

all the members of the subcommittee for their hard work this year.

With that, I would merely announce that I would accept the motion to instruct.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of the Motion to Instruct Conferees to H.R. 3058, the Fiscal Year 2006 Transportation-Treasury Appropriations Act, offered by the Gentleman from Massachusetts (Mr. OLVER), Ranking Democratic Member of the Appropriations Subcommittee.

In part, this motion instructs conferees to recede to the Senate levels for the National Railroad Passenger Corporation, or Amtrak.

This past summer, the House approved by voice vote a bipartisan Amtrak funding amendment that the Gentleman from Ohio (Mr. LATOURETTE), the Chairman of the Subcommittee on Railroads, and I offered to H.R. 3058, the Fiscal Year 2006 Transportation-Treasury Appropriations bill.

The amendment increased funding for Amtrak to \$1.176 billion: \$1.176 billion more than the Administration proposed in its Fiscal Year 2006 budget request and \$626 million more than the House Appropriations Committee approved. It passed overwhelmingly.

The Senate followed the House's lead, but raised the bar, providing Amtrak with \$1.45 billion, a difference of about \$275 million.

During Floor consideration, the Senate also stripped the Senate bill of several controversial provisions regarding Amtrak, opting instead to pass a reasonable, sensible, bipartisan Amtrak reauthorization amendment, offered by Senators LOTT and LAUTENBERG, to the Budget Reconciliation bill by a vote of 93-6.

I urge that the conferees recede to the Senate level of \$1.45 billion.

The fact is that this Congress time and again promotes transportation, particularly rural access to transportation. We should do no less for Amtrak.

Amtrak's opponents, however, are quick to point fingers at Amtrak's management, and claim that Amtrak doesn't deserve our support: That private corporations could run a better passenger railroad.

The truth is that a succession of hard-working and dedicated management teams at Amtrak cannot do the impossible—that is, operate our Nation's passenger rail system without a substantial level of investment from the Federal Government.

From its creation in the 1970's, the Corporation has been on a starvation diet. Lack of adequate funding and the annual threat of elimination have conditioned Amtrak to focus on survival.

Yet despite chronic underfunding, Amtrak has had its successes. According to the Amtrak Reform Board, since 2002, Amtrak has: implemented new accounting and financial reporting systems; reduced personnel by almost 5,000; developed a detailed and prioritized five-year capital plan focused on restoring the Northeast Corridor to necessary levels of reliability and safety, and on restoration of an aging fleet of rolling stock used throughout the system; terminated the mail and express operation; eliminated or truncated three long-distance routes; increased ridership from 22.5 million in 2000 to 25.1 million in 2004; and contained Amtrak's cash-operating requirement at or below \$570 million.

Capital investment is up substantially: 256,000 concrete ties were installed; 104,000

wood ties were replaced; 266 miles of rail infrastructure restored; 50 undergrade bridges improved; 43 miles of signal and communications cable replaced; 116 miles of catenary hardware installed; and 19 stations and 37 substations improved.

Since 2002, Amtrak's mechanical department completed 180 remanufactures/heavy overhauls, 111 diesel locomotive overhauls, 14 electric locomotive overhauls, 31 equipment overhauls, 51 wreck repairs, and 32 baggage car modifications.

Excess equipment was sold, unprofitable services were eliminated, fares were lowered on long-distance routes to increase ridership, and a \$71 million maintenance facility was opened in a joint partnership between Amtrak and the State of California.

In short, Amtrak is making great progress, even on a limited budget. Let's invest \$1.45 billion in our rail passenger future and help Amtrak succeed.

I urge my colleagues to join me in supporting the Motion to Instruct Conferees.

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

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

The SPEAKER pro tempore (Mr. SIMMONS). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Massachusetts (Mr. OLVER).

The motion was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Messrs. KNOLLENBERG, WOLF, ROGERS of Kentucky, TIAHRT, Mrs. NORTHUP, Messrs. ADERHOLT, SWEENEY, CULBERSON, REGULA, LEWIS of California, OLVER, HOYER, PASTOR, Ms. KILPATRICK of Michigan, Messrs. CLYBURN, ROTHMAN, and OBEY.

There was no objection.

MOTION TO GO TO CONFERENCE ON H.R. 3010, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Mr. REGULA. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, with the Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. REGULA).

The motion was agreed to.

MOTION TO INSTRUCT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. Obey moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 3010, be instructed to insist that the conference agreement include:

(a) Not less than \$8.095 billion to adequately prepare the nation for a flu pandemic;

(b) \$5.1 billion for the Low Income Home Energy Assistance Program, an increase of \$3.1 billion over the House bill, to help the elderly and the poor cope with rising energy prices;

(c) An additional \$1.583 billion over the House bill to promote life through doing real things to reduce the pressure for abortions by making it economically easier for low-income and vulnerable women to choose to carry pregnancies to term, including increases above the House bill of \$175 million for the Maternal and Child Health Block Grant, \$98 million for Healthy Start, \$200 million for childcare, \$500 million for after-school centers, \$155 million for Head Start, \$330 million for the Community Services Block Grant, and \$125 million for Domestic Violence Prevention;

(d) An additional \$476 million over the House bill to help maintain the basic health care safety net, including providing the full increase requested by the President for Community Health Centers, and keeping funding at no less than last year's level for the Healthy Communities Access Program and key health professions programs;

(e) An additional \$5.5 billion over the House bill to provide meaningful educational opportunities for America's children, including a \$3 billion increase over the House bill for Title 1 grants to make progress on No Child Left Behind funding promises so that low-income children can learn, a \$1.6 billion increase over the House bill to meet our commitments to children with disabilities, a \$100 million increase over the House bill to alleviate the impact of military dependents on local schools; and an \$840 million increase over the House bill to boost the maximum Pell Grant by \$200 in order to partially offset a 34% increase in college costs since 2001;

(f) An additional \$439 million over the House bill to protect American workers, wages and jobs by investing in job training and worker protection programs at home and abroad, including restoring an 87% cut in funding for the International Labor Affairs Bureau at the Department of Labor; and

(g) Offsetting the cost of the above, and producing additional deficit reduction, through reductions in tax cuts for households with incomes above \$1,000,000.

Mr. OBEY (during the reading). Mr. Speaker, I ask unanimous consent that the motion to instruct be considered as read and printed in the RECORD.

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

There was no objection.

Mr. REGULA. Mr. Speaker, I reserve a point of order on the gentleman's motion.

The SPEAKER pro tempore. The point of order is reserved.

Pursuant to clause 7 of rule XXII, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Ohio (Mr. REGULA) each will control 30 minutes.

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

Mr. OBEY. Mr. Speaker, I will not take more than 3. I simply would like

to, as a courtesy to the House, explain the motion.

For the last 2 weeks, the attention of the House has been focused on the efforts of the majority party to pass its reconciliation bill, which includes significant cuts in food stamps, in child support enforcement, in disability payments in order to pay for the tax cuts which this Congress has already largely passed. The problem that we have with that is that this bill, in effect, hits those same poor people a second time with cuts in education, health, worker protection programs that are in the bill.

The Senate appeared to give the persons interested in this bill some hope that those cuts could be avoided by adding a \$3 billion financing gimmick to their proposal. But it is clear now that that provision is being discarded, and that means that the new caps that the Appropriations Committee adopted last week will eliminate the ability of the Senate to provide that extra \$3 billion. That means that the only way that we can avoid that hit is to reduce the size of the tax cuts being provided to make room in the budget for some of these crucial items.

So this motion simply attempts to instruct the conferees to accept the Harkin amendment which would add \$8 billion in order to pay fully for the flu pandemic work that needs to be done. It would instruct the conferees to add \$3 billion to the low-income heating assistance program to take into account the huge increase in home energy prices that consumers will face this year, especially low-income consumers.

It would provide an additional \$1.5 billion in programs that are meant to discourage abortion, programs such as a maternal and child health block grant, Head Start, domestic violence and numerous others, one-half billion dollars to restore health professions training, and \$3 billion to put title I on a 5-year track to full funding under No Child Left Behind; \$1.6 billion in additional funding for disabled and handicapped children trying to put that program on the same 5-year glide path; and one-half billion dollars in restoration for worker training and job training programs.

It would ask the conferees to support a provision which would reduce the size of the tax cuts for millionaires from an average of \$140,000 to \$36,000. That is still a pretty hefty cut.

Mr. Speaker, in essence, that is what the motion to instruct would provide. We are offering it because this is the last chance that this body has to reach a different set of judgments concerning budget priorities that affect the poorest and most defenseless people in this society.

POINT OF ORDER

The SPEAKER pro tempore. Does the gentleman from Ohio continue to reserve his point of order?

Mr. REGULA. Mr. Speaker, I make a point of order against the motion because it violates clause 9 of rule XXII

by proposing to direct the conferees to exceed the scope of matters committed to the conference. And I ask for a ruling from the Chair.

The SPEAKER pro tempore. Does any Member wish to speak on the point of order?

□ 1230

Mr. OBEY. Mr. Speaker, if one looks at the Budget Act, the purpose of the Budget Act was to force a Congress to get away from runaway spending and runaway deficits by forcing the Congress to confront trade-offs between spending and revenues. In fact, the Congress is being prevented from doing that and the Congress is being shielded from facing those explicit trade-offs unless amendments such as this are offered and debated fully in the House.

We recognize that funding for these programs under the budget resolution is being cut back in order to make room in that same budget resolution for the tax cuts that have been provided and to make room for further tax cuts which the majority party is talking about offering this week. If we cannot offer this kind of an amendment, then it would seem to me that the entire budget process has been intellectually corrupted and turned into a mere enforcement mechanism for majority party will rather than being used as a device to work out an explicit and forthright set of trade-offs.

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

The SPEAKER pro tempore (Mr. SIMMONS). The Chair is prepared to rule on the point of order.

The Chair finds that the proposed instructions dwell their operative focus on matters not within the scope of the differences committed to conference by the two Houses.

On these premises, the Chair holds that the instructions do exceed the scope of conference.

The point of order is sustained.

Mr. OBEY. Mr. Speaker, most reluctantly, I do appeal the ruling of the Chair, not because I have any fault with the Chair, but because this is the only opportunity this institution will have to make a different set of priority choices.

The SPEAKER pro tempore. The question is, shall the decision of the Chair stand as the judgment of the House.

MOTION TO TABLE OFFERED BY MR. REGULA

Mr. REGULA. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion to table.

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

Mr. OBEY. 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, this 15-minute vote on the motion to table will be followed by 5-minute votes on motions to suspend the rules on H. Res. 38, H. Res. 302, and H.R. 3770.

The vote was taken by electronic device, and there were—yeas 218, nays 173, not voting 42, as follows:

[Roll No. 573]

YEAS—218

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

NAYS—173

Abercrombie	Butterfield	Davis (AL)
Allen	Capps	Davis (CA)
Baca	Capuano	Davis (FL)
Baird	Cardin	Davis (IL)
Baldwin	Cardoza	DeFazio
Barrow	Carnahan	DeGette
Bean	Carson	Delahunt
Becerra	Case	DeLauro
Berkley	Chandler	Dicks
Berry	Clay	Doggett
Bishop (GA)	Cleaver	Edwards
Bishop (NY)	Clyburn	Emanuel
Blumenauer	Cooper	Engel
Boren	Costa	Eshoo
Boucher	Costello	Etheridge
Boyd	Cramer	Evans
Brown (OH)	Cuellar	Farr

Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Herseeth
Higgins
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larsen (CT)
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch

NOT VOTING—42

Ackerman
Andrews
Berman
Boswell
Brady (PA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Conyers
Crowley
Cummings
Davis (TN)
Dingell
Doyle

□ 1259

Messrs. HIGGINS, MELANCON, LARSON of Connecticut, HONDA, DOGGETT, KENNEDY of Rhode Island and Ms. MCKINNEY changed their vote from “*yea*” to “*nay*.”

Messrs. HOEKSTRA, PETERSON of Pennsylvania, SMITH of Texas and OTTER changed their vote from “*nay*” to “*yea*.”

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. POE. Mr. Speaker, on rollcall No. 573, I was unavoidably detained. Had I been present, I would have voted “*yea*.”

Stated against:

Mr. MORAN of Virginia. Mr. Speaker, on rollcall No. 573, I was caught in traffic, returning from the Virginia polls. Had I been present, I would have voted “*no*.”

Ms. SOLIS. Mr. Speaker, on rollcall No. 573 on H.R. 3010, I was unavoidably detained. Had I been present, I would have voted “*no*.”

□ 1300

SUPPORTING THE ACCESSION OF ISRAEL TO THE ORGANIZATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT

The SPEAKER pro tempore (Mr. SIMMONS). The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 38, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 38, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 391, nays 0, not voting 42, as follows:

[Roll No. 574]

YEAS—391

Abercrombie
Aderholt
Akin
Alexander
Allen
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berry
Biggett
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (OH)
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

Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larsen (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
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meeke (FL)
Melancon
Menendez
Mica
Michaud
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

NOT VOTING—42

Ackerman
Andrews
Berman
Boswell
Brady (PA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Conyers
Crowley
Cummings
Davis (TN)
DeGette
Dingell

□ 1307

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

The result of the vote was announced as above recorded.

The title of the resolution was amended so as to read: “Resolution expressing support for the accession of

Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeLaunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Fox
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor

Neal (MA)
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Oliver
Ortiz
Osborne
Otter
Orxley
Pastor
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
Sanchez, Linda
T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)

Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman
Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)