageous that a Republican Governor pardoned all the people involved in the Tulia incident. There have also been civil damage awards. But the damage done to a family by what wrongdoing can occur is serious, and a pardon and a damage award is not enough to make up for the harm to that family.

Getting the information will help prevent these incidences from happening, allow effective law enforcement, and appropriate protection for individual rights. We must not let racism contaminate our law enforcement.

Mr. MOLLOHAN. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I would just point out that this amendment by the gentlewoman simply asks the Attorney General, the State authorizing agencies, to do what they are supposed to do under the law and to do it accurately and faithfully and that, among other things, it refers to requiring complete criminal histories, to include final disposition of arrests, the full automation of criminal justice histories and fingerprint records, the frequency and quality of the criminal history reports and the improvement of State records systems. I think it is very benign in that sense and requires States and governments to report as they are supposed to report under our laws.

For that reason, Mr. Chairman, I express my support for it.

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

The CHAIRMAN. The gentlewoman from Texas is recognized for 1½ minutes.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I would like to ask the chairman if he has any additional speakers.

Mr. WOLF. I will close.

Ms. JACKSON-LEE of Texas. Let me thank the distinguished ranking member for his review of the amendment and clarifying and making it a very direct and very simple proposition. Many years of civil rights jurisprudence law have been ignored and thrown out the window when America permitted situations such as that in Tulia and Hearne to take place with impunity.

Mr. Chairman, I am a former judge and a trained lawyer, and I have consistently worked with law enforcement across America and in my hometown and in my State. I am not here to impugn the hard work of good law enforcement officers. I just want there to be a balance between the rights of Americans and the law enforcement system and the judicial system. We cannot have a system of Federal funding that will fund antidrug task forces or other efforts that are not complying with the law, submitting cases that, in fact, have evidence, corroborating evidence, have video, have another witness, have the drugs that person is alleged to have actually had in their possession.

This simply requires agencies receiving Federal funds in law enforcement instances to improve their criminal justice record and to acknowledge that it is unfair to discriminate and prosecute one race, one community, one city, one rural area. I know we can do this in a bipartisan way, and I ask my colleagues to support this amendment.

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

I urge a ''no'' vote on this. The gentlewoman probably would have been prohibited from offering the amendment. We said fine. The amendment was changed. In fact, the title was there and then the amendment changed. I do not think anybody truly here knows, I do not care where they went to law school, what it truly does and what it truly means.

□ 1315

They could have gone to UVA, Georgetown, Harvard, or Timbuktu.

Secondly, if I could have the gentlewoman's attention, I offered to her to let us sit down and talk about this. Nobody is opposing necessarily what she is trying to do. Let us sit down. Let us talk about it. Let us work it. No, we are going to go ahead and do it.

So this institution has to have some definition, or else we just take any amendment that comes along.

So all the amendments, I counted them up. The gentleman from Washington wanted to take money from the bill to put it in State and local law enforcement. This takes money from State and local law enforcement and puts it somewhere else. The gentleman from Nebraska (Mr. TERRY) wanted to take money from the rest of the bill and put it into State and local law enforcement. This takes it from State and local law enforcement and puts it somewhere else. The gentleman from Iowa (Mr. BOSWELL) wanted to take money from another part of the bill, and God bless him, he had a good amendment, and put it in State and local law enforcement. This takes it from State and local law enforcement and puts it somewhere else; for what, we are not even sure. The gentleman from New Jersey (Mr. GARRETT) wanted to take money from the rest of the bill to put it where? In State and local law enforcement. This takes money from State and local law enforcement and puts it not even completely where people even know it is. The gentleman from New York (Mr. WEINER) had a great debate here. I think he wanted to take $126 million from NSF to put it in State and local law enforcement. This takes money from State and local law enforcement and puts it somewhere else. The beat goes on. The beat goes on.

So, because not knowing what this does, we are going to go ahead and oppose this. I just think if Members want to vote on something they do not understand, I think they ought to come down here and vote on something that they do not understand. I think that is part of their right to being here, but I do not understand it.

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

Mr. WOLF. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, first of all, the gentleman is correct that he has worked with many Members, including myself, and he is correct on that. I respectfully say that he is incorrect, and we thank him for allowing the amendment to go forward, but we worked not to not have a point of order, and the amendment is not changed from what it was previously. It just clarifies it so it would not be subject to a point of order, and all it does is ask for a reporting of these records to ensure fairness.

And I would love to work with the distinguished gentleman. I hope we can work together because he has been fair, and I want the RECORD to show that. But this is hurting the hearts and minds of constituents across America. And I know we have good law enforcement, and I know the States would not be offended, nor would they be burdened by simply reporting this information. I ask the gentleman to understand that there was no offense intended, and I thank him for the kindness he has shown, but this is an important issue.

Mr. WOLF. Mr. Chairman, reclaiming my time, if we offered to work with the gentlewoman to resolve the issue, I think, from where I come from, that resolves the issue. But she has offered something that we do not even know what it does. It takes funds from an area that everyone else is saying they do not want to take it from, I am having a hard time understanding what that precisely means.

And I would say we could get both of these amendments in different versions and send them to Georgetown Law School or UVA Law School or George Mason Law School and see if they think there is any change. I understand we offered to work with her. I thought that was really the right thing to do.

With that I urge a ''no'' vote on an amendment that I am not sure what it does.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. 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 Texas (Ms. JACKSON-LEE) will be postponed.

AMENDMENT OFFERED BY MR. MORAN OF VIRGINIA

Mr. MORAN of Virginia. 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. MORAN of Virginia:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

LIMITATION ON USE OF FUNDS TO LICENSE EXPORT OF CENTERFIRE 50 CALIBER RIFLES

SEC. 801. None of the funds made available in this Act may be used to pay administrative expenses or compensate an officer or employee of the United States in connection with licensing the export of a nonautomatic or semiautomatic rifle capable of firing a center-fire cartridge in 50 caliber, .50 BMG caliber, any other variant of 50 caliber, or any metric equivalent of such calibers, to any nongovernmental entity.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Virginia (Mr. MORAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I yield myself such time as I may consume.

I rise today to offer an amendment that would strengthen current State Department policy regarding the export of .50-caliber sniper rifles. Under this amendment only official government entities would be allowed to purchase these weapons through the export process. The language of the amendment would simply prevent export to any nongovernmental entity; in other words, the arms dealers that bought 25 of them for al Qaeda and the representatives of the IRA and the KLA.

The .50-caliber sniper rifle is in a class by itself. A weapon of war, the Army Handbook on Urban Combat states that the .50-caliber was designed to attack both fuel tanks and other impenetrable targets. It is considered able to penetrate all but the heaviest shielding material from up to a mile away.

This high-powered antimateriel weapon has even been touted by its manufacturers in advertisements that it is capable of disabling or destroying a modern jet aircraft. I quote from Barrett Firearms Manufacturing. In their advertisement, they say, ''The cost-effectiveness of the .50-caliber sniper rifle cannot be overemphasized when a round of ammunition purchased for less than 10 U.S. dollars can be used to destroy or disable a modern jet aircraft.''

I should repeat that because it is hard to believe. But despite this unparelleled potential for damage, including the threat posed to railcars carrying hazardous materials and civil aviation, the .50-caliber is easier to obtain than a handgun and no less available than a common shotgun.

Governor Schwarzenegger, who recently signed a law banning the .50-caliber in California, stated that this gun is ''a clear and present danger to the public's safety.''

These guns are sought after by terrorists, warlords, drug smugglers, and other individuals looking to use the .50's exceptional power, accuracy, and distance for terrorist and criminal purposes.

There have been any number of substantiated reports that al Qaeda, the IRA, and the KLA have purchased a number of these guns in recent years. There is an arms race taking place just south of the border in Mexico where drug cartels are employing .50-calibers in a bloody turf war that has resulted in the deaths of hundreds of people caught up in the crossfire.

The ''60 Minutes'' TV show has reported at length on this issue. In their most recent piece, they profile an Albanian American gunrunner named Florin Krasniqi. Mr. Krasniqi details how he has coordinated the export of .50-calibers from the U.S. to arm the Kosovo Liberation Army in their guerilla war to break away from Serbia. The reason the .50-caliber was his weapon of choice, he stated simply, ''You could kill a man from over a mile away. You can dismantle a vehicle from over a mile away.'' And they are so easy to buy.

If we are not going to deal with the danger that .50-calibers pose to the American public, let us at least prevent the export of these weapons of terror to foreign terrorists. Restricting exports of .50-calibers is necessary because, unlike most items controlled under the U.S. Munitions List and comparable international control lists, firearms are frequently licensed for commercial resale, increasing the likelihood that they will end up in the hands of our enemies.

Mr. Chairman, this is a human rights issue, and it is an issue of protecting our national security. We need to pass this amendment.

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

Mr. KING of Iowa. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Iowa (Mr. KING) is recognized for 5 minutes.

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

I point out that this Moran amendment has been a moving target, Mr. Chairman. This thing has been moving around the last couple of days, and I have been trying to get ahold of the final draft of the final Moran amendment so I can finally look at the language that is finally going to be presented to this Congress that would set final policy on our export policy with regard to one single caliber of firearms, and not even the whole entire caliber of that particular firearm, but just a very small segment of it. And now this final language that I have in this moving target says that it would ban the utilization of Federal dollars for the regulation for ''the export of a nonautomatic or semiautomatic rifle,'' not rifles, ''capable of firing a center-fire cartridge in 50-caliber,'' or the like, ''to any nongovernmental entity,'' which I commend the gentleman from Virginia for removing the broader language and narrowing it down to a nongovernmental entity. This is an improvement in this particular amendment.

But this amendment says ''nonautomatic or semiautomatic rifle.'' It does not address fully automatic 50-caliber machine guns, but it does target rifles, rifles that I call buffalo guns that go back to the 1800s in this country. The Sharp's 50-caliber is one of the original 50-caliber long-range rifles. It was used to implement buffalo hunting back in those years, and its being a 50-caliber is not the reason why it is among the most accurate long-range rifles, but because they chose that caliber back then for long-range accuracy, and they developed the cartridge for that kind of target shooting. And, in fact, there has been an entire organization that has grown up around target shooting that has to do with the 50-caliber, that venerable buffalo gun, and I believe they are called the 50-caliber Target Shooting Club, and I know that they have been organized for over 20 years. So this amendment would target rifles when there is not a record of their being used for crime. There are allegations, but not a record that I can find.

And I look at some of these quotes: ''Could be used to destroy or disable a modern jet aircraft.'' Are we going to outlaw every caliber and every weapon that could be used to destroy or disable a modern jet aircraft? If that is the case, then we take every deer rifle out of the rack and out of every cabinet of every home in America because they can be used the same way. We can name caliber after caliber that could destroy or disable a modern jet aircraft. In fact, sometimes we are a little concerned about that happening.

The fact that the Governor of California advocates an assault on the 50-caliber target rifle, the buffalo gun, does not convince me in the least, but this would not do anything to prevent a 49-caliber or a 51-caliber or going a little bigger or a little smaller. It would encourage that. But what it would do, Mr. Chairman, is it would

make the 50-Caliber Shooting Club exclusively a USA club, and it would continue to develop the 50-caliber shooting in the United States, but our foreign friends that are involved in the same thing that we are here, legitimate hunting, legitimate target shooting and development of a venerable weapon, would be prevented from doing so for an illogical reason, if there is a reason at all.

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

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

Mr. KING of Iowa. Mr. Chairman, I yield 1½ minutes to the gentleman from Tennessee (Mr. GORDON).

Mr. GORDON. Mr. Chairman, my friend from Virginia and I, and I think everyone here, share his objective, and that is to keep 50-caliber weapons, and for that matter any weapon, out of the hands of terrorists. I am afraid, though, that his amendment does not accomplish that.

The fact of the matter is that the State Department already has the ability, and uses it, to stop any type of sales of 50-caliber rifles to terrorists or any other type of undesirable groups. If there are any of these anywhere around in the world, and again I am not aware of any incidence where that has taken place, they have been sold illegally. So this amendment is not going to address the illegal sales. It may keep all weapons of 50 caliber here in this country, but they can be made elsewhere all around the world. So it just simply does not accomplish the goal that I know he wants and that we all want.

And since he did mention the Barrett M107, let me point out also that it was selected by the Chief of Staff Office of the U.S. Army as one of the ''top 10 inventions of 2004'' for the fight against the war on terror. Certainly it has been beneficial to our troops. It can be beneficial to our allies around the world.

Again, we do not want to see these weapons or any weapons in the hands of terrorists. We already have a method to stop that in terms of legal sales. This amendment does not get to the illegal sales. So a good objective, but a flawed amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Just to respond to the points that were made, first of all, I agree that our soldiers like the weapon. I want them to continue to be able to use it. And this, of course, does not restrict their usage. I just do not want it to get into the enemies' hands. And I think that the gentleman does not want terrorists being able to buy these. Al Qaeda has purchased 25 of them.

□ 1330

To respond to the gentleman from Iowa when he said that any number of guns could disable a commercial jet aircraft, to complete the quote, it can disable a modern jet aircraft from over a mile away.

That is the point of it. These are unparalleled weapons. I am not trying to restrict them in the United States. They can have these U.S. clubs for .50 caliber guns. I just do not want them sold by arms dealers. We know that is what is happening, and they are getting into the hands of our enemy.

In a day when we see reports about people being arrested on public property because they were photographing public buildings, on the one hand, and then on the other hand we are allowing these weapons to be sold to terrorists? No. It is okay to sell them to a government, but not to these private individuals who are going to turn around and sell them to the terrorists.

There are certain things that we need to adjust to after 9/11. We are in a war against terrorism. Why would we go along with arming the opposition? So I think much of the argument that has been made supports our contention that we ought to ban the export of these to nongovernmental entities.

Mr. Chairman, I yield to the gentlewoman from New York (Mrs. MALONEY) for the purpose of making a unanimous consent request.

(Mrs. MALONEY asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY. Mr. Chairman, I rise in support of the Moran amendment.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Virginia (Mr. MORAN).

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

Mr. MORAN of Virginia. 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 Virginia (Mr. MORAN) will be postponed.

AMENDMENT NO. 6 OFFERED BY MRS. MALONEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mrs. MALONEY:

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 enforce any provision of law that prohibits or restricts funding for the United Nations Population Fund (UNFPA).

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentlewoman from New York (Mrs. MALONEY) and a Member opposed will each control 10 minutes.

The Chair recognizes the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this limiting amendment simply prevents the State Department from spending taxpayer dollars to restrict funding for the United Nations Population Fund, UNFPA. The effect of this amendment would be to release much-needed funds to help women, children, and men in nearly 150 countries around the world.

For 3 years, the Bush administration has withheld $34 million annually from UNFPA that passed both the House and Senate. UNFPA is the only multilateral agency devoted to helping developing countries combat female genital mutilation and obstetric fistula, to helping countries advance access to family planning and quality reproductive health care, to promoting HIV-AIDS prevention, improved education and health care. These are the jobs of UNFPA. They are the world's leader in this task.

In this world in which we live, while I have been speaking, one woman has died from pregnancy-related causes, nine people have contracted HIV, and 6 have died from AIDS. All of this tragedy occurs in just one minute, and all of it can be prevented if UNFPA is funded and allowed to do its work.

This is not the way it has to be. The U.S. annual $34 million contribution could prevent 2 million unintended pregnancies, 800,000 induced abortions, 4,700 maternal deaths, and 77,000 infant deaths around the world. This is why we need UNFPA. We should not stand in their way, especially when women and girls are dying.

We are a government that champions tolerance, equal opportunity, life and hope. I urge my colleagues to allow the United States to join 169 countries that are already funding and supporting UNFPA. We are standing alone. We should join the world community and support this important work.

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

The CHAIRMAN. The Chair recognizes the gentleman from Virginia (Mr. WOLF) for 10 minutes.

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

Mr. Chairman, this amendment does not belong in the bill. It is really an amendment that relates to the Foreign Assistance Appropriation, under the bill of the gentleman from Arizona (Mr. KOLBE) where this comes. It is inappropriate to use the funds for the Department of State's operations, including salaries, to enforce the law, because it is the responsibility of the Secretary of State to enforce the law and would in essence mean that there could be no enforcement of Kemp-Kasten. It would make it null and void.

It was determined by the Secretary of State in 2004 that because UNFPA continues its involvement in China's coercive birth limitation program, current law precludes funding for UNFPA.

I visited China. The China policy with regard to coerced and forced abortion, the one-child policy, is barbaric. I could take a whole day to talk about the government of China with regard to the persecution of the Catholic

Church, the persecution of the Protestant Church, the persecution of Buddhists, the persecution of Muslims, the sale of kidneys with regard to execution of prisoners, the slave labor camps, and now in essence the coercive policy that this government has. In order to do anything that would send a message to that government that it is okay to do what they are doing is absolutely wrong. So you can argue this on process, this is not the place, but I think you can argue this on the merits.

China is doing fundamentally evil things, and the record should state the evilness of their policies. For that, I urge a strong ''no'' to send a message to that government that their actions are totally inappropriate.

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

Mr. Chairman, I would say to the gentleman from Virginia (Chairman WOLF), who worked so hard on human rights, to punish an organization working to promote human rights absolutely makes no sense. I have great respect for the gentleman from Virginia (Chairman WOLF), and I agree with the gentleman that the stories about China are absolutely appalling. That is why we need UNFPA. The only thing that not releasing the money does is ensure the Chinese women have absolutely no place to turn. UNFPA is rights-based. It is fighting the Chinese Government's oppressive policies.

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

Mrs. CAPPS. Mr. Chairman, I thank the gentlewoman for yielding me time.

Mr. Chairman, I rise in strong support of the Maloney-Shays amendment regarding the United Nations Population Fund. UNFPA funding must be released to aid women, children, and men in the world's poorest countries. The UNFPA fund provides critical maternal health in these nations, emergency assistance for refugees, reproductive education, prevention and treatment for HIV and AIDS, and clinical care for infants and children.

Yet the President has withheld the U.S. contribution to the UNFPA under false accusations that funds have been used to support coercive population practices in China. Every legitimate investigation of these accusations has proven them false.

Furthermore, UNFPA work in China actually contributes to putting an end to coercive practices. It is surely time for the United States to stop withholding funds from the UNFPA. These funds can make all the difference in the world, improving lives and saving lives around the world. I urge my colleagues to support this amendment and allow the U.S. to support the world's largest international source of funding for population and reproductive health programs.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Lancaster, Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I rise in strong opposition to this amendment. The Chinese Government has a policy of killing unborn children it deems a waste of valuable space in one of the world's largest countries. UNFPA actively and passively supports this policy of thinning the population by killing unborn children. In fact, it has gone so far as to praise China's population control tactics. Until that changes, UNFPA should not get a dime of taxpayer money.

As we debate this bill, let us face the truth: Is that really what we want to support or encourage? I do not think so.

Make no mistake about it, UNFPA is in bed with Beijing on forced abortions; and if we fund UNFPA, Beijing gets stronger. If we fund UNFPA, we only encourage the regime's strategy of exterminating the babies they do not want. If we truly care about human rights, we should support programs that work, programs that uphold the dignity of human life, not programs that allow a repressive, Communist government to enforce a systematic effort of abuse and repression and murder.

Our country does not believe in forced abortion. We do not believe in harvesting the organs of prisoners who are being executed.

Why would we want to support this? A Nation that believes in the rights to life, liberty, and the pursuit of happiness should not give aid to any organization that does not support these rights.

I urge opposition to and defeat of this amendment.

Mrs. MALONEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. McCOLLUM of Minnesota. Mr. Chairman, it is a fact. It is a fact that international delegations have visited the UNFPA's programs consistently in China, and it is a fact that they have said that the UNFPA is part of the solution in China, helping to promote voluntary family planning.

It is a fact that, since 1999, 60 delegations, 145 diplomats from around the world, have visited UNFPA's China program, and not one of them has found any evidence to suggest that the UNFPA is doing anything other than making the situation better.

Every year the world's poorest nations have millions of mothers dying needlessly during childbirth. Millions of infants die every year in these same countries. These deaths, most of them, can be prevented.

It is the mission of UNFPA to save lives, to promote healthy women, healthy babies, and healthy families by allowing voluntary family planning.

Mr. WOLF. Mr. Chairman, I yield 5½ minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank my friend for yielding me time.

Mr. Chairman, I rise in strong opposition to this amendment. For 25 years, the United Nations Population Fund has been an aggressive and shameful accessory to gross crimes against women and babies in the People's Republic of China. Despite being admonished to do otherwise on countless occasions, the U.N. Population Fund continues to be the chief apologist and enabler for both past and ongoing crimes against humanity.

Now the gentlewoman from New York (Mrs. MALONEY) is offering an amendment that would suspend all U.S. laws, including all of our human rights laws, in order to compel U.S. taxpayer funding for the U.N. Population Fund. The Maloney amendment is written in such a way to immunize UNFPA from having to obey any U.S. law or funding restrictions, including the Kemp-Kasten anti-coercion amendments. I strongly urge its defeat.

Mr. Chairman, let us not forget that the UNFPA has whitewashed, sanitized, and facilitated—it has been an accomplice—in China's barbaric one-child-per-couple coercive population program that has victimized hundreds of millions of women and murdered hundreds of millions of children.

As a direct result, there is this exceedingly dangerous statistical demographic anomaly known as the ''missing girls.'' There may be as many as 100 million missing girls in China today, a tragedy beyond words. As a result, there are also on any given day, according to the Country Reports For Human Rights Practices, the human rights report by the State Department, 500 women in China who commit suicide every day. Five hundred. This coercion has a terrible, deleterious effect on Chinese women.

As violations of human rights go, coercive population control in China is among the worst and most degrading systematic abuse in human history.

Let us not forget or be naive, I say to my colleagues, about the fact that in China today, brothers and sisters are illegal and children can only be born if permission is granted by the state.

We all know that in the United States, families get State and Federal tax credits and deductions for their children so they can better cope with economic pressures.

□ 1345

In China, on the other hand, there is no welcome mat for children, and Chinese parents have huge fines imposed upon them if they try to bring their children into the world. Unwed mothers are also severely punished in China, and are compelled to abort, even if it is their only one child, the one that they are supposedly permitted to have. China's eugenics policy, which compels the murder of disabled babies, is clearly reminiscent of the Nazis.

Those who violate these cruel, inhumane, antichild policies are fined up to 10 times the annual salary of both husband and wife, a draconian penalty that usually ensures that the child, at the end of the day, is aborted.

This is China's national policy, Mr. Chairman. In all counties, including UNFPA-supported counties, severe fines are imposed on women who have babies out of plan. Some women do resist. Some women have their children on the run, as they say. Some resist or pay bribes or endure the harsh penalty, the so-called ''social compensation fee.'' Others are forcibly aborted, trussed, and brought into the so-called family planning clinics to have their babies aborted, and some are even tortured, and some are jailed.

Last December I chaired yet another hearing on forced abortion in China. I have had about 18 or more hearings over the last several years, and we heard from a woman by the name of Mrs. Mao Hen Feng, a Chinese woman who had been imprisoned and tortured because of her resistance to coercive population control.

I would point out to my colleagues, I met with Peng Peiyun, the woman who runs this program, and, during the course of that several-hour conversation, she kept coming back to the fact that, oh, the UNFPA is here. They do not see any coercion. The UNFPA clearly enables the PRC to practice this draconian program, and then they resort to the whitewash and say, but the UNFPA is here, and, again, they do not find any of this.

Amazingly, Mr. Chairman, the UNFPA calls China's massive violence against women like Mrs. Mao voluntary family planning, as if cheap sophistry makes it all okay. Just call it voluntary family planning, and it is all okay. It makes the definition of ''voluntary'' a joke.

To make matters worse, Mr. Chairman, UNFPA spokesmen gleefully encourage other countries to follow China's disgraceful lead.

I hope the majority of our colleagues will have no part in enabling either China or its best friend, the UNFPA, in these horrible abuses. Instead of funding the UNFPA, both they and China should be on trial at the International Criminal Court for crimes of genocide and crimes against humanity.

Talk to these women who have suffered. Look at the terrible loss of life, millions upon millions of babies killed, often right at the ninth month as women try to conceal their pregnancy, and the UNFPA is there on the ground enabling this terrible abuse. They provide cover, respectability, tangible support, and technical capabilities that predictably results in massive acts of cruelty and murder in China.

Defeat the Maloney amendment.

Mrs. MALONEY. Mr. Chairman, may I inquire on the time, please?

The CHAIRMAN. The gentlewoman from New York has 5½ minutes remaining, and the gentleman from Virginia has 30 seconds remaining.

Mrs. MALONEY. Mr. Chairman, I yield 10 seconds to the distinguished minority leader, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the distinguished gentlewoman from New York (Ms. MALONEY) for yielding me this time and for her leadership over the years on this issue that is very important for America, to speak out in terms of reducing the number of abortions that take place throughout the world.

Mr. Chairman, I came to the floor because I listened with interest to the statements that were being made here, especially by a couple of speakers ago about China, including my distinguished friend, the gentleman from New Jersey Mr. SMITH. The gentleman from New Jersey (Mr. SMITH) and the gentleman from Virginia (Mr. WOLF) and I have worked together over the years to speak out against China's coercive family planning, as they call it, policies. The gentleman from New Jersey (Mr. SMITH), the gentleman from Virginia (Mr. WOLF) and I have fought together against the human rights abuses in China. We spoke against them when there was a Democratic President. We spoke against them when it was the policy of a Republican President. We never hesitated to criticize Presidents of our own party for their coddling of the Beijing government while they were repressing their people.

None of us takes second place to anyone in our denunciation of the regime in Beijing for its inhumane treatment of its own people. The list is a long one that we could go into, but we do not have time for that now.

Where the gentleman from Virginia (Mr. WOLF) and the gentleman from New Jersey (Mr. SMITH) and I part company is on their characterization of the role of UNFPA. Certainly, I think without any question, every person in this body would denounce the coercive abortion policy of the Beijing government. Certainly we want fewer abortions to take place. The best way to do that is to have family planning. For some reason, there has been a campaign against UNFPA, because they have been effective in promulgating family planning information to women in need so that they will not find themselves in a situation where an abortion is an option.

When I was ranking member on the Committee on Foreign Operations Appropriations a number of years ago, we put forth a compromise where the money would go forth for UNFPA, but none of the funds would be used in China. It was a compromise. I was not happy with that, because it made certain concessions, but it was a compromise, and each side had to yield something on it.

I just want our colleagues to know that a vote for the Maloney amendment is not a vote in support of any organization that would be sympathetic to the coercive abortion policies in China. It simply is not so.

UNFPA has done very, very valuable work. We go through this year in and year out. I remind my colleagues that in 2001, President Bush, our new President, sent a team to China who certified that UNFPA had nothing to do with China's coercive policies, and they were not in violation of Kemp-Kasten, and $21.5 million went forward.

Since 1999, there have been 60 delegations and 145 diplomats from around the world who have visited UNFPA's China program. None of them have found any evidence to suggest that UNFPA is doing anything other than making the situation better. Family planning reduces abortions. It is that simple. Even after President Bush's first certification, Secretary Powell was part of reviewing the activities there as well and came back with the same result.

What we are talking about here today is, let us reduce abortions, let us denounce the Beijing regime for what they do not only in this area, but in other areas, and not look the other way from that, because that is in my view, a crime against humanity, the way they treat women.

The gentleman from New Jersey (Mr. SMITH) knows chapter and verse. There is probably nobody in the Congress who knows better than the gentleman from New Jersey (Mr. SMITH) how coercive their abortion policies are. He has tried to move to give some opportunity to people who have been victims, and I salute him for that. But I disagree with the gentleman when he says that UNFPA is a part of any of that, and that they have done anything other than make the situation better in China.

So I hope that our colleagues will understand these distinctions and support the very important Maloney amendment.

Mrs. MALONEY. Mr. Chairman, the United States is isolated; 169 countries support the important work of UNFPA.

Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, this is not a debate about Chinese policy on population growth, but I want to just say, I cannot imagine what it would be like to be in the United States and have four times as many people living here, four times as many people in Washington, D.C., four times as many people in New York City. So I do understand that China needs to deal with this issue, but not the way they are dealing with it. This amendment does not in any way impact what China is doing.

Cutting funds to the UNFPA will prevent vital assistance for poor women and children in developing countries. The UNFPA's program helps families prevent unwanted pregnancies, undergo childbirth safety, avoid STDs including HIV/AIDS, and combat violence against women. I think that is what we want to do.

I believe we must support the UNFPA and its family planning initiatives, because world population continues to grow out of control. In 1960, we had 3 billion people on this Earth. Today we have 6 billion people. In 40

years, without worldwide family planning services, it will rise to 9 billion people.

The UNFPA responds to this growth by assisting the world's poorest countries in formulating population policies and strategies. Overpopulation threatens not only the world's political stability, but our global environment as well.

As a former Peace Corps volunteer, I can attest to the substantial contributions international family planning makes to economic development, higher living standards, and improved health and nutrition.

Mr. Chairman, I just hope that we do not get sidetracked on a debate about what China is doing, when there are 150 poor countries around the world that need our help, and millions and millions and millions of women who need our help and assistance.

Mrs. MALONEY. Mr. Chairman, may I inquire about the time?

The CHAIRMAN. The gentlewoman has 3¼ minutes remaining.

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

Ms. WOOLSEY. Mr. Chairman, we recently experienced the Southeast Asia tsunami that destroyed valuable medical services for women across the affected area. But, with the help of the UNFPA, we were able to calculate that 150,000 women were pregnant in the region at the time of the trauma, putting them at greater risk than normal because of sudden loss of medical support. Without UNFPA, these women would not have had the guarantee of safe, clean environments to deliver their babies. They would not have had the access to the medical support and medicines they need to ensure a healthy birth.

Safe and healthy childbirth should not be a political issue. While disagreements about UNFPA will certainly remain, continuing to ensure this program has never been more important than it is now. I urge my colleagues to join me in supporting the Maloney-Shays amendment.

Mrs. MALONEY. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. Mr. Chairman, I thank the gentlewoman for yielding me this time. I am proud to be a cosponsor of this amendment. I respect the passion and force the gentleman from New Jersey brings to the fight against coercive abortions in China, but this is not about coercive abortions in China. This is about saving lives in Sri Lanka and Indonesia and areas that have been devastated by the tsunami.

I was in Sri Lanka only a few months after the tsunami. I was in a maternity hospital that was ravaged by the first wave. That region has lost its capacity for maternal health care. It has lost its nurses, its doctors, its midwives, its entire maternity health care infrastructure.

Mr. Chairman, 150,000 women scheduled to give birth after the tsunami, they need help. The UNFPA is one of the only agencies of its kind that can provide that help. It does not make sense for us to abandon the lives of newborn babies and their mothers in tsunami-affected areas because of what we do not like happening in China. The two issues are not at all related.

We have an opportunity. This is something we can agree on, and that is maternal health care and reproductive health care, and saving lives in areas that desperately need it.

Mr. Chairman, I urge support for this amendment.

Mrs. MALONEY. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from New York (Mrs. LOWEY) who has been a great leader on this issue.

Mrs. LOWEY. Mr. Chairman, I rise in strong support of this amendment, which would correct an error in the interpretation of our law that has put the lives of the world's most vulnerable women and children at risk.

Since 2002, the United States has provided no funds to the United Nations Population Fund. The facts are clear. UNFPA has a worldwide policy of not providing abortions, even when they are legal in the country in which UNFPA is operating. UNFPA does not coerce women into abortion and sterilization. It works to secure voluntary reproductive health options around the world.

U.S. law prohibits funding for organizations that support coercive practices.

□ 1400

But UNFPA is being penalized because it is trying to overturn, end coercive practices in China.

In meeting after meeting over the past 3 years, the State Department has repeatedly said that nothing UNFPA does will lead to a restoration of its funding as long as it continues to operate in China, unless China changed its laws.

Let us make it very clear. UNFPA is the premier multilateral organization helping to provide safe motherhood, reproductive health assistance to the world's poorest children.

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY. Mr. Chairman, may I inquire on the time.

The CHAIRMAN. Fifteen seconds.

Mrs. MALONEY. Mr. Chairman, is that on both sides?

The CHAIRMAN. The gentleman from Virginia has 30 seconds.

Mrs. MALONEY. Mr. Chairman, I would just like to say that we may have a disagreement in some ways, but UNFPA is a world leader.

Mr. Chairman, I yield the remaining time to the gentleman from Virginia (Mr. MORAN).

The CHAIRMAN. The gentleman from Virginia (Mr. MORAN) is recognized for 15 seconds.

Mr. MORAN of Virginia. Mr. Chairman, I cannot understand why, without passing the Maloney amendment, we punish millions of women throughout the Third World. Our annual $34 million contribution could prevent 2 million unintended pregnancies; 800,000 induced abortions; 4,700 maternal deaths, and most of them are young girls that have no control over their lives; and 77,000 infant deaths. That is what we should be doing. This should not be about China. This should be about the Third World.

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

Mr. Chairman, I want my comments to be separated. One, I want to commend and thank the minority leader, the gentlewoman from California (Ms. PELOSI), for her strong support on human rights. Particularly, she has been very good in China. She was there from the Tiananmen Square times and all the time. So I just want the record, we want to separate these out, but I want the record to show that I admire her and respect very much her support for human rights in China. It has been outstanding.

The second point I want to make is to separate back to the debate that my good friend, the gentleman from Virginia (Mr. MORAN), was just talking about. I favor family planning. I am speaking for myself. I favor family planning. But this is a government that still has Tiananmen Square demonstrators in prison. In 1991 the gentleman from New Jersey (Mr. SMITH) and I were in Beijing Prison Number 1, and we are the only two Members of the Congress that have been in a Chinese gulag, and we saw Tiananmen Square demonstrators making socks. Some of you may be wearing the socks, socks for export to the United States. God bless him, Senator Moynihan got the socks, when I came back, held the socks up on the Senate floor with regard to how bad China was. And I will get that, what Senator Moynihan said, and put it in the RECORD.

Mr. MOYNIHAN. Mr. President, here are products of prison labor, sold in international trade by the Chinese. You can buy these: socks with a panda with the word ''boxing'' and a little boxer; this fellow is playing golf, whatever.

Representative Wolf was in Beijing Prison No. 1, and not recognizing him as a Member of the House of Representatives, they thought he was a buyer. They started showing him the goods for sale.

They have stopped that. We have ratified that treaty at long last. Surely we ought to indicate that we mean it, that we intend to help enforce this international labor standard.

This is a fundamentally evil government that you cannot trust. Many Tiananmen Square demonstrators that we lament about and talk about are still in prison. Now, they moved them out of Beijing Prison Number 1, but they are still in prison. And if you do not think there is coercion, call Harry Wu. Harry Wu lives out in Fairfax County, in the district of the gentleman from Virginia (Mr. MORAN). And Harry will tell the gentleman about the forced abortions and the

policies and the abuse of this government. If you need a new kidney, they will go in the prisons, they will find somebody with your blood type, they will shoot them, maybe a Catholic priest, maybe Buddhist monk, maybe a Protestant pastor, or maybe a pickpocket. But you can get a new kidney for $50,000. This is the government that you basically want to give money to.

Now, many of you saw it. I think I did a Dear Colleague letter. Soon after the death of Pope John Paul, they arrested two elderly Catholic priests. And I say to my friend, the gentleman from Connecticut (Mr. SHAYS), talk to the Cardinal Kung Foundation and let them tell you of all the persecution. I believe they are now 11 Catholic bishops. The gentleman from New Jersey (Mr. SMITH) took holy communion from Bishop Su.

Mr. Chairman, I would ask if I could yield to the gentleman just for two words. Where is Bishop Su now?

Mr. SMITH of New Jersey. He is in prison.

Mr. WOLF. He is in prison. One other question. How old is he?

Mr. SMITH of New Jersey. He is in his mid-70s. Twenty-seven years in prison.

Mr. WOLF. Mid-70s in prison for giving holy communion.

Now, the government put him in jail. Nobody else. You have a government that you fundamentally cannot trust.

Lastly, Secretary Powell, a constituent of mine, somebody that we all admire. He lives out in my congressional district. Here is what he said on July 15, 2004: ''Despite these efforts, China continues to employ coercion in its birth planning program including through severe penalties for out-of-plan births. And UNFPA's program has not been restructured to solve the problems identified in 2002.''

So Secretary Powell, who we all trust, said they are still doing it. And then he ends, ''however, as in 2002, UNFPA continues its support and involvement in China's coercive birth limitation program in counties where China's restrictive law and penalties are enforced by government officials.'' I urge you to defeat this amendment and send a message to this fundamentally bad government that is doing all these horrible things to women, doing all these things to Catholic priests, Catholic bishops, to evangelical pastors, to Buddhist monks.

I was in Tibet, went in every monastery we could. They told us what they are doing to the Buddhist Church. It is against the law to have a picture of the Dalai Lama. Vote ''no'' on this amendment.

THE SECRETARY OF STATE,
Washington, DC, July 15, 2004.

Hon. HENRY J. HYDE,
Chairman, Committee on International Relations, House of Representatives.

DEAR MR. CHAIRMAN: The Foreign Operations, Export Financing and Related Programs Appropriations Act, 2004 (Pub. L. 108–199, Div. D) (''Act''), like every foreign operations appropriations act since 1985, provides that ''none of the funds made available in this Act . . . may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization.'' Separately in Section 567, the Act earmarks $34 million for the United Nations Population Fund (''UNFPA'').

In July 2002, I determined that UNFPA's support of, and involvement in, China's population-planning activities allowed the Chinese Government to implement more effectively its program of coercive abortion, and that, therefore, the Kemp-Kasten Amendment precluded funding of UNFPA at that time.

Since that time, we have had numerous discussions with the Government of China to urge an end to China's program of coercive abortion. We have also urged UNFPA and China to restructure the UNFPA program so that UNFPA does not support or participate in the management of China's coercive program. Despite these efforts, China continues to employ coercion in its birth planning program, including through severe penalties for ''out of plan births'' and UNFPA's program has not been restructured to solve the problems identified in 2002. However, as in 2002, UNFPA continues its support and involvement in China's coercive birth limitation program in counties where China's restrictive law and penalties are enforced by government officials. More information on the nature of China's birth-limitation regime and UNFPA's involvement therein is contained in the enclosed report on China's Birth-Limitation Policy.

The Administration is preparing to take the steps, including consulting with Congress, that would be necessary to apply the amount that had been reserved for UNFPA in the ''International Organizations and Programs'' account to the ESF account, for use in support of the President's initiative to aid victims of trafficking.

We will continue to remain engaged with China and UNFPA on this issue. As I stated in 2002, if Chinese laws and practices were changed so that UNFPA's activities did not support a program of coercive abortion, or if UNFPA were to change the program implementation for its funding so that it did not support a program of coercive abortions, I would be prepared to consider funding UNFPA in the future.

Sincerely,

COLIN L. POWELL.

Enclosures: As stated.

REPORT TO CONGRESS ON CHINA'S BIRTH LIMITATION POLICY

The Conference Report accompanying H.R. 2673, H. Report 108–401, in the Statement of Managers, requests the Department of State [hereinafter ''the Department''] to report ''not later than July 15, 2004, on the steps it and UNFPA have taken to urge the Government of China to end its birth limitation policy, including the social compensation fee, and the results of those efforts, nationally, and particularly in the counties in which UNFPA operates.'' This report responds to that request.

U.S. ENGAGEMENT

Since the Secretary's determination of July 21, 2002, that funding for UNFPA was precluded by the Kemp-Kasten Amendment of the FY 2002 Foreign Operations Appropriations Act, the United States has actively engaged with China to end coercive practices in its birth-limitation program and with UNFPA to end its support for that program. We have urged China to implement fully the principle recognized in the Programme of Action of the International Conference on Population and Development (ICPD) that all couples should have the right ''to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and . . . to make decisions concerning reproduction free of discrimination, coercion and violence. . . .'' In order to implement this principle the Chinese family planning program should be fully voluntary and free of all forms of coercion.

Immediately following the Secretary's determination, the Department commenced a round of five negotiating sessions with China with the objective of eliminating coercive provisions in law and ending coercive practices in the counties in which UNFPA is involved. We also encouraged China and UNFPA to restructure their proposal for the new fifth country program (CP5) agreement in a way that would allow the United States to fund UNFPA. Discussions were held with senior UNFPA and Chinese officials in New York, Washington, Beijing, and during international meetings on population matters. Department personnel visited UNFPA project counties in China on two occasions, in November 2002 and August 2003. Embassy and Consulate personnel based in China made numerous field visits, both to counties in which UNFPA operates and counties in which there is no UNFPA assistance. These field visits were designed to learn about the implementation of China's birth limitation laws and policies/practices, and about UNFPA's activities in China. Despite several rounds of discussions with U.S. representatives, UNFPA and China decided not to make substantive changes to the proposed UNFPA fifth country program. For example, UNFPA did not condition the start of the program on the elimination of social compensation fees (SCF). When CP5 was adopted at the first regular session of the UNFPA Executive Board in January 2003, the United States could not support the program because of coercive measures in the enforcement of China's birth limitation laws. The U.S. delegate stated that the United States believes that UNFPA should not be associated in any way with coercion.

In the summer of 2003, the Administration considered that circumstances surrounding UNFPA's continued involvement in China's birth limitation program had not changed sufficiently to warrant U.S. funding.

As described below, many of those circumstances continue to persist, despite claims by Chinese officials that they are working to eliminate coercive measures. These, along with others described in State's annual human rights reports, information supplied by UNFPA, the results of U.S. efforts to engage both UNFPA and China on numerous occasions from 2002 through 2004, and the fact that China's coercive policies have, since the Secretary's July 2002 determination, now been codified and enforced as a matter of national law, all contribute to the finding that the Kemp-Kasten amendment continues to preclude funding for FY 2004.

CHINA'S BIRTH-LIMITATION REGIME—NOW LAW

A new national Law on Population and Birth-Planning went into effect on September 1, 2002. This law codifies on a national basis, for the first time, China's longstanding ''one child policy'' and specifies a number of government birth-limitation measures that amount to coercion. (As mentioned in the 2002 determination, county laws had previously been in place and were used to enforce the birth limitation policy.) The national law provides, inter alia, ''. . . practicing birth planning is a basic national policy of the State. The State (shall) employ comprehensive measures to control population quantity and improve population

quality.'' (Article 2.) ''Citizens have a right to have a child and also have a duty to practice birth planning according to the law. . . . (Article 17.) ''The State shall stabilize currently implemented birth policies. . . . Those who meet the conditions in laws and regulations can request the arrangement of the birth of a second child. Specific methods (shall be) stipulated by the people's congresses of provinces. . . .'' (Article 18.) ''Citizens who give birth to a child in violation of Article 18 of this law should pay a social compensation fee. . . .'' (Article 41.) ''Among (government) personnel who pay a social compensation fee in accordance with Article 41 of this law, those who are State staff should also be given administrative punishment according to law.'' ''Other personnel (who are not state staff) should also (in addition to the social compensation fee) be given disciplinary punishment by their own unit or organization.'' (Article 42.)

Since the promulgation of the national law, all provinces and equivalent governmental units except the Tibetan Autonomous Region have issued implementing regulations that set out birth planning requirements. These regulations generally allow only one child, with specific exceptions that allow qualified couples to have a second, or in rare cases, a third child. They also set ranges for assessment of the social compensation fees (SCF) by local authorities. Fees range from the equivalent of one half the local average annual household income to as much as 10 times that level. One county where UNFPA has activities, Liuyang in Hunan Province, assesses a fee of two times the average annual household income. Liuyang County has waived the fee for premarriage births, but not for inadequate birth spacing (when an additional child is allowed), or for ''out-of-plan'' births. (An example of province implementing regulations is provided as annex two.)

The Department has urged Chinese government officials to eliminate the SCF, as well as other coercive birth limitation measures. UNFPA has urged experimentation with the fee in UNFPA program counties with a view towards elimination by the end of the current program. The Chinese government has suggested that because the SCF is specifically prescribed in national law, local governments do not have authority to completely waive collection of the fee. Other coercive measures in place in China include cutting off state-funded education or health care benefits for ''out of plan'' children, loss of employment, and imposition of a system of severe fines and penalties. National and Provincial Chinese government officials have declined or been unable to assure us that penalties such as demotion or loss of job are not also imposed in countries where UNFPA operates.

The 2004 State Department Country Report on Human Rights Practices confirms China continues enforcement of its birth limitation policies and law. (Annex One.)

UNFPA'S ENGAGEMENT WITH CHINA

Last month, at the Department's request, UNFPA furnished in a very timely fashion information regarding its China program. The Director of UNFPA's Asia and Pacific Division, Sultan Aziz, wrote to the Department on June 14, 2004, highlighting the concerns UNFPA shares with the United States ''over aspects of China's family planning strategy that could lead to coercion.'' In particular, he made the following points about UNFPA's view of it approach and progress in China:

''UNFPA, like all UN organizations, is guided by international human rights standards and principles in all our programs. Using the ICPD principles as our platform, UNFPA Country Programmes focus on voluntary, client-oriented family planning services with a range of choices and options.''

''UNFPA has made a significant contribution in improving reproductive health knowledge, reducing (the) proportion of sterilization and abortions, reducing maternal mortality and increasing the proportion of births with skilled attendants.''

''UNFPA does not support China's one-child policy, and has proactively engaged in serious dialogue with the Chinese government on this issue. There is growing realization in the government, if not directly stated, about the problems arising from the one-child policy—sex ratio imbalances, ageing and population structure.''

''China is committed to the ICPD and its steadily, incrementally and firmly moving beyond demographic targets towards a voluntary and client-oriented FP [family planning] approach. UNFPA, has been catalytic in fostering, supporting and guiding the transition.''

UNFPA'S FIFTH COUNTRY PROGRAMME FOR CHINA

Much of UNFPA ''input,'' i.e., its programs, goals, and activities, in China is designed to assist China in ''forming new management and service approaches of its population and family planning program.'' The goals of its current program (CP5), building on those of its previous program (CP4), continue to strive toward moving the Chinese government from an ''administrative'' approach to a ''client-centered, quality of care'' approach, closer to the standards of the Programme of Action—and thus toward achieving through individual counseling desirable population goals without coercion. But these efforts miss the mark; they are narrowly tailored to expand access to reproductive health information and to allow couples and individuals to select their contraceptive methods in compliance with the national and provincial regulations. Their end result is not that couples and individuals may freely make decisions as to the number and spacing of their children. Rather, in counties where the UNFPA operates, China continues to implement its coercive laws and practices.

The UNFPA-China agreement sets as a hortatory objective the elimination of the SCF by 2010, but it provides for no specific actions to further that end. UNFPA noted that it required CP5 participating counties to lower fees and encouraged further experimentation, but the agreement does not provide for elimination. Further, the agreement requires that counties participating in CP5 eliminate targets and quotas, but does not require them to eliminate coercive ''administrative'' or ''disciplinary'' punishments—thus continuing to reflect UNFPA's support for China's coercive program.

The UNFPA budget for CP5 amounts to almost $8 million over 3 years. The funding allocation for CP5 is similar to that in CP4 funding. It includes cost for personnel (including consultants), monitoring and evaluation, research, publications, international meetings and exchange visits, and vehicles. UNFPA also continues to fund equipment for China, including for management information systems and data management software which are capable of tracking births, although UNFPA claims in its June 14, 2004 letter that the Management Information System [MIS] is ''categorically not intended for tracking out of plan pregnancies, or to help enforce the social compensation fees.'' UNFPA is also financing improvements in the administration of the local family planning offices.

These resources are provided directly or indirectly to the State Family Planning Commission in counties where it enforces the fines and administrative penalties such as job loss, demotion, and expulsion from the Communist Party. The UNFPA activities include training of reproductive health service providers in, among other things, awareness of the law in order that they may provide reproductive health counseling. This, as well as UNFPA's supplying equipment and supplies to the very agencies that employ coercive practices, amounts to support for not only in China's broader population-planning activities, but also specifically for the Chinese government's more effective implementation of its program of coercive abortion.

CONCLUSION

Both China and UNFPA have been willing to engage with the United States on approaches to eliminating coercion in China's birth planning law and policy. We welcome this dialogue and efforts by China to move forward in this important area and we will continue our engagement. We congratulate China and UNFPA on the elimination of targets and quotas in UNFPA counties and reduction of the incidence of maternal mortality. Unfortunately, coercive birth limitation measures in law and policy continue in counties in which UNFPA assists China.

EXCERPTS FROM COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES CHINA, 2003

Authorities continued to reduce the use of targets and quotas, although over 1,900 of the country's 2,800 counties continued to use such measures. Authorities using the target and quota system require each eligible married couple to obtain government permission before the woman becomes pregnant. In many counties, only a limited number of such permits were made available each year, so couples who did not receive a permit were required to wait at least a year before obtaining permission. Counties that did not employ targets and quotas allowed married women of legal child-bearing age to have a first child without prior permission.

The country's population control policy relied on education, propaganda, and economic incentives, as well as on more coercive measures such as the threat of job loss or demotion and social compensation fees. Psychological and economic pressure were very common; during unauthorized pregnancies, women sometimes were visited by birth planning workers who used the threat of social compensation fees to pressure women to terminate their pregnancies. The fees were assessed at widely varying levels and were generally extremely high. Reliable sources reported that the fees ranged from one-half to eight times the average worker's annual disposable income. Local officials have authority to adjust the fees downward and did so in many cases. Additional disciplinary measures against those who violated the limited child policy by having an unapproved child or helping another to do so included the withholding of social services, higher tuition costs when the child goes to school, job loss or demotion, loss of promotion opportunity, expulsion from the Party (membership in which was an unofficial requirement for certain jobs), and other administrative punishments, including in some cases the destruction of property. These penalties sometimes left women little practical choice but to undergo abortion or sterilization. Rewards for couples who adhered to birth limitation laws and policies included monthly stipends and preferential medical and educational benefits. In the cases of families that already had two children, one of the parents was usually pressured to undergo sterilization.

In March, the U.N. Population Fund (UNFPA) concluded a 4-year pilot project in 32 counties. Under this program, local birth

planning officials emphasized education, improved reproductive health services, and economic development, and they eliminated the target and quota systems for limiting births. However, these counties retained the birth limitation policy, including the requirement that couples employ effective birth control methods, and enforced it through other means, such as social compensation fees. Subsequently, 800 other counties also removed the target and quota system and tried to replicate the UNFPA project by emphasizing quality of care and informed choice of birth control methods. In April, a new UNFPA program began in 30 counties. Under this program, officials defined a list of ''legitimate rights of reproduction according to law,'' including the rights to choose contraception and right to legal remedies, among others.

JIANGSU PROVINCE BIRTH LIMITATION REGULATIONS EXCERPTS

CHAPTER 1 GENERAL PRINCIPLES

Article 5

Local people's governments at all levels within the province shall take integrated measures to control the size of the population and to improve its quality, and shall implement population and family planning programs. . . .

Article 7

Citizens have the right to reproduce and the obligation to practice family planning in accordance with the law. . . .

CHAPTER 3 FERTILITY REGULATION

Article 21

A man and a woman who have been legally registered as married may have one child, provided that neither has had a child previously.

Article 22

Married couples meeting any of the following conditions may apply to give birth to one additional child:

The couple has only one child, and that child is certified by a pediatric illness and disability authentication institution to have a disability, other than a serious genetic disability, that cannot at present be treated, or that despite systematic treatment will prevent that child from developing into a normal worker or seriously affect that child's future marriageability.

Either spouse is a member of the armed forces, armed police, or public security police or is a 'Good Samaritan' and that spouse has sustained a Class 2, Grade 2 or higher disability in the exercise of duty; or either spouse is the only child of a [revolutionary] martyr and [the couple] has only one child.

One spouse has been widowed and the other spouse has never had a child.

One spouse is divorced and has either had only one child or has legally had two children and the other spouse has never had a child.

Neither spouse has had a child and, after having legally adopted a child, the wife becomes pregnant.

One spouse is a second-generation only child, or both spouses are only children, and [the couple] has only one child.

One spouse has been occupied in downhole operations for a continuous period of five years or longer, is currently occupied in downhole operations, and [the couple] has only one child which is a daughter.

Article 23

Apart from the provisions of Article 22 of these regulations, married couples may apply to give birth to one additional child if the wife is a rural resident and any of the following conditions is met:

One spouse is an only child, and [the couple] has only one child.

Only one child has been had, and the brother(s) of the husband is/are unable to have a child.

The husband has moved his residence to the place of residence of the wife and is supporting the parents of the wife, who has no brothers, and [the couple] has only one child which is a daughter. This rule shall apply to only one sister on the wife's side.

The man has no brothers and only one sister, and [the couple] has only one child which is a daughter.

The couple permanently resides in a coastal reclamation area with population density not greater than one person per five mu of land (calculated on a per village basis), and has only one child which is a daughter.

One spouse has been continuously occupied in ocean fishing for five years or more, is currently employed in ocean fishing, and the couple has only one child which is a daughter.

CHAPTER VI LEGAL LIABILITY

Article 44

A couple that gives birth to a child not in accordance with these regulations shall pay the social compensation fee. . . .

For urban residents, social compensation fees shall be calculated by taking as the basic standard the per capita annual disposable income of urban residents in the municipality with districts or in the country (city) in the year prior to the child's birth. For rural residents, social compensation fees shall be calculated by taking as the basic standard the per capita annual net income of rural residents in the township (town in the year prior to the child's birth. . . .

The specific standards for the social compensation fees to be paid in accordance with paragraph one of this article are:

Those who have had one additional child not in accordance with the provisions of these regulations shall pay social compensation fees in the amount of four multiples of the basic standard.

Those who have had two or more additional children not in accordance with the provisions of these regulations shall pay social compensation fees in the amount of five to eight multiples of the basic standard.

Those who have had one child outside of marriage shall pay social compensation fees in the amount of 0.5 to 2 multiples of the basic standard.

Those who have had two or more children outside of marriage shall pay social compensation fees in the amount of five to eight multiples of the basic standard.

Those who have had a child in a bigamous marriage shall pay social compensation fees in the amount of 6 to 9 multiples of the basic standard.

Mr. CROWLEY. Mr. Chairman, I rise in support of this amendment, and I thank Congresswoman MALONEY, along with Congressman SHAYS and Congressman ISRAEL, for joining me in support of this important issue.

This amendment is simple. If you support the good work UNFPA does around the world, in approximately 150 countries, supporting women's health programs, fighting HIV/AIDS, and improving child health—then you will vote for the Maloney/Crowley amendment.

This Congress has consistently voted to fund UNFPA. But the Administration refuses to release that money. They hide behind the fact that UNFPA works in China, helping move that country away from its abhorrent one-child policy.

Of course, when the President sent over an investigative team, it reported that there was no coercion in the Chinese program and that UNFPA should be funded. Moreover, Congress has put into law that, if the U.S. contributes to UNFPA, it will deduct $1 for every $1 spent in China. Clearly, the China issue is simply meant to muddy the waters of this debate.

But one thing that remained abundantly clear to me during my trip to see the impact of the recent tsunami—UNFPA funding is nothing short of critical.

I recently visited tsunami-affected sites that, with UNFPA funding, often serve as the first line of support for women and families in need. But it is not only the important work they do in disaster zones, it is the work they do day in and day out to help women in the developing world.

And while USAID is involved in related initiatives, the fact remains that the USAID is only in approximately 50 countries while UNFPA is in approximately 150.

Let's focus on the facts. UNFPA saves lives, UNFPA brings dignity to those in need, and UNFPA helps women. UNFPA does not coerce. UNFPA does not provide abortion, and no U.S. money will go to China.

Mr. WOLF. Mr. Chairman, I yield back all of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Mrs. MALONEY).

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

Mrs. MALONEY. Mr. Chairman, I demand a recorded vote.

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

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6, rule XVIII, proceedings will now resume on those amendments on which further proceeding were postponed in the following order: amendment No. 11 offered by the gentleman from Texas (Mr. PAUL), amendment No. 4 by the gentleman from Colorado (Mr. HEFLEY), an amendment by the gentleman from Massachusetts (Mr. MARKEY), amendment No. 19 by the gentleman from Colorado (Mr. TANCREDO), amendment No. 18 by the gentleman from Colorado (Mr. TANCREDO), an amendment by the gentlewoman from Texas (Ms. JACKSON-LEE), an amendment by the gentleman from Virginia (Mr. MORAN), amendment No. 6 by the gentlewoman from New York (Mrs. MALONEY).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 11 OFFERED BY MR. PAUL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. PAUL) 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 65, noes 357, not voting 11, as follows:

[Roll No. 259]

AYES—65

Akin
Bachus
Barrett (SC)
Bartlett (MD)
Bilirakis
Bishop (UT)
Bonner
Burgess
Burton (IN)
Cannon
Coble
Cubin
Davis (KY)
Davis, Jo Ann
Deal (GA)
Doolittle
Duncan
Everett
Feeney
Foley
Forbes
Foxx
Franks (AZ)
Garrett (NJ)
Gibbons
Goode
Hayworth
Hefley
Herger
Hostettler
Hulshof
Hunter
Jindal
Johnson, Sam
Jones (NC)
Keller
King (IA)
Kingston
Lewis (KY)
Manzullo
McHenry
Miller (FL)
Moran (KS)
Musgrave
Neugebauer
Ney
Norwood
Otter
Paul
Peterson (PA)
Platts
Pombo
Price (GA)
Rogers (AL)
Rohrabacher
Ryun (KS)
Shuster
Simpson
Stearns
Tancredo
Taylor (MS)
Tiberi
Wamp
Westmoreland
Wilson (SC)

NOES—357

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Baird
Baker
Baldwin
Barrow
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Buyer
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chocola
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Flake
Ford
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hensarling
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Northup
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Pitts
Poe
Pomeroy
Porter
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—11

Bono
Chandler
Cox
Cuellar
Davis, Tom
McCrery
McKinney
Oberstar
Pryce (OH)
Sessions
Woolsey

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1428

Ms. LINDA T. SÁNCHEZ of California, Mr. SCOTT of Georgia, Mr. CROWLEY and Ms. HOOLEY changed their vote from ''aye'' to ''no.''

Mrs. CUBIN, and Messrs. EVERETT, SHUSTER and DEAL of Georgia changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. HEFLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 91, noes 336, not voting 6, as follows:

[Roll No. 260]

AYES—91

Akin
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Bilirakis
Bishop (UT)
Blackburn
Brady (TX)
Burton (IN)
Buyer
Cannon
Chabot
Chocola
Coble
Costello
Cox
Cubin
Deal (GA)
Diaz-Balart, M.
Duncan
Everett
Feeney
Flake
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gibbons
Gohmert
Graves
Gutknecht
Hall
Harris
Hart
Hefley
Hensarling
Herger
Hostettler
Inglis (SC)
Issa
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
King (IA)
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Manzullo
McCotter
McHenry
McMorris
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Norwood
Otter
Paul
Pence
Petri
Poe
Price (GA)
Radanovich
Ramstad
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Sensenbrenner
Shadegg
Shimkus
Shuster
Sodrel
Stearns
Tancredo
Tanner
Taylor (MS)
Westmoreland
Wilson (SC)

NOES—336

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Cooper
Costa
Cramer
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski

Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lynch
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Northup
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sullivan
Sweeney
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—6

Bono
Conyers
Cuellar
Oberstar
Pitts
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

□ 1438

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MARKEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 415, noes 8, answered ''present'' 1, not voting 9, as follows:

[Roll No. 261]

AYES—415

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehlert
Boehner
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Cannon
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—8

Blunt
Bonilla
Davis (KY)
Feeney
Graves
Hayes
Mica
Westmoreland

ANSWERED ''PRESENT''—1

Hayworth

NOT VOTING—9

Bono
Buyer
Cantor
Cuellar
Kirk
Oberstar
Rogers (MI)
Sessions
Waters

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

□ 1446

Mr. KNOLLENBERG changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. KIRK. Mr. Chairman, on rollcall No. 261 I was unavoidably detained. Had I been present, I would have voted "aye."

AMENDMENT NO. 19 OFFERED BY MR. TANCREDO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 204, noes 222, not voting 7, as follows:

[Roll No. 262]

AYES—204

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boozman
Boucher
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cantor
Carter
Case
Chabot
Chocola
Coble
Cole (OK)
Conaway
Costa
Cox
Cramer
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Everett
Feeney
Fitzpatrick (PA)
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Gutknecht
Hall
Harris
Hart
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Kolbe
LaHood
Latham
LaTourette
Lewis (KY)
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryun (KS)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (FL)

NOES—222

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boren
Boswell
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Cannon
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Castle
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Ford
Fossella
Frank (MA)
Frelinghuysen
Gilchrest
Gonzalez
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Hastings (WA)
Herseth
Higgins
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kirk
Knollenberg
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Reichert
Reyes
Reynolds
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)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Terry
Thomas
Thompson (CA)
Thompson (MS)
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weller
Wexler
Wilson (NM)
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—7

Bono
Cuellar
Foley
Hunter
Oberstar
Sessions
Tierney

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 1454

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FOLEY. Mr. Chairman, on rollcall No. 262 I was unavoidably detained. Had I been present, I would have voted "aye."

AMENDMENT NO. 19 OFFERED BY MR. TANCREDO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 106, noes 322, not voting 5, as follows:

[Roll No. 263]

AYES—106

Abercrombie
Aderholt
Akin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bilirakis
Boozman
Boren
Bradley (NH)
Brady (TX)
Brown-Waite, Ginny
Burgess
Case
Chabot
Coble
Cox
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
Drake
Duncan
Emerson
Forbes
Foxx
Franks (AZ)
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Graves
Green (WI)
Gutknecht
Hall
Hayes
Hayworth
Hefley
Herseth
Holden
Hostettler
Hunter
Istook
Jones (NC)
Kaptur
Keller
King (IA)
LoBiondo
Manzullo
Marchant
Marshall
McCotter
McHenry
McHugh
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Ney
Norwood
Otter
Pascrell
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Pombo
Radanovich
Rehberg
Renzi
Rogers (AL)
Rogers (MI)
Rohrabacher
Royce
Ryan (OH)
Ryun (KS)
Sensenbrenner
Shuster
Simpson
Skelton
Smith (TX)
Sodrel
Stearns
Strickland
Sullivan
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Wamp
Weldon (PA)
Whitfield
Wilson (SC)
Wolf
Young (FL)

NOES—322

Ackerman
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Castle
Chandler
Chocola
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis, Tom
DeGette
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Ford
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gonzalez
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hensarling
Herger
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holt
Honda
Hooley
Hoyer
Hulshof
Hyde
Inglis (SC)

Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Markey
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCrery
McDermott
McGovern
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Northup
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pastor
Payne
Pearce
Pelosi
Pickering
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Reichert
Reyes
Reynolds
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (WI)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Simmons
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stupak
Tanner
Tauscher
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weller
Westmoreland
Wexler
Wicker
Wilson (NM)
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—5

Bono
Cuellar
Delahunt
Oberstar
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1502

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 244, not voting 6, as follows:

[Roll No. 264]

AYES—183

Abercrombie
Ackerman
Allen
Andrews
Baca
Baldwin
Barrow
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matsui
McCarthy
McCollum (MN)
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Price (NC)
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—244

Aderholt
Akin
Alexander
Bachus
Baird
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boswell
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Case
Castle
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Cox
Cramer
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
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
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—6

Bono
Cuellar
McDermott
Oberstar
Rush
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1510

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MORAN OF VIRGINIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. MORAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 149, noes 278, not voting 6, as follows:

[Roll No. 265]

AYES—149

Abercrombie
Allen
Andrews
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Carnahan
Carson
Case
Castle
Clay
Cleaver
Clyburn
Conyers
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeGette
Delahunt
DeLauro
Dicks
Doggett
Doyle
Ehlers
Emanuel
Engel
Eshoo
Evans
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Frank (MA)
Gilchrest
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kennedy (RI)
Kilpatrick (MI)
Kirk
Kucinich
Langevin
Lantos
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Ramstad
Rangel
Regula
Rothman
Roybal-Allard
Rush
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schwartz (PA)
Scott (VA)
Serrano
Shays
Sherman
Slaughter
Solis
Spratt
Stark
Tauscher
Thompson (MS)
Tierney
Towns
Udall (NM)
Van Hollen
Velázquez
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Wolf
Woolsey
Wynn

NOES—278

Ackerman
Aderholt
Akin
Alexander
Baca
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carter
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doolittle
Drake
Dreier
Duncan
Edwards
Emerson
English (PA)
Etheridge
Everett
Feeney
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jefferson
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Larsen (WA)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
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
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sanders
Saxton
Schwarz (MI)
Scott (GA)
Sensenbrenner
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Upton
Visclosky
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wu
Young (AK)
Young (FL)

NOT VOTING—6

Bono
Cuellar
Green, Gene
Oberstar
Oxley
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1518

Mr. CASTLE changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MRS. MALONEY

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 6 offered by the gentlewoman from New York (Mrs. MALONEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 233, not voting 8, as follows:

[Roll No. 266]

AYES—192

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Cooper
Costa
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Dicks
Dingell
Doggett
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Ford
Frank (MA)
Frelinghuysen
Gerlach
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kelly
Kennedy (RI)
Kilpatrick (MI)
Kind
Kirk
Kolbe
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Ramstad
Rangel
Reyes
Rothman
Roybal-Allard
Ruppersberger
Rush
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—233

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Berry
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boozman
Boren
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Costello
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Doyle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth

Hefley
Hensarling
Herger
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kildee
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Ortiz
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Stupak
Sullivan
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Bono
Conyers
Cuellar
Delahunt
Hinchey
Jackson-Lee (TX)
Oberstar
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1526

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. If there are no further amendments, the Clerk will read the last three lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006''.

Mr. BLUMENAUER. Mr. Chairman, each year, funding for essential programs under this bill is drastically cut. The National Oceanic and Atmospheric Association, the Community Oriented Policing Services, and the Public Telecommunications Facilities and Planning Account are all examples of successful and important programs that have been continually under-funded. While I have supported this appropriations bill in the past, the cumulative affect of these cuts has reached a point where I can no longer support the legislation.

I was heartened to see the Sanders amendment pass which will repeal some of the most dangerous provisions of the PATRIOT Act. This is a common sense step to restore some of our civil liberties. I was also pleased that the Committee did not include the Administration's proposed initiative under the Commerce Department, which would have obliterated Community Development Block Grants as well as other valuable community development programs.

These victories, however, are not enough to compensate for the unacceptable cuts to community policing programs, public broadcasting, and economic development programs, along with many other programs that positively contribute to the livability of our communities. I cannot support a bill that fails to support these basic needs of our Nation.

Mr. WOLF. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FOLEY) 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. 2862) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Pursuant to House Resolution 314, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. MOLLOHAN. Mr. Speaker, I demand a separate vote on amendment No. 28 offered by the gentleman from Iowa (Mr. KING).

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

□ 1530

The SPEAKER pro tempore (Mr. FOLEY). The Clerk will designate the amendment on which a separate vote has been demanded.

The text of the amendment is as follows:

Amendment:

At the end of the bill, insert after the last section (preceding the short title), the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. (a) For expenses necessary for enforcing subsections (a) and (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373), $1,000,000.

(b) The amount otherwise provided in this Act for ''DEPARTMENT OF JUSTICE—LEGAL ACTIVITIES—SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES'' is hereby reduced by $1,000,000.

The SPEAKER pro tempore. The question is on the amendment.

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

RECORDED VOTE

Mr. BURTON of Indiana. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 218, noes 208, not voting 7, as follows:

[Roll No. 267]

AYES—218

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Case
Castle
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Everett
Feeney
Fitzpatrick (PA)
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Wamp
Weldon (FL)
Weldon (PA)
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (FL)

NOES—208

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)

Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Flake
Foley
Ford
Frank (MA)
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kirk
Knollenberg
Kolbe
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Reichert
Reyes
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weller
Wexler
Wilson (NM)
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—7

Bono
Cuellar
Hinchey
McDermott
Oberstar
Sessions
Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1547

Mr. UDALL of Colorado changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FOLEY. Mr. Speaker, on rollcall No. 267, the King of Iowa Amendment, I inadvertently voted "no". I meant to vote "aye."

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on passage of H.R. 2862 will be followed by 5-minute votes on ordering the previous question on H. Res. 315, and on adoption of H. Res. 315, if ordered.

The vote was taken by electronic device, and there were—yeas 418, nays 7, not voting 8, as follows:

[Roll No. 268]

YEAS—418

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—7

Cooper
Duncan
Flake
Hefley
Matheson
Miller (FL)
Paul

NOT VOTING—8

Barton (TX)
Bono
Cuellar
Delahunt
Lee
Oberstar
Sessions
Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1603

Mr. TANCREDO changed his vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BARTON of Texas. Mr. Speaker, on rollcall No. 268 I was unavoidably detained. Had I been present, I would have voted "yea."

PROVIDING FOR CONSIDERATION OF H.R. 2863, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. The pending business is the vote on ordering the previous question on House Resolution 315 on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 223, nays 200, not voting 10, as follows:

[Roll No. 269]

YEAS—223

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—200

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—10

Bono
Cuellar
Davis, Tom
English (PA)
Granger
Jones (OH)
Kennedy (RI)
Oberstar
Sessions
Thomas

□ 1612

Ms. HARMAN changed her vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid upon the table.

PROVIDING FOR CONSIDERATION OF H.R. 2745, HENRY J. HYDE UNITED NATIONS REFORM ACT OF 2005

Mr. BISHOP of Utah. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 319 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 319

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2745) to reform the United Nations, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. After general debate the bill shall be considered for amendment under the five-minute rule.

SEC. 2. (a) It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on International Relations now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived.

(b) Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(c) Each amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(d) All points of order against amendments printed in the report of the Committee on Rules or amendments en bloc described in section 3 of this resolution are waived.

(e)(1) Consideration of amendments printed in subpart A of part 1 of the report of the Committee on Rules shall begin with an additional period of general debate, which shall be confined to the subject of accountability of the United Nations and shall not exceed 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations.

(2) Consideration of amendments printed in subpart B of part 1 of the report of the Committee on Rules shall begin with an additional period of general debate, which shall be confined to the subject of United Nations peacekeeping operations and shall not exceed 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations.

(3) Consideration of amendments printed in subpart C of part 1 of the report of the Committee on Rules shall begin with an additional period of general debate, which shall