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House of Representatives

The House met at 10 a.m.

The Reverend Larry R. Hayward, Pastor, Westminster Presbyterian Church, Alexandria, Virginia, offered the following prayer:

God of nations, among rulers You placed over Your people, King Hezekiah of Judah was among the strongest. He instituted reforms. He recaptured lost land. So pleased were You with his leadership You extended his life 17 years beyond a near-fatal illness.

Yet at the end of his life, Hezekiah succumbed to cynicism. ''Who cares about the days to come,'' he said to himself, ''as long as there is peace and security in my day.''

Lord, save each Member of this body from similar cynicism. Instill within Members concern not only for our own day, but for days to come. Lift vision beyond the next election, beyond party caucus, sometimes even beyond constituent mail so that this branch, and all branches, of our government may focus on the shape of our Nation and its place in the world for generations to come. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Illinois (Ms. BEAN) come forward and lead the House in the Pledge of Allegiance.

Ms. BEAN led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND LARRY R. HAYWARD

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

Mr. UPTON. Mr. Speaker, I was pleased to hear Dr. Larry Hayward give our opening prayer this morning. For some 25 years, he has been preaching and teaching. His journey has taken him from Texas to Iowa to the D.C. area. Now he is the pastor of Westminster Presbyterian Church, a church that my wife and I attend when we are here in Washington.

He is a graduate of Union Seminary in New York. In his personal life, he certainly has a love and respect for history, government and sports, but it is also clear that the Lord comes first.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 10 one-minutes per side.

SECURITY ISSUES

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, the Republican majority has carefully guarded the economic and national security of this great Nation. Our tax policies have helped create over 4.7 million new jobs in 30 months, and that is incredible progress.

On the national security front, we are taking apart the al Qaeda network piece by piece. The PATRIOT Act, our call monitoring program, our aggressive action in the Middle East, each of these actions are making it more and more difficult for terrorists to operate on U.S. soil.

Mr. Speaker, President Bush deserves a great deal of the credit for this tough stance on terrorism. The Senate Democrats are talking about censuring the President, though. They are opposed to his aggressive approach to fighting terrorism. But I hope that the Democrats in this body realize America wants us to do everything possible to defend our homes, our communities and this Nation, and that is what the President is doing.

MILITARY MEDICAL PERSONNEL RESOLUTION

(Ms. BEAN asked and was given permission to address the House for 1 minute.)

Ms. BEAN. Mr. Speaker, I rise today to commend our Armed Forces medical personnel who provide outstanding care to our servicemembers wounded in battle. During a trip to Iraq last fall, I visited our theater hospital at Balad Air Force Base and witnessed these skilled medical professionals in action and met the brave soldiers whose lives they saved.

Newsweek's current cover story recounts in harrowing detail Lieutenant Colonel Richard Jadick's heroic performance during the 2004 assault on Fallujah. The 38-year-old Navy doctor and former marine volunteered to serve alongside the First Battalion, Eighth Marines in what would be his first combat experience.

During 11 days of battle, Dr. Jadick and his team of 54 Navy corpsmen treated hundreds of men and saved the lives of at least 30 seriously wounded marines.

Mr. Speaker, the survivability rate for wounded personnel in Iraq and Afghanistan is the best of any conflict in our Nation's history, due, in no small part, to the skill and courage of personnel like Dr. Jadick.

This morning I urge my colleagues to cosponsor H. Con. Res. 309 and join me in saluting these outstanding servicemembers for their hard work and fearless dedication.

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DR. SUBIR CHOWDHURY

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

Mr. McCOTTER. Mr. Speaker, I rise to honor the achievements of Dr. Subir Chowdhury, as he releases his twelfth book, ''The Ice Cream Maker: An Inspiring Tale About Making Quality the Key Ingredient in Everything You Do.''

Since his first published book in 1996, Dr. Chowdhury has revolutionized international management strategy and philosophy. His award-winning book, ''The Power of Six Sigma,'' has sold more than 1 million copies worldwide in over 20 languages. Dr. Chowdhury has been inducted into the Automotive Hall of Fame, and the Society of Automotive Engineers has presented him with the Henry Ford II Distinguished Award for Excellence in Automotive Engineering.

Mr. Speaker, I congratulate Dr. Chowdhury on the release of his latest book and ask my colleagues to join me in honoring his contribution to our community and our country.

BEGIN EFFORT TO BRING TROOPS HOME FROM IRAQ

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

Mr. KUCINICH. Mr. Speaker, 3 years ago, this administration began a grim march of folly into Iraq. Today, our troops are bogged down in the middle of a civil war.

Iraq has become an incubator of terrorism. Over 2,300 U.S. troops have been killed, tens of thousands more injured and perhaps 100,000 innocent Iraqis have been killed, with countless others injured.

As both the Iraqi public and the American people demand the U.S. leave Iraq, this administration plans to send more troops. We must bring our troops home. We must vote against any additional appropriations that would be used to keep our troops there.

Plans exist right now that would enable the United States to bring our troops home, to begin the effort to bring our troops home. Not a dime more for continuing this war; not a dime more for an illegal war that was based on lies about weapons of mass destruction.

RETREAT AND DEFEAT DEMOCRATS

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

Mr. WILSON of South Carolina. Mr. Speaker, on Monday, Senator RUSS FEINGOLD sadly reminded America that the Democrat Party is still dancing to the tune of retreat and defeat through appeasement.

Senator FEINGOLD's call to censure President Bush for implementing a legitimate and effective terrorist surveillance demonstrates that Democrats continue to push political ambitions more than our national security.

From DICK DURBIN's slandering our troops as communists, to Howard Dean's defeatist remarks about our troops' efforts, to Senator FEINGOLD's careless call to censure our President, it is obvious that Democrats have no positive plan to protect American families.

Instead of proposing ways to prevent terror attacks on our soil, Democrats prefer to spend their time and energy on political tricks that do not serve the interests of the American people. As our enemies continue to issue threats daily against our country, Republicans will remain committed to proactively investigating, capturing and detaining al Qaeda operatives and any other terrorists who seek to attack American families.

In conclusion, God bless our troops and we will never forget September 11.

CONGRESS MUST STEP IN TO EXTEND DEADLINE ON MEDICARE PRESCRIPTION DRUG PLAN REGISTRATION

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

Mr. MORAN of Virginia. Mr. Speaker, in 2 months, about 10 million senior citizens are about to get a Bush Medicare tax imposed on them for the rest of their lives. If they don't sign up for the Medicare prescription drug bill by May 15, then they can't sign up again until the end of the year, and for the rest of their lives they will pay a 7 percent higher premium than their neighbors under exactly the same circumstances just because they couldn't figure out this myriad of dozens of different plans that they are presented with.

This is wrong. The Republicans and the Democrats need to get together to extend the deadline to the end of the year, regardless of what the President decides. It is time for Congress to act and to save these 10 million Americans from having an unfair tax burden on their shoulders for the rest of their lives. It is wrong. Let's fix it.

ROBERT G. CANAR

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

Mr. GOODE. Mr. Speaker, Mr. Robert G. Canar has distinguished himself by exceptionally meritorious achievements in public service to this Nation by serving the United States Army for over 42 years. Mr. Canar began his public service career in the U.S. Army as an air defense artillery officer and as a military intelligence officer. During his 22 years on active duty, he served in various assignments in Vietnam, Korea, Europe and in the United States.

Mr. Canar joined the former Foreign Science and Technology Center in 1983 when he was assigned as a division chief supervising collection requirements, imagery, and electronics intelligence branches. Because of his demonstrated abilities, he has been given positions of greater responsibility as the director, information management, and later as the director, programs and resources, which led to major initiatives to renovate Foreign Science and Technology Center's facilities to accommodate growth of the workforce and to secure facilities to meet Sensitive Compartmented Information standards.

Mr. Canar served as the National Ground Intelligence Center's chief of staff from 1994 to 2003, and as the center's acting executive director from 2003 to 2004. In response to the Global War on Terrorism, the center underwent a massive growth with the influx of new responsibilities to support the soldier.

In 2004 Mr. Canar volunteered to serve for a year as the senior intelligence officer with the Civilian Police Assistance Training Team, Baghdad, Iraq. In this capacity he supervised an International Police Liaison Officer Team and a Multi-National Command-Iraq military team which organized and trained the Iraq Ministry of Interior Criminal Intelligence Service Directorate.

He ended his civil service career as the special assistant to the commander, National Ground Intelligence Center responsible for the establishment of a Joint Use Intelligence Analysis Facility in Charlottesville, VA.

Throughout his service, Mr. Canar has provided outstanding leadership, sound advice and expert professional judgment on significant issues that affected the Army. His actions and counsel were invaluable to Army leaders as they considered the issues facing the Nation today. Mr. Canar's dedication to accomplishing the Army's missions has been extraordinary. He has been a truly outstanding public servant and will be missed by the United States Army.

MEDICARE PRESCRIPTION DRUG PLAN; BAD MEDICINE FOR AMERICAN SENIORS

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

Mr. CARNAHAN. Mr. Speaker, since the new Medicare prescription drug plan took effect at the beginning of this year, Members of this body have heard from thousands of frustrated seniors struggling with the confusing and poorly written plan. Now they are dealt a new blow: seniors who don't register in time will be forced to pay a penalty for the rest of their lives.

Most seniors have yet to choose a prescription drug plan, many because they are unable to navigate the complex system, others because they are currently not taking any medication. For every month after May 15, seniors

who have not enrolled will be charged an extra 1 percent of the payment of any plan they eventually do choose, for the rest of their lives.

This new tax on prescription drugs is yet another example of how this Republican plan was written to benefit large drug companies, not the Medicare recipients who need the help.

Democrats are fighting to extend this deadline. Our seniors should not be penalized with a lifetime surcharge for doing their research on these plans.

IS THIS THE DEMOCRATS' AGENDA?

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

Ms. FOXX. Mr. Speaker, this week a resolution was introduced in the United States Senate that would censure President Bush over the National Security Agency's surveillance program. We have seen the Democrats launch political stunts before, but this one certainly takes the cake.

They have determined, on their own, that President Bush has broken the law by authorizing surveillance of al Qaeda communications. They are so intent on opposing everything that President Bush is for that they don't seem to realize or even care about the message this sends to the rest of the world as we fight the war on terror.

The fact is, this is a necessary tool in the war on terror, and it is working. As General Michael Hayden, the principle Deputy Director of National Intelligence stated, ''We have learned information from this program that would not otherwise have been available. This information has helped detect and prevent terrorist attacks in the United States and abroad.''

Mr. Speaker, the Democrats have put off releasing their agenda for months now. I guess I can see why, since it includes stripping away important tools to fight the war on terror. Perhaps the Democrats should go back to having no agenda.

□ 1015

WE NEED TO EXTEND THE DEADLINE FOR MEDICARE PART D SIGN-UP

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

Ms. SCHAKOWSKY. Mr. Speaker, President Bush went to New York yesterday to tout his confusing and failing prescription drug plan for seniors.

The Bush administration has botched this plan since day one. For one, Medicare itself put out all kinds of wrong information that increased confusion among already frustrated seniors. Second, low-income seniors that were promised an easy transition from State programs to Federal programs ran into huge problems, leaving some seniors no choice but to go without their drugs. Third, States were forced to step in and pick up the tab for the Federal Government's incompetence. It is no wonder that only about five million seniors have willingly signed up for the plan.

Seniors should not be penalized for the Bush administration's incompetence. Unfortunately, that is exactly what will happen if President Bush does not extend the deadline for seniors to sign up for the plan.

Two months from today, May 15, is the deadline for seniors to sign up for a plan; and if they do not, the administration will permanently increase their premium with a 1 percent penalty for every month they wait to sign up.

Democrats want this deadline extended, and we want to fix the drug plan so it works for seniors and the disabled and not just the drug and insurance companies.

EXTEND THE DRUG BENEFIT DEADLINE

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

Mr. BISHOP of New York. Mr. Speaker, the Medicare drug program is off to a rocky start, as President Bush put it yesterday.

Following a dozen town hall meetings I have held in my district on the part D benefit, my constituents remain confused and doubtful that the drug plan will work for them. As a result, many seniors on Long Island have not yet signed up. Many of those who have chosen a plan are encountering delays in their applications and will not receive their drug cards until after the May 15 sign-up deadline.

Adding insult to injury, seniors will be penalized with a 1 percent premium increase for every month after the deadline passes. This Bush Medicare penalty should not be piled on top of the already overwhelming burden of understanding the drug benefit.

Mr. Speaker, America's seniors deserve real help keeping up with soaring prescription drug costs. Therefore, I urge my colleagues to support a 6-month extension of the sign-up deadline so that seniors are not punished and they receive the affordable life-saving drugs they deserve.

DEFINING DEVIANCY DOWN

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

Mr. PITTS. Mr. Speaker, the late Senator Daniel Patrick Moynihan described the process by which perverse behavior slowly becomes accepted by society over time. He called it ''defining deviancy down.''

A recent newswire story illustrates his point. The story reports that Germany's sex industry is gearing up to handle a record demand for prostitution during the 2006 World Cup soccer tournament.

One man involved in the criminal underworld of German prostitution told the reporter, ''Football and prostitution are a great match. What else could you hope for?''

What else could you hope for? Mr. Speaker, I would hope that the evils of prostitution and human trafficking be condemned by society, not flaunted. I would hope for an end to sexual exploitation of women and children. I would hope for some sanity to prevail in the civilized country of Germany.

The story also reports that there are an estimated 15,000 victims of sex trafficking in Germany at any given time. That, Mr. Speaker, is the real cost of defining deviancy down.

MILITARY RECRUITERS AT COLLEGES

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

Mr. MCHENRY. Mr. Speaker, I rise today to applaud the Supreme Court for upholding the Solomon amendment, which permits the withholding of Federal funds from colleges that close their doors to military recruiters.

This case is a glaring indictment of our liberal influence within our colleges and institutions of higher learning, these spineless liberals who speak of the concept of allowing differing points of view, but in reality they oppose it.

Look no further than one of our Nation's most liberal colleges, Yale University. Last year, it admitted a Taliban spokesman as a special student, even as Yale Law School was suing in Federal Court to ban U.S. military recruiters from its campus.

As Americans, we should be appalled with this seditious behavior and hold these liberals accountable for their actions. Mr. Speaker, the Supreme Court's verdict last week is a victory for common sense and for the protection of our country against liberal lunacy.

POLL BRINGS POSITIVE NEWS

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

Mr. STEARNS. Mr. Speaker, a poll was released today which reaffirms what many on this side of the aisle, Republicans, are telling seniors at our town hall meetings: The Medicare prescription drug program is working.

In a poll conducted last week by Ayres, McHenry & Associates, 6 out of 10 seniors who voluntarily enrolled in the Medicare Part D program reported that they are saving money in the program.

A second survey by the same group found that 9 out of 10 seniors eligible for Medicare and Medicaid, dual eligibles, stated that they were having no

problems using the new Medicare prescription drug benefit. Eighty percent said the program covered the prescription drugs that they need.

Now, you are not going to hear this good news from the Democrats on that side of the aisle. Seniors are saving money and now have more choices than they ever have had.

Mr. Speaker, this is good news from these polls. The Medicare prescription drug program is presently working for America's seniors, and Democrats need to accept that.

PROVIDING FOR CONSIDERATION OF H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

Mr. COLE of Oklahoma. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 725 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 725

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. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, 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 one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. When the reading for amendment reaches title II, such title shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from Oklahoma (Mr. COLE) is recognized for 1 hour.

GENERAL LEAVE

Mr. COLE of Oklahoma. Mr. Speaker, I request unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert tabular and extraneous material.

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

There was no objection.

Mr. COLE of Oklahoma. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, on March 14 the Rules Committee met and granted an open rule on House Resolution 725, with 1 hour of debate equally divided between the chairman and ranking member of the Appropriations Committee.

The bill shall be considered for amendment under the 5-minute rule and waives all points of order against the bill. Additionally, when the reading for the amendment reaches title II, such title shall be considered as read. This rule accords priority of recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD and provides one motion to recommit with or without instructions.

Mr. Speaker, I am proud today to be able to manage this rule. The rule provides for an emergency supplemental funding package to sustain our troops in the ongoing war on terror and to assist in providing emergency relief for those affected in the Gulf States by last year's tremendous hurricanes.

However, Mr. Speaker, the fact that this bill is being brought to the floor under an open rule should not be overlooked. This means that anyone in the majority or the minority may bring to the floor any amendment that is germane to this legislation.

As one of the most important bills that will be brought to the House floor this year, we should all be able to agree that an open rule is the right thing to do and will allow the House to work its will.

The supplemental appropriations package is the sixth supplemental since September 11 that focuses on meeting the challenges imposed on us by the global war on terrorism. Specifically, this supplemental provides for replenishing of those accounts that the military has exhausted during sustained operations in Iraq, Afghanistan, and other areas of the world. Additionally, it provides important funding to assist in our efforts to address the disastrous results of the hurricanes in the gulf coast communities. Finally, these are important measures dedicated to improving the benefits due our soldiers and their families who have often been asked to make the ultimate sacrifice.

Among the important provisions in this bill is a $2 billion effort at the suppression of technology for so-called IEDs, improvised explosive devices, in Iraq and other areas. IEDs, rather than direct engagement with enemy combatants, have caused over half the casualties our forces have sustained in Iraq. Additionally, the supplemental fully funds the enhanced $400,000 Servicemembers' Group Life Insurance benefits and the $100,000 death gratuity benefit for combat-related fatalities.

Mr. Speaker, the Appropriations Committee also addressed several other issues inside the supplemental that are essential to successfully continue to prosecute our global war on terror.

Important obligations are met in the underlying legislation. In particular, this legislation earmarked $850 million over the President's request to ensure that the National Guard receives upgraded Bradleys and Abrams when deploying. Additionally, the bill earmarked another $480 million for new advances in safer up-armoring for Humvees.

Mr. Speaker, H.R. 4939 takes a number of important steps forward in addressing the needs of our military. Today we are likely to debate several amendments that would have a large impact on the effect of the underlying legislation. I would strongly urge Members to closely examine such amendments and reject any not pertaining to the subject matter at hand. The bill we have before us today is an excellent and timely piece of legislation that deserves strong bipartisan support. The underlying legislation is ultimately really about supporting our troops in the field and moving forward in assisting our own citizens drastically affected by the hurricanes.

With respect to Katrina, the underlying legislation provides $9.9 billion to the Department of Homeland Security, primarily intended for FEMA, and major additional funding for flood control and coastal emergencies. Additionally, the Department of Defense would receive $1.8 billion and the Army Corps of Engineers would receive $1.5 billion, mostly for procurement and construction for flood control and coastal emergencies.

□ 1030

$1.3 billion would be set aside for loans to home owners and small businesses to be administered through the Small Business Administration.

Mr. Speaker, this is the third supplemental appropriations request sent to Congress that addresses the fallout from the hurricanes. I am sure we will deal with this issue in the future as needs are defined. It is truly a testament to this Nation that we are able to break through the political logjam and deal with these issues of an emergency nature when this situation demands.

Mr. Speaker, judging from the debate in the Rules Committee yesterday, I suspect Members from both sides of the aisle may mention or attempt to interject into our discussions motions or amendments that are not germane to the underlying legislation. A number of measures are things that I personally support. However, the Rules Committee decided, appropriately in my opinion, that these matters should be dealt with separately and under regular order.

My good friends on both sides of the aisle have often expressed their desire to have major legislation dealt with

under an open rule. That is precisely what we have today. It is my hope that all Members will appreciate that fact and will see the wisdom of pursuing other issues through regular order. Therefore, I urge support for the rule and the underlying bill.

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

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

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

Ms. SLAUGHTER. Mr. Speaker, we are truly at a crossroads in the history of the Nation. Abroad we are engaged in a war that with each passing day becomes more dangerous, just as our path to victory becomes more obscured.

At home we are still dealing with the consequence of the colossal failure of the government to meet its most basic responsibility, to protect our citizens in a time of dire crisis.

It has been 7 months since Katrina devastated the gulf coast, and thousands upon thousands of our fellow Americans are still depending on handouts to survive. They are without their homes, without their jobs, and without a sense of security.

And here in Washington, the principles of integrity, accountability and oversight, the cornerstone values of our democratic government, have been cast aside in favor of political expediency by our elected leadership.

The American people are losing faith in this government. They believe we are headed in the wrong direction, and they want change, and it is not hard to see why. How we ultimately address the challenges before us as a government and as a people will define the future of this Nation for better or worse.

In times like these, when we are so focused on what separates us from each other, it is critical that we remember what binds us together, a commitment to the same core values and principles. I think we can all agree that supporting our young men and women in uniform is a priority for each and every Member of this House, whether we are Democrats or Republicans, and whether we agreed with the Bush administration's reason for going to war in Iraq or opposed them.

And just as we continue the age-old debate on the proper role of government in our society, we should all agree that the kind of collapse that we witnessed when the government failed to respond to Hurricane Katrina must never, ever happen again.

We must renew our commitment to take responsibility for the safety and welfare of the American people in a time of crisis. And we must agree that government has a role in protecting not only the rights, but also the dignity and the humanity of every single American.

We cannot accept, nor should we be willing to tolerate, squalor, abject poverty, and needless suffering in the heart of the United States. The defense of those who defend us abroad and the protection of the defenseless here at home, these are guiding principles that we all share.

Mr. Speaker, how should we go about turning these principles into action in the days and months ahead? We may disagree on how to overcome the challenges that lay before us, just as our Founding Fathers hoped and expected that we would. But all of us here are patriots, and all of us come to the table with our Nation's best interest in mind. And so we must remember to always welcome debate and to keep the floor open to all ideas and proposals, and to subject their merits equally to the rigors of the democratic process.

To pit the pursuits of an agenda against the perpetuation of our democratic traditions, that would be a true crime and a true shame. As we stand up for the principles of democracy here, we must also pledge to restore the second great tenet of our system of government, the integrity and accountability of our Congress. We can no longer allow our leaders to be blinded by the politics of the moment and forget their commitments to ethics and to oversight.

The short-term gains may be tempting for those who hold strings of power, but the long-term consequences are devastating to the people of the Nation as we have already seen. Ethics, integrity and accountability should not be partisan issues. They should be issues of survival because the survival of the system depends on them.

It is on this point that I would ask my colleagues on both sides of the aisle to join me today in taking a stand for our future. During the Second World War, Senator Harry Truman displayed a level of integrity and a strength of character that has been very rare in today's Washington. He dared to investigate his own party. He held his fellow Democrats in Congress accountable for excessive and wasteful war contracts. He provided a mechanism for accountability and oversight during an unprecedented war effort. It was called the Truman Commission.

The commission's purpose was to maximize every dollar we had to spend to ferret out corruption and mismanagement and to infuse a sense of accountability into the American war machine. Its success saved many American lives by ensuring that our tax dollars were spent on what was most important, that was winning the war. And yet, we in this Congress have not had the courage to insist on the same level of accountability that President Truman saw fit to employ over 60 years ago.

Despite the fact that at least $9 billion of money spent on the Iraqi reconstruction is unaccounted for, and despite the fact that we hear reports of payroll checks covering employees who do not exist and of firms being compensated for providing security for flights that never took off, and despite the fact that the Pentagon contracts for body armor have gone to companies that never produced it, all the while, 80 percent of the American Marines lost in Iraq to upper body wounds could have been saved if those soldiers had been provided with the right armor.

Nor have we demonstrated the real commitment to fully investigate the Nation's response to the second great challenge of our time, Hurricane Katrina, and done so again, despite poor planning, misused resources, and homes and relief that still have to reach those who need it.

The question I have for my colleagues today is where is our bravery? Where is our commitment to those we protect and to those who protect us? It is a question that I hope my colleagues who plan to vote for the rule answer definitively here today. When we squander precious resources, when we waste time we do not have, when we fail to hold ourselves accountable, we sacrifice American lives. And when we refuse to insist upon integrity, oversight, and accountability in our own government, we undermine our very democracy at a time when we are trying to spread it abroad. But today we have an opportunity to begin anew and follow the proud tradition of one of America's greatest leaders.

We have before us a Democratic proposal to create an oversight commission, one that will ensure that billions of dollars being spent on the war in Iraq, and today's expenditure brings that to $400 billion, and that the rebuilding of New Orleans and the gulf coast are not lost in the black hole of corruption, cronyism, and no big contracts.

We have an opportunity to restore checks and balances to the system of government and provide the accountability and oversight, which is our responsibility as Congresspersons to provide.

Just like in Harry Truman's day, that responsibility transcends the politics of both Republicans and Democrats. Rather, it speaks to our willingness to preserve the fundamental values of our democratic system and the fundamental values of our Nation.

I strongly urge my colleagues, as we prepare to spend $91.7 billion in taxpayer money, to vote against the rule and in favor of the previous question. It is a vote that will allow consideration of an amendment to create a new Truman Commission and to restore a measure of integrity, accountability, and oversight to this government, values which are so greatly missed.

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

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to note again for the record, while we are going to have discussions of many things here today, this is an open rule, any Member of the majority or the minority is free to bring an amendment to

matters that are germane to the bill. This is as democratic on the floor of this institution as it ever gets. And while many will be, on both sides, disappointed that they didn't get to attach nongermane items to this particular bill, I think we are well served in this House by moving through regular order, which is an argument that we all make from time to time very vigorously on both sides of the aisle, but particularly the minority side.

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

Mr. PENCE. Mr. Speaker, I especially thank the gentleman from Oklahoma for yielding time, inasmuch as I rise today with a heavy heart having to oppose the rule before the House.

It is a rare occasion indeed where I or any Member would stand to oppose a rule produced by our Rules Committee. I simply believe I cannot support a rule that asks Members to choose between supporting our troops and fiscal responsibility, and this is such a rule.

Mr. Speaker, we have an $8 trillion national debt, a debt that has grown by $3 trillion and debt ceiling which may be increased, even in the coming weeks, to nearly $9 trillion. Our record deficit in nominal terms set a 1-month record just a few short weeks ago. We have to put our fiscal house in order. And that means even as we go about the business of funding the war, and funding the ongoing critical reconstruction efforts in the gulf coast, we must do so in a manner that reflects a fundamental commitment to fiscal restraint.

House conservatives lobbied consistently over the last several weeks to allow for this bill to come in the form of two pieces, a vote for our troops and a vote for Katrina. And the legislation we will have before us, though there will be a stripping amendment, will very likely result in a unified bill not giving Members that choice.

But the reason I rise mostly in opposition of the rule is because there is no amendment that is being allowed under a waiver of the rules that will permit us to offset even the cost of a part of this bill through budget cuts. And I simply believe that in this day and age of record deficit and debts, it is absolutely vital that Members of Congress be able to register their commitment to fiscal discipline while we fund the Nation's priorities.

It is for that reason that I was hoping that the Rules Committee would see their way clear, as they have with other aspects of this bill, to waive the rules that prevent legislating in an appropriations bill. In fact, my understanding is that the LIHEAP funding in this bill, in and of itself, is the result of a waiver. We have waived the rules many times to increase spending in the Congress. It would be a welcome change if we waived the rules to cut spending and continue the process of putting our fiscal house in order.

Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. HENSARLING) who joins me in opposition to this rule.

Mr. HENSARLING. I thank the gentleman for yielding, and I also thank the gentleman from Oklahoma for graciously yielding this time and his good work on the Rules Committee.

I want to associate myself with the gentleman from Indiana's comments. These are extraordinary times calling for extraordinary remedies. We must have a remedy for being able to vote for fiscal responsibility.

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member on the Appropriations Committee.

Mr. OBEY. Mr. Speaker, this bill, or the bill which will be debated under this rule, will spend $92 billion of the taxpayers' money. The largest portion of it will be to fund the continuing war in Iraq. It is here because of the most spectacular military blunder committed by any President of the United States in this country's history. We went to war on the basis of bad information, and we are now mired in that war because of the spectacular incompetence and stubbornness of the Secretary of Defense.

We are also going to be asked to fund additional payments to meet the aftermath of the Katrina hurricane, which is another spectacular example of the incompetent management of government by this administration.

□ 1045

I am going to vote against the previous question on the rule because, while some 48 amendments have been noticed to the committee for consideration over the next 2 days, this House has still apparently not found a way to enable us to consider two other amendments.

The first is the one mentioned by the gentlewoman from New York. We feel it is an obligation of this Congress to begin to conduct decent oversight on both the expenditures in Iraq and the expenditures in Katrina. This Congress has a miserable record on oversight. My colleague in the Senate, Mr. FEINGOLD, introduced a resolution censuring the President for various actions that he has taken outside of the law. I believe that the Congress itself deserves censure for not meeting its oversight responsibilities.

One way to meet those oversight responsibilities is to repeat what this Congress did during World War II when it created the Truman Commission. At that time, you had a Democratic Congress that was not afraid to investigate the activities of a Democratic administration, and Harry Truman investigated waste and war profiteering. They held 432 public hearings, 300 executive sessions, went on hundreds of fact-finding missions, issued 51 reports and saved some $15 billion of the taxpayers' money.

We have stories that are rampant today about the abuse of taxpayer money in Iraq and Katrina, and yet this Congress is doing very little by way of aggressive oversight. I am going to vote against the previous question because I want to see an amendment creating a new Truman committee made in order.

The second thing I want to see is I want to see Congress, since the committee has already voted to block the Dubai port deal, I want to see the Congress go beyond that and to establish a rational process to guarantee that in the future our government will know every time a similar transaction is being contemplated. Right now, the only way our government knows is if the two parties who have an economic interest in the deal voluntarily tell the United States Government.

Mr. SABO tried to get that amendment adopted in committee. It failed.

In my view, if you are going the pass the Lewis amendment, which all but two members of the Appropriations Committee supported, it ought to also contain the Sabo amendment so that we do, in fact, establish a rational process so that we are not just looking like a flock of chickens every time something happens that panics the Congress. In that way, we would at least have a systematic way for the administration to review each and every one of these potential sales or transactions, and we would have a way for Congress to do the same.

So, unless those two amendments can be considered by this House, I see no reason why I should support the previous question or the rule, for that matter.

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

Let me first reply to my good friends, the gentleman from Indiana and the gentleman from Texas, who spoke earlier about their concern about the rule.

I remind them both, and as I will remind repeatedly everyone on this rule, we have an open rule today. If my friends on the other side of the aisle have something they object to, for instance they could strike title II of this particular bill, and, frankly, it would go right back to committee, so there is no need to bring down the rule. The mechanisms are in place, the processes are in place for the House to work its will.

I would also remind my friends on both sides of the aisle that this bill ultimately, not the rule, but the bill itself, is ultimately about providing for the needs of American forces in the field in combat today, now. We can debate whether the war was wise, whether it is conducted well, at our leisure. They need what they need immediately, and we should respond to their needs, regardless of what our opinions are where the war is concerned or regardless of what our opinions are in terms of procurement or spending.

And I say the same thing with respect to our fellow citizens along the gulf coast. They need help now. This

House has responded generously twice already in supplementals. This is the third one. We will be back here again without a doubt dealing with that item. I do not think for procedural questions, particularly when we have an open rule, we should risk slowing down things that our troops in the field need or that our fellow citizens in need along the gulf coast require.

My good friend from Wisconsin, and he is my good friend, made the point which I do not want to leave uncontested that this, quote, President had engaged in the worst military blunder in American history. That is a remarkable statement, considering the Vietnam era where we had Democratic Presidents John F. Kennedy and Lyndon Johnson commit us to a war.

The fact is this war has the lowest casualty rate in American history, and the stakes are enormously high. Were we to lose in this particular endeavor, there is no question that our enemies around the world would gather strength. It would be seen as a victory for terrorists; it would be seen as a lack of will on the part of the United States.

I think the stakes here are worth it. I have been to Iraq on five occasions, and one can always be critical of specific things. I do not think you can be critical of our forces in the field. Their performance is brilliant.

And, honestly, let me say a word here on behalf of the Iraqi people. We did ask them to rise up in 1991, and we did not do a thing. Thousands of them were slaughtered. Now we have come again. We have helped them liberate themselves from one of the worst tyrants certainly in the history of their country and certainly in regional history, and they have asked our help to stay and work through a difficult process.

They have demonstrated their bravery again and again and again in three different elections where they came out to vote under very difficult circumstances. They demonstrate their bravery in the field in their commitment and their willingness to take on an increasing range of responsibility. Even when I am occasionally frustrated with politicians in Iraq, as I sometimes am frustrated with ourselves in this body, I stop and remember they are exceptionally brave people.

My colleagues and I may worry about losing an election. Most of us do not worry about losing our life by engaging in a political process to make our country free. I think when people make that kind of sacrifice in the pursuit of democracy and freedom, they deserve the support of this body among all bodies in this world and certainly this country.

Let me add, frankly, one other point on Katrina. I know many of my colleagues have had the opportunity and taken the opportunity to go down and visit the gulf coast. Personally, I certainly have done that; and I would just tell all my friends that have concerns about the expenditure of funds in that particular area, and sometimes I do as well, go look at the damage. It is massive. It is massive.

Again, we had a very critical and I think very good report issued by a special committee of this body, chaired by my good friend, distinguished chairman of the Government Reform Committee, TOM DAVIS, that was unstintingly critical. I remind my friends on the other side of the aisle, unfortunately, they did not participate in that. They chose to think it would be a sham, and clearly it was not. There are mechanisms and means for us to look at and learn the lessons of Katrina and apply them and let the chips fall where they may in the process. Rejecting the rule will bring down the underlying bill and, in my opinion, is not one of them.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, New Orleans is not the only place where tens of thousands of Americans stand in peril from flooding and drowning because of defective levees. The good people across three congressional districts along the Rio Grande River at the southernmost tip of Texas are just as much at risk with hurricane season only weeks away. That is why I will be offering today an amendment to prevent the next Katrina-like disaster.

We Texans in the Valley must rely on the Federal Government, which has the exclusive, sole responsibility for ensuring the integrity of our levees and protecting our lives and livelihood from flooding. Exactly 1,018 days ago, this Administration received an alarming report from a part of its own State Department that those Federal levees are up to ''9 feet deficient in height,'' geologically flawed, structurally unsound, and would ''overtop along 38 river miles.''

So urgent is the problem that last year the Appropriations Committee asked the Administration to request additional levee money, and I believe the State Department wants to do this, but the President's request is strangely silent on this matter.

Recognizing the risk of loss of lives, the disruption of families, the substantial economic harm that would be caused, 39 local governments, chambers of commerce and economic development corporations have called on this administration to act. So have Congressmen ORTIZ, REYES, HINOJOSA and myself, working together, to seek the $7.8 million requested here which represents the difference between the little bit that was appropriated last year and what the IBWC says it needs to prevent a flooding disaster.

A few million in flood prevention today could save billions of dollars in flood relief. The Federal Government should not shirk its responsibility, its sole responsibility, to protect the lives and livelihood of the good Americans who live and work in the Texas Rio Grande Valley.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a member of the Rules Committee.

Mr. MCGOVERN. Mr. Speaker, once again we are asked to provide tens of billions of dollars for the war in Iraq under the pretense that this war, now entering its fourth year, is a so-called unexpected emergency. The Iraq war is indeed an emergency, Mr. Speaker, but it is hardly unexpected.

I support the funds provided in this bill for the continuing hurricane relief and recovery for the people in the gulf coast. I support the funding for emergency humanitarian needs, famine relief and peacekeepers in Darfur, Sudan.

I would like to be clear, Mr. Speaker, I support our diplomatic, humanitarian, economic and military activities in Afghanistan, but I simply cannot support a single dime more for the war in Iraq.

Every day, the American people wake up to headlines describing how much worse the situation grows in Iraq: Iraqi Police Tied to Abuses and Deaths; Chaos in Iraq; U.S. General Says U.S. Troops Add to Instability; 72 Percent of U.S. Troops Want Withdrawal Within a Year.

Mr. Speaker, Iraq is in the midst of a spiraling civil war. On February 26, Pentagon officials said that the number of Iraqi army battalions capable of fighting the insurgency on their own has slipped since September from one battalion to none. The newly formed government is paralyzed by sectarian divisions.

The U.S. has turned its back on rebuilding Iraq. Ironically, the Bush administration has no problem cutting and running on reconstruction for Iraq.

Mr. Speaker, did you know that the only new construction aid in this supplemental is for more prisons in Iraq? Not schools or hospitals or roads, just prisons.

As both the GAO and the Inspector General have determined, there never was any systematic plan for stabilization and reconstruction in Iraq. Now we are paying the price.

Over 2,300 American military men and women have paid the ultimate price, their lives, trying to do their best to implement this awful policy, but it cannot be done, Mr. Speaker. And we cannot allow ourselves to be on the floor of this House next year looking at another so-called emergency supplemental for Iraq and talking about 5,000 or 10,000 American troops who have lost their lives.

It is time to bring our uniformed men and women home. It is time to begin a safe, orderly drawdown of our troops, one that we can control. If the Iraqis are not willing to solve their own problems through less bloody means, then why on Earth should American troops die for them?

Like so many of my House colleagues, once we were in Iraq, I felt we had a moral obligation to help the Iraqis rebuild their nation and form a representative government, but, Mr. Speaker, we are not helping anymore. Our presence is part of the problem, not part of the solution.

Mr. Speaker, it is easy for Members of this House to stand up and say, stay the course because, quite frankly, none of us are risking our lives. None of us are in harm's way. None of us are stuck over there because of the stunning failure and ineptitude of politicians in Washington.

□ 1100

If you want to protect our troops, let's bring them home.

So it is with regret, genuine regret, that I must vote against passage of the supplemental. The House has become addicted to voting for more money for a policy that has gone terribly, terribly wrong. It is time to stop.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILLMOR). The Chair would remind Members to attempt, for the benefit of all, to abide time limits in debate.

Mr. COLE of Oklahoma. Mr. Speaker, I came here this morning, obviously, to debate the rule. But as is so often the case in rules debate, we move on to the bill itself and some of the larger purposes. And I am always content and happy to have that debate. I think it is an important discussion for the American people to hear.

My good friend from Massachusetts, from the other side of the aisle, mentioned that essentially things are worse in Iraq. Worse than what? And worse than when? Worse than having Saddam Hussein in power? I think not. I would much rather have him where he is, in a courtroom, in jail, and no longer launching regional wars that claimed over a million lives.

Worse than 423 mass grave sites that have been uncovered since the arrival of coalition forces in Iraq? I think not. Worse than 400,000 Iraqis killed in the decade before the liberation of Iraq? Again, I think not.

I think that we sometimes, on this floor, act as if we are doing a favor to the people of Iraq by leaving. I think that is dangerously misguided logic. I do not think it is a favor. I do not think that it is a favor to the people in Iraq. That is not what their duly elected representatives have asked us to do.

They, by the way, are running enormous risks for their own freedom. They rose up to try to get their own freedom in 1991. We didn't do, in my opinion, what we should have done then. I have been there five times. I see more and more Iraqis doing more and more things for themselves, and I see no one that asks the United States to leave precipitously.

I also would disagree with my good friend on the issue of whether or not our interests are involved in this. I think they very much are involved in Iraq. I think that victory is an extraordinarily important thing for this country to secure. I think staying the course, or remaining and staying with our friends that are fighting now, in part because we are there, is a very important message to send to the region.

Mr. MCGOVERN. Mr. Speaker, will the gentleman yield?

Mr. COLE of Oklahoma. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. I thank the gentleman for yielding and for his courtesy.

I would simply say to the gentleman that the situation in Iraq right now is out of control. There is a civil war. A majority of the Iraqis want us gone. A majority of our troops believe that we should come home.

And I know the gentleman has been there. I have been there, too. Let me tell you something. It is one thing for a United States Congressman to go over and visit in Iraq and be protected 24 hours while they are over there; it is another thing for a American soldier to be put in the middle of a civil war where so many have lost their lives for a policy that has been based on fiction.

Mr. COLE of Oklahoma. Reclaiming my time, I would disagree with the gentleman on a number of points, but on one in particular.

It is not easy for anybody in this body to make the decision to send American troops into harm's way. My father was a career military person. My uncle spent 3½ years in a Japanese prison camp. My brother is a disabled Vietnam-era veteran, although not disabled in Vietnam. I have 15,000 soldiers at Fort Sill that I am privileged to represent. I have got another 8,000 or 9,000 airmen at Tinker Air Force Base that I am privileged to represent. My cousin is a lieutenant colonel in the United States Air Force, who spent 6 months in Afghanistan and 6 months in Iraq under very dangerous and difficult circumstances.

These are not decisions that anybody makes lightly for or against. Those people who are opposed to the war, as my good friend noted in the Rules Committee yesterday, initially, when it was ''popular,'' did not make an easy decision. It is not popular today. Those of us who are still supportive of that effort are not making an easy decision. We are making what we think is the right decision. I respect my friend's motives in that regard. I think he has always been consistent. His judgment has been consistent, even though we have consistently disagreed. I would ask for the same sentiment in reverse; that those of us who hold a different point of view are equally honorable in our motivation, equally intense about what we are doing, and equally convinced the course we are advocating is the correct one.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. I thank the gentlewoman, and I just share with my friend from Oklahoma, too bad we couldn't have had the debate you are now having at the beginning of the Iraq situation instead of going in on false information and on false pretenses. I think it would have been a much more enlightened debate, and I am sure you could have held your own at that point in time as you are doing here.

The shame of it is, of course, that the country was not told we were going into Iraq for anything to do with Saddam Hussein, other than weapons of mass destruction that were never found, connections with al Qaeda that were never found, and on that basis. That is why many in this country feel they have been misrepresented in this situation and that it has been badly prosecuted since then with tremendous incompetency.

The tremendous incompetency continues in a number of different ways, one of which is the contracting that has been going on and the loss of money, the mismanagement of money, the inability to track where money has gone for the American taxpayer in there, which is why Congressman JIM LEACH of Iowa and I have filed over the last several years a bill to set up the Truman Commission, based on the commission that happened during World War II when Senator Truman had a commission investigate the contracting, and in a Democrat administration, and they did two things: one was it made sure that the materials got to the troops that they needed at that time. And it saved lives. It was for their protection, to make sure the money wasn't wasted and that it went for the things the troops needed. And the other, of course, was to make sure the taxpayers' money was being spent as it should.

There are two things that Congress does: one is legislate and the other is oversight, to make sure the taxpayers' money is being spent properly and that the policy is being carried out in the way that it should. This Congress has been incredibly lacking in the oversight area. We have not done our job, particularly with regard to what is going on in Iraq and Afghanistan, which is why I am going to vote against the motion here for the rule. Because we ought to have waivers for the motions that Mr. LEACH and I brought to make sure that we investigate, have a separate commission set up to investigate.

Yes, this is an open rule, but it very pointedly leaves out that type of oversight, both in the Afghan and Iraq situation, and in the Katrina situation, where we are seeing the same kind of incompetence and waste and questionable action that might lead to fraud. In both instances, people will be hurt there if supplies are not gotten to them immediately, and the taxpayer will be hurt if the money isn't spent efficiently. So we ought to do that.

And with respect to the gentleman's argument that we are in such a rush

and this is an emergency, the brief period of time it would take to make those corrections and put those waivers in are not going to bring us beyond the period of time for which money already exists that is protecting our troops and dealing with the people in the gulf area.

So I think it is important that we do our job. It is about time this Congress stood up. Not one dollar more. Because every dollar that is wasted is a dollar that isn't being spent on body armor and roadside jammers for bombs, and up-armor for Humvees. Every dollar wasted is not getting housing and other services to people in Louisiana and Mississippi and that region.

It is time we put the waivers in place and we went forward with these investigatory commissions so that as things are transpiring, we can know that we are doing our job of oversight and the troops in one area, and the victims of the storms in the other area are getting the materials and the things that they need, and that the American taxpayers' money is being protected.

Mr. COLE of Oklahoma. Mr. Speaker, I want to address several of the points of my good friend from Massachusetts.

First, in terms of going into war without the information and without the debate. I was not in Congress when that decision was made, and, frankly, I looked back and have read the debates very carefully, watched the debates at that time, and know that, frankly, everybody that was voting voted on the best information they had available at that time.

Frankly, I remind my good friend that we were operating with a CIA that was run by a President Clinton appointee, that he was pretty adamant in terms of there were WMDs there. That was the shared opinion of every other intelligence agency in the world. And, again, I don't question the motives of the decision that was made.

I would also add this. For me, the more compelling figure is not what we found before we thought we were going, but what we found after. I go back to those mass grave sites and I go back to those tens of thousands of people that were killed. And, frankly, I go back to a level of American responsibility for allowing that to persist, in my opinion, after 1991.

I relate to my friend a story that I heard on my very first visit to Iraq, when I was talking to a young American sergeant. It was becoming evident at that point that the stockpiles we thought were going to be there weren't there. There was dual-use technology, and perhaps the potential to recreate something. No question Saddam Hussein was working his way out of restrictions, but what we thought was there, wasn't there.

And I asked this young sergeant who had risked his life in the drive to Baghdad what he thought, given that information. And he first gave me sort of a nice stock political answer and said basically what I said: Well, we don't know. We are still looking. And I said, but we haven't found any. And he looked at me, and I will never, ever forget what he said when I said, so, was it worth it? And he answered my question with a question.

He said, sir, have you ever been to a mass grave site? And I said, no, I haven't. He said, I have. He said, you haven't seen anything until you see bodies coming out of the ground and hundreds of family members trying to identify them and wailing. And I have seen that, and I wonder why the whole world wasn't here 10 years ago. That is a good question for us to ask ourselves inuring the course of this debate.

I also want to address my friend's point about a commission in two ways. First, by making the point that there is a good deal of oversight that goes on in this process. I used to serve on the House Armed Services Committee. I still do. I have a waiver on that committee now. But that committee, I can assure you, is very thorough in its oversight. I think appropriations has an oversight function.

But, finally, and more importantly, I think on this particular piece of legislation, both sides of the House often ask for an open rule, and anything germane to this piece of legislation, this supplemental appropriation, can be brought here. I think that is a very good thing. Now we are being told we not only want things that are germane to one of the largest spending bills and one of the most important pieces of legislation that we will deal with this year, we want things that are not germane. We want waivers granted.

And, by the way, we are being told that by both sides of the aisle. This is not an exclusive demand. I think it is a misdirected demand. I would like to see us move back toward more open rules, more regular order, and I think this rule is a step in that direction.

Mr. TIERNEY. Mr. Speaker, will the gentleman yield?

Mr. COLE of Oklahoma. I yield 20 seconds to my friend.

Mr. TIERNEY. Thank you.

Well, first of all, I was here when we voted on the Iraq thing, and believe me, there was plenty of information for people that wanted to look at it to know which way things were going. And certainly our White House should have known which way things were going, and they made representations that turned out not to be accurate. So people can be responsible for their acts.

Secondly, the mass graves you are talking about are mass graves of the late 1980s, early 1990s, when members of our present administration were over there being friendly with the Iraqis and with Saddam Hussein.

It is never not germane for this body to do its oversight duty. It is always germane.

Mr. COLE of Oklahoma. Reclaiming my time. I disagree with my friend's characterization of when the mass graves were. There are certainly 35 years' worth of mass graves in Iraq, but a lot of them are from 1991 on, and particularly from the uprising of the Shi'a against Saddam Hussein, when an American Army was sitting on their border and we urged them to rise up and did nothing to help them.

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

Ms. SLAUGHTER. Mr. Speaker, I will be happy to yield 30 seconds to the gentleman from Massachusetts.

Mr. TIERNEY. I want to clarify that in 1991, the first Mr. Bush was President, when you were encouraging the uprising to go into that, and that is a period of time when there were many mass graves in that situation.

And, secondly, I just want to drive home the point that there is never a time when oversight for this group is not germane to the function that we do. We legislate, we have oversight, and there has been no effective oversight of either the Katrina situation or what is going on with contracting in Iraq and Afghanistan, not from any committee in this body, and the record is clear on that and it speaks for itself.

Mr. COLE of Oklahoma. Let me just make a quick point on Katrina.

Actually, there was good oversight there. Chairman DAVIS had a very good committee. Unfortunately, my friends on the other side of the aisle chose largely not to participate in an oversight function.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds just to say that President Bush's first Secretary of the Treasury, Mr. O'Neill, wrote a book after he left and commented that the first Cabinet meeting he went to, in January, they were discussing going into Iraq, to his great surprise. So that was planned long before September 11.

Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. SABO).

Mr. SABO. Mr. Speaker, I thank the ranking member for yielding.

I am disappointed that the Rules Committee has not allowed me to offer my amendment to strengthen the CFIUS foreign investment review process during consideration of the supplemental appropriations bill.

Americans deserve a rigorous review of foreign investments that affect our national security posture. Never again should we find that the President and the Secretaries of Homeland Security, Treasury and Defense are unaware of a critical transaction until after it has been approved.

As you know, the Appropriations Committee voted overwhelmingly last week to kill the Dubai World Port terminal acquisition, which, it is my understanding, requires a rule waiver to be made germane. It declined, however, to address the larger underlying process problem.

□ 1115

My amendment would strengthen the CFIUS process in the following ways: all transactions that could result in foreign control of any person engaged

in interstate commerce would be required to undergo a full review to determine whether it affects U.S. national security.

Today, foreign firms voluntarily, and let me say that again, voluntarily notify us of these transactions. I believe notification must be mandatory to ensure that our government knows about all such transactions.

My amendment would also retain the Secretary of the Treasury as the chairperson of the committee. The President would be required to approve or disapprove of all transactions. Today, if the President takes no action, the transaction is automatically approved.

The review period would automatically extend to the full 75 days. Current practice allows most transactions to be reviewed within 30 days, with an additional 45 days only if flags are raised.

Congress must be notified of Presidential decisions. Furthermore, Congress could overturn approvals within 30 days by a joint resolution. Today, Congress is notified of a CFIUS transaction only when the President disapproves one.

Within 90 days of enactment, the administration would also be required to report to Congress on foreign ownership of all U.S. critical infrastructure. Today, no one really knows how much of our critical infrastructure is in the hands of foreign companies and foreign governments.

Failing to fix the inherent flaws in the CFIUS process leaves our Nation vulnerable in the future. We should not take that chance. We should act now to strengthen the foreign investment review process.

I urge Members to vote ''no'' on the previous question so this amendment can be made in order and the House can vote on this important issue.

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from Minnesota for his point. I thought he had a very interesting amendment yesterday in the Rules Committee. I think it is a topic and amendment that deserves a great deal of study because I think the reform of that process is very much in order.

I would prefer that we move through an authorizing committee to do that, as opposed to simply discussing it in the Rules Committee, where we have no background, no staff, and then immediately inject it onto the floor.

My disagreement with my friend is largely over process here, and not necessarily over substance. I hope we do look at that process and do take his very thoughtful amendment into consideration through regular order.

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

Mr. COLE of Oklahoma. I yield to the gentleman from Wisconsin.

Mr. OBEY. I would simply say, ordinarily, I would agree that the authorizing committee should deal with this issue. But given the fact that the Appropriations Committee at the leadership level took the action to wipe out the Dubai deal, to me it was appropriate that we make that provision have even more sense by having it attached by the same committee that did the other deed.

Mr. COLE of Oklahoma. Mr. Speaker, reclaiming my time, I would draw a distinction here. I think there is a big difference between stopping a decision that you disagree with, which I think can be done without a great deal of moving through process, and changing a process itself. I think that is actually a more difficult, time-consuming, complex operation. I think it needs an authorizing committee to look at it.

I think it is very appropriate for the Appropriations Committee to say, stop, we have serious concerns, we do not want to go through with this; and hopefully at that point we would proceed by regular order and consider the gentleman's thoughtful amendments that may come along.

Ms. SLAUGHTER. Mr. Speaker, I yield myself the balance of my time to close.

I am going to be asking Members to vote ''no'' on the previous question so I can modify the rule and allow the House to consider two very critical amendments.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. GILLMOR). Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, the first amendment by Mr. SABO will create a new review and approval process to ensure that the secret, backroom deals, like the irresponsible Dubai Ports World, cannot happen again. The Sabo amendment strengthens the process by which our government reviews future foreign takeovers. It will require that all foreign transactions that could result in foreign control of any entity engaged in interstate commerce must undergo a thorough review that mandates the direct involvement of the President and the Congress.

The second amendment, by Ms. KAPTUR, will create a select congressional committee based on the Truman Committee from the Second World War to investigate and study the awarding and carrying out of government contracts, to conduct military and reconstruction activities in Iraq, and for the rebuilding efforts in the gulf coast in the wake of Hurricane Katrina.

There is ample evidence of the necessity of this modern-day Truman Committee. Every day, more examples of fraud emerge. Billions and billions of dollars have been misused both in this country and overseas, and ensuring vigilant oversight of taxpayer dollars should not be a partisan issue. We owe it to the American taxpayers. We owe it to our brave soldiers in harm's way, and we owe it to the citizens in Louisiana, Mississippi, and Alabama who struggle every day to put their lives back together after the ravages of Hurricane Katrina.

I want to emphasize that this vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the narrow, inflexible agenda of the majority.

A ''no'' vote will allow those of us concerned about the safety and security of America to create a more responsible process for contracting out of our interstate commerce activities to any foreign entities. It would allow us to investigate the spending irregularities that have occurred with respect to the war in Iraq and the reconstruction efforts in the aftermath of Hurricane Katrina. In short, it is a vote to consider the priorities of the American people, the priorities blocked by the majority.

Mr. Speaker, I want to emphasize that a ''no'' vote on the previous question will not prevent the consideration of the supplemental bill. The bill will still be considered in its entirety. However, a ''yes'' vote will prevent us from voting on these two important initiatives. I urge all Members to join with me in supporting our soldiers and vote ''no'' on the previous question.

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

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself the balance of my time.

In closing, I would like to say I believe we have had an excellent debate today. What is clear to me is the importance and the timeliness of this legislation. With that said, I would encourage Members to listen carefully to the following debate and to vote in support of the underlying legislation.

Additionally, I would encourage Members to be cautious when considering the amendments. This bill has been carefully crafted and worked in a way to ensure that our servicemen receive the best equipment when they go to war.

Equally important, the bill contains important measures to help our fellow citizens in the gulf coast as they continue to deal with the consequences of the worst natural disaster in American history.

Finally, I would ask Members to remember this is not a vote about the wisdom of the war in Iraq. The President and the Congress made that decision years ago. This vote is about giving those we have asked to execute our policy in Iraq the tools they need to do their job. The men and women serving our cause in Iraq ask for nothing more. In good conscience, we should give them nothing less.

Similarly, this is not a debate about the nature of the governmental response to Hurricane Katrina. This matter has been dealt with in a detailed report issued by a select committee chaired by the chairman of the Government Reform Committee, the gentleman from Virginia (Mr. TOM DAVIS).

Finally, this is also not a vote in essence about fiscal discipline. The process that the rule allows would allowed those concerned about spending to strip portions of the bill that concern them and send them back. It would also, of course, allow them at the end to vote against the bill itself if they thought it was too expensive. The rule allows, as I wish to remind my colleagues, for an open rule, that is, any Member of this body, majority or minority, can bring an issue germane to the bill to the floor, have it heard and have it decided. This is a movement toward regular order, and I think it is one we should respect and appreciate by upholding the rule.

To close, I would urge my colleagues to support this rule and the underlying legislation.

Ms. PELOSI. Mr. Speaker, we will soon consider a bill that will provide more than $90 billion for the continued wars in Iraq and Afghanistan and the continued response to Hurricane Katrina. As we debate this bill, we must also put in place measures to ensure that these funds are spent wisely.

As a result of the work of the special Inspector General in Iraq and the General Accountability Office, we know that billions of dollars has been wasted, and fraud and abuse is rife in the Katrina rebuilding and the war in Iraq.

One would presume that after being advised that taxpayer money had been misused, Congress would make certain that similar misuse would not occur in the future. Sadly, that presumption would be wrong. Perhaps no failures have been so regular and so great in the Republican Congress as the failure to do effective oversight.

Today, we have a chance to reverse this record of lax oversight by allowing the consideration of the Kaptur-Sabo amendment. The amendment would add some strength to an oversight process badly in need of it by: establishing a select committee modeled on the World War II Truman Committee and ensuring that Congress would have a vote on the adequacy of the national security review done on any proposed acquisition by a foreign entity of a business involved in interstate commerce in the United States.

The Truman Committee taught two important lessons—especially in war time—contractor performance needs to be closely scrutinized, and that scrutiny can be provided without partisanship.

Reports that $9 billion in money intended for use in Iraq cannot be accounted for should be reason enough to create a Truman-like committee, as envisioned by Ms. KAPTUR, Mr. TIERNEY, and Mr. LEACH. Evidence that money that was supposed to relieve suffering in the areas devastated by Katrina has been misused offers a strong endorsement.

Our recent experience with the Dubai Ports World acquisition should have convinced us that Congress has a role in determining whether and when foreign entities can safely operate elements of our critical infrastructure. These determinations are simply too important to be left solely to the judgment of the executive branch. Mr. SABO proposes a workable, common-sense process. We should consider it today.

Mr. Speaker, the American people expect Congress to do more than write blank checks. They expect us to be aggressive in making sure that money is spent responsibly. Uftfortunately, this Republican Congress has failed to meet this expectation. With this amendment we could begin the oversight of taxpayer dollars that should have begun long ago. I urge my colleagues to defeat the previous question and let us adopt the Kaptur-Sabo amendment.

Mr. LARSON of Connecticut. Mr. Speaker, I rise in opposition to the previous question so that the House can consider a critical amendment that would strengthen the CFIUS review process.

As we know all too well from the recent controversy over the Dubai ports deal, the current process for reviewing foreign takeover of national infrastructure is deeply flawed. Federal law currently allows the Committee on Foreign Investment in the United States (CFIUS) up to 30 days to examine a potential sale and determine whether to begin a more thorough 45–day security investigation. This process is meant to examine the national security implications of handing over critical infrastructure to foreign companies. However, as we now know, far too often the committee forgoes a deeper review of these deals. CIFIUS has investigated an estimated 1500 foreign investment transactions since it was established, of which 25 have gone into the 45 day review and only one has been blocked.

Defeating the previous question would allow the House to consider an amendment offered by Mr. SABO that is blocked by the underlying rule. The Sabo amendment would strengthen the current CFIUS process by requiring all foreign transactions that could result in foreign control of any asset or infrastructure that affects national security to undergo a full review. It mandates a more critical look at these deals by ensuring a 75 day security review of CFIUS transactions and requires the President to either approve or disapprove all deals. The amendment also requires that Congress be notified of Presidential approvals and allows for Congress to overturn decisions within 30 days with a joint resolution. In total, these changes would bring some common sense reform to a process that is central to the security of our vital infrastructure and the American people.

The Dubai Port World deal showed that the actions of the Committee on Foreign Investment in the United States (CFIUS) need to be taken out of the shadows and brought into the light. Congress should not be rubber-stamping the Administration's backroom deals, it should be reviewing them thoroughly. While H.R. 4939 will put an end to the already dead Dubai Ports World deal, focusing on this one transaction ignores the larger flaws in the CFIUS review process and the wide gaps in our port security. This important amendment deserves nothing less than an up-or-down vote.

The material previously referred to by Ms. SLAUGHTER is as follows:

PREVIOUS QUESTION FOR H. RES. 725—RULE ON H.R. 4939, MARCH 2006 EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR IRAQ/KATRINA

At the end of the resolution add the following:

SEC. 2. Before consideration of any other amendment it shall be in order to consider the amendments printed in section 3, which may be offered only in the order specified, may be offered only by the Member designated or a designee, shall be considered as read, shall not be subject to amendment except pro forma amendments for the purpose of debate, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived.

SEC. 3. The amendments referred to in section 2 are as follows:

(a) Amendment offered by Representative Sabo:

AMENDMENT TO H.R. 4939, AS REPORTED

OFFERED BY MR. SABO OF MINNESOTA

Page 83, after line 16, insert the following new section:

SEC. 3011A. (a) Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended to read as follows:

"SEC. 721. INVESTIGATION OF CERTAIN TRANSACTIONS FOR NATIONAL SECURITY IMPLICATIONS.

''(a) INVESTIGATIONS.—

''(1) IN GENERAL.—Upon receiving written notification, as prescribed by regulations under this section, of any merger, acquisition, or takeover proposed or pending on or after the date of the enactment of this section by or with any foreign person which could result in foreign control of any person engaged in interstate commerce in the United States, the President, acting through the President's designee and the Committee on Foreign Investment in the United States shall conduct an investigation to determine the effects, if any, of the proposed or pending merger, acquisition, or takeover on the national security of the United States.

''(2) TIMING.—Any investigation required under paragraph (1) shall be completed before the end of the 75-day period beginning on the date of the receipt by the President or the President's designee of written notification of the proposed or pending merger, acquisition, or takeover.

''(b) CONFIDENTIALITY OF INFORMATION.—

''(1) IN GENERAL.—Any information or documentary material filed with the President or the President's designee pursuant to this section shall be exempt from disclosure under section 552 of title 5, United States Code, and no such information or documentary material may be made public, except as may be relevant to any administrative or judicial action or proceeding.

''(2) AVAILABILITY TO THE CONGRESS.—No provision of paragraph (1) shall be construed as preventing the disclosure of any information or documentary material to either House of Congress or to any duly authorized committee or subcommittee of the Congress.

''(c) COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.—

''(1) ESTABLISHMENT.—The Committee on Foreign Investment in the United States established pursuant to Executive Order No. 11858 (hereafter in this section referred to as the 'Committee') shall be a multi-agency committee to carry out this section and such other assignments as the President may designate.

''(2) MEMBERSHIP.—The Committee shall be comprised of the following members:

''(A) The Secretary of the Treasury.

''(B) The Secretary of State.

''(C) The Secretary of Defense.

''(D) The Secretary of Homeland Security.

''(E) The Attorney General.

''(F) The Secretary of Commerce.

''(G) The Director of the Office of Management and Budget.

''(H) The United States Trade Representative.

''(I) The Chairman of the Council of Economic Advisors.

''(J) The Director of the Office of Science and Technology Policy.

''(3) CHAIRPERSON.—The Secretary of the Treasury shall be the Chairperson of the Committee.

''(4) OTHER MEMBERS.—The Chairperson of the Committee shall involve the heads of such other Federal agencies, the Assistant to the President for National Security Affairs, and the Assistant to the President for Domestic Policy in any investigation under subsection (a) as the Chairperson determines to be appropriate on the basis of the facts and circumstances of the transaction under investigation.

''(5) ROLE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence shall provide appropriate intelligence analysis and intelligence briefings to the Committee.

''(d) ACTION BY THE PRESIDENT.—

''(1) IN GENERAL.—No proposed or pending acquisition, merger, or takeover, of a person engaged in interstate commerce in the United States by or with foreign persons may occur unless the President, on the basis of an investigation and report by the Committee, finds that such acquisition, merger or takeover, will not threaten to impair the national security of the United States, as defined by regulations prescribed pursuant to this section, and approves the transaction.

''(2) ENFORCEMENT.—The President shall direct the Attorney General to seek appropriate relief, including divestment relief, in the district courts of the United States in order to implement and enforce—

''(A) any finding, action, or determination under this section of disapproval of an acquisition, merger, or takeover; or

''(B) any conditions imposed on any approval of any acquisition, merger, or takeover.

''(3) FINALITY OF DETERMINATIONS.—All actions and determinations under this section shall be final and not subject to judicial review.

''(e) FINDINGS BY THE PRESIDENT.—

''(1) IN GENERAL.—A finding under this section of impairment or threatened impairment to national security shall be based on credible evidence that leads the President to believe that—

''(A) the foreign interest exercising control might take action that threatens to impair the national security; and

''(B) other provisions of law do not provide adequate and appropriate authority for the President to protect the national security.

''(2) FACTORS TO BE CONSIDERED.—Any investigation under this section shall take into account the following factors:

''(A) Domestic production needed for projected national defense requirements.

''(B) The capability and capacity of domestic industries to meet national defense requirements, including the availability of human resources, products, technology, materials, and other supplies and services.

''(C) The control of domestic industries and commercial activity by foreign citizens as it affect the capability and capacity of the United States to meet the requirements of national security.

''(D) The potential effects of the proposed or pending transaction on sales of military goods, equipment, or technology to any country—

''(i) identified by the Secretary of State—

''(I) under section 6(j) of the Export Administration Act of 1979, as a country that supports terrorism;

''(II) under section 6(l) of the Export Administration Act of 1979, as a country of concern regarding missile proliferation; or

''(III) under section 6(m) of the Export Administration Act of 1979, as a country of concern regarding the proliferation of chemical and biological weapons; or

''(ii) listed under section 309(c) of the Nuclear Non-Proliferation Act of 1978 on the 'Nuclear Non-Proliferation-Special Country List' (15 C.F.R. Part 778, Supplement No. 4) or any successor list.

''(E) The potential effects on the proposed or pending transaction on United States international technological leadership in areas affecting United States national security.

''(f) REPORT TO THE CONGRESS.—Upon making any determination to approve or disapprove any merger, acquisition, or takeover by or with any foreign person which could result in foreign control of any person engaged in interstate commerce in the United States, the President shall immediately transmit to the Secretary of the Senate and the Clerk of the House of Representatives a written report of the President's determination under this section to approve or disapprove such merger, acquisition, or takeover, including a detailed explanation of the finding made and factors considered.

''(g) CONGRESSIONAL ACTION.—

''(1) IN GENERAL.—If the determination of the President contained in the report transmitted to the Congress under subsection (f) is that the President will approve any merger, acquisition, or takeover under subsection (d) and not later than 30 days after the date on which Congress receives the report, a joint resolution described in paragraph (2) is enacted into law, then the President shall take such action under subsection (d) as is necessary to prohibit the merger, acquisition, or takeover, including, if such acquisition has been completed, directing the Attorney General to seek divestment or other appropriate relief in the district courts of the United States.

''(2) JOINT RESOLUTION DESCRIBED.—For purposes of paragraph (1), the term 'joint resolution' means a joint resolution of the Congress, the sole matter after the resolving clause of which is as follows: 'That the Congress disapproves the determination of approval of the President contained in the report submitted to Congress pursuant to section 721(f) of the Defense Production Act of 1950 on _____.', with the blank space being filled with the appropriate date.

''(3) COMPUTATION OF REVIEW PERIOD.—In computing the 30-day period referred to in paragraph (1), there shall be excluded any day described in section 154(b) of the Trade Act of 1974.

''(h) REGULATIONS.—The President shall direct the issuance of regulations to carry out this section. Such regulations shall, to the extent possible, minimize paperwork burdens and shall to the extent possible coordinate reporting requirements under this section with reporting requirements under any other provision of Federal law.

''(i) EFFECT ON OTHER LAW.—No provision of this section shall be construed as altering or affecting any existing authority, power, process, regulation, investigation, enforcement measure, or review provided by any other provision of law.

''(j) TECHNOLOGY RISK ASSESSMENTS.—In any case in which an assessment of the risk of diversion of defense critical technology is performed by the Committee or any other designee of the President, a copy of such assessment shall be provided to any other designee of the President responsible for reviewing or investigating a merger, acquisition, or takeover under this section.

''(k) BIENNIAL REPORT ON CRITICAL TECHNOLOGIES.—

''(1) IN GENERAL.—In order to assist the Congress in its oversight responsibilities with respect to this section, the President and such agencies as the President shall designate shall complete and furnish to the Congress, not later than May 1, 2007, and upon the expiration of every 2 years thereafter, a report, both in classified and unclassified form, which—

''(A) evaluates whether there is credible evidence of a coordinated strategy by 1 or more countries or companies to acquire United States companies involved in research, development, or production of critical technologies for which the United States is a leading producer; and

''(B) evaluates whether there are industrial espionage activities directed or directly assisted by foreign governments against private United States companies aimed at obtaining commercial secrets related to critical technology.

''(2) DEFINITION.—For the purposes of this subsection, the term 'critical technologies' means technologies identified under title VI of the National Science and Technology Policy, Organization, and Priorities Act of 1976 or other critical technology, critical components, or critical technology items essential to national defense or security identified pursuant to this section.

''(l) BIENNIAL REPORT ON CRITICAL INFRASTRUCTURE.—In order to assist the Congress in its oversight responsibilities, the President and such agencies as the President shall designate shall complete and furnish to the Congress, not later than 90 days after the date of enactment of this subsection and upon the expiration of every 2 years thereafter, a report, both in classified and unclassified form, which—

''(1) lists all critical infrastructure, as defined under subtitle B of title II of Public Law 107–296, that is owned, controlled or dominated by an alien, a foreign corporation, or a foreign government;

''(2) evaluates whether there is credible evidence of a coordinated strategy by 1 or more countries or companies to acquire United States critical infrastructure; and

''(3) evaluates whether there are industrial espionage activities directed or directly assisted by foreign governments against private United States companies controlling critical infrastructure.''.

(b) The amendments made by subsection (a) shall apply to the review and investigation of any acquisition, merger, or takeover which is or becomes subject to section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) (as in effect immediately before the date of the enactment of this Act or on or after such date) that has not become final before the date of the enactment of this Act.

(b) Amendment offered by Representative Kaptur:

AN AMENDMENT OFFERED MS. KAPTUR TO THE FY 2006 EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL

On page 80, after line 19, insert the following:

TITLE IV—ESTABLISHMENT OF A ''TRUMAN'' INVESTIGATIVE COMMITTEE TO PROTECT AGAINST WASTE, FRAUD, AND ABUSE RELATED TO CONTRACTS FOR THE GLOBAL WAR ON TERRORISM AND HURRICANES KATRINA AND RITA REBUILDING EFFORTS

SEC. 1. There is hereby created a select committee on the model of the Truman Committee to investigate the awarding and carrying out of contracts to conduct military

operations and relief and reconstruction activities related to the global war on terrorism (including all activities in Afghanistan and Iraq), and Hurricane Katrina recovery, relief, and reconstruction efforts (hereinafter referred to as the ''select committee'').

SEC. 2. (a) The select committee is to be composed of 19 Members of the House, one of whom shall be designated as chairman from the majority party and one of whom shall be designated ranking member from the minority party. The Chairmen and Ranking Members of the following committees will serve on the select committee:

(1) Committee on Armed Services;
(2) Committee on Government Reform;
(3) Committee on Homeland Security; and
(4) Committee on International Relations.

The Chairmen and Ranking Members of the following subcommittees of the Committee on Appropriations will serve on the select committee:

(1) Subcommittee on Defense;
(2) Subcommittee on Foreign Operations, Export Financing, and Related Programs; and
(3) Subcommittee on Homeland Security.

In addition, the Speaker shall appoint 5 members of the select committee, of which 2 members shall be appointed upon the recommendation of the minority leader. Any vacancy occurring in the membership of the select committee shall be filled in the same manner in which the original appointment was made.

(b) The select committee shall conduct an ongoing study and investigation of the awarding and carrying out of contracts by the Government for military operations and relief and reconstruction activities related to the global war on terrorism (including all activities in Afghanistan and Iraq), and Hurricane Katrina recovery, relief, and reconstruction efforts and make such recommendations to the House as the select committee deems appropriate regarding the following matters—

(1) bidding, contracting, and auditing standards in the issuance of Government contracts;
(2) oversight procedures;
(3) forms of payment and safeguards against money laundering;
(4) accountability of contractors and Government officials involved in procurement;
(5) penalties for violations of law and abuses in the awarding and carrying out of Government contracts;
(6) subcontracting under large, comprehensive contracts;
(7) inclusion and utilization of small businesses, through subcontracts or otherwise; and
(8) such other matters as the select committee deems appropriate.

SEC. 3. (a) QUORUM.—One-third of the members of the select committee shall constitute a quorum for the transaction of business except for the reporting of the results of its study and investigation (with its recommendations) or the authorization of subpoenas, which shall require a majority of the committee to be actually present, except that the select committee may designated a lesser number, but not less than two, as a quorum for the purpose of holding hearings to take testimony and receive evidence.

(b) POWERS.—For the purpose of carrying out this resolution, the select committee may sit and act during the present Congress at any time and place within the United States or elsewhere, whether the House is in session, has recessed, or has adjourned and hold such hearings as it considers necessary and to require, by subpoena or otherwise, the attendance and testimony of such witnesses, the furnishing of information by interrogatory, and the production of such books, records, correspondence, memoranda, papers, documents, and other things and information of any kind as it deems necessary, including relevant classified materials.

(c) ISSUANCE OF SUBPOENAS.—A subpoena may be authorized and issued by the select committee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present. Authorized subpoenas shall be signed by the chairman or by any member designated by the select committee, and may be served by any person designated by the chairman or such member. Subpoenas shall be issued under the seal of the House and attested by the Clerk. The select committee may request investigations, reports, and other assistance from any agency of the executive, legislative, and judicial branches of the Government.

(d) MEETINGS.—The chairman, or in his absence a member designated by the chairman, shall preside at all meetings and hearings of the select committee. All meetings and hearings of the select committee shall be conducted in open session, unless a majority of members of the select committee voting, there being in attendance the requisite number required for the purpose of hearings to take testimony, vote to close a meeting or hearing.

(e) APPLICABILITIES OF RULES OF THE HOUSE.—The Rules of the House of Representatives applicable to standing committees shall govern the select committee where not inconsistent with this resolution.

(f) WRITTEN COMMITTEE RULES.—The select committee shall adopt additional written rules, which shall be public, to govern its procedures, which shall not be inconsistent wit this resolution or the Rules of the House of Representatives.

SEC. 4. (a) APPOINTMENT OF STAFF.—The select committee staff shall be appointed, and may be removed, by the chairman and shall work under the general supervision and direction of the chairman.

(b) POWERS OF RANKING MINORITY MEMBER.—All staff provided to the minority party members of the select committee shall be appointed, and may be removed, by the ranking minority member of the committee, and shall work under the general supervision and direction of such member.

(c) COMPENSATION.—The chairman shall fix the compensation of all staff of the select committee after consultation with the ranking minority member regarding any minority party staff, within the budget approved for such purposes for the select committee.

(d) REIMBURSEMENT OF EXPENSES.—The select committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of their functions for the select committee.

(e) PAYMENT OF EXPENSES.—There shall be paid out of the applicable accounts of the House such sums as may be necessary for the expenses of the select committee. Such payments shall be made on vouchers signed by the chairman of that select committee and approved in the manner directed by the Committee on House Administration. Amounts made available under this subsection shall be expended in accordance with regulations prescribed by the Committee on House Administration.

SEC. 5. The select committee shall from time to time report to the House the results of its study and investigation, with its recommendations. Any report made by the select committee when the House is not in session shall be filed with the Clerk of the House. Any report made by the select committee shall be referred to the committee or committees that have jurisdiction over the subject matter of the report.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today my look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer a amendment to the rule, or yield for the purpose of amendment.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

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.

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes, if ordered, on adopting the resolution and on suspending the rules and adopting House Concurrent Resolution 190.

The vote was taken by electronic device, and there were—yeas 224, nays 192, not voting 16, as follows:

[Roll No. 40]

YEAS—224

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
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
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
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
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
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—192

Abercrombie
Ackerman
Allen
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (FL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (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—16

Andrews
Baird
Davis (CA)
Davis (IL)
Duncan
Evans
Ford
Harris
Istook
McCollum (MN)
Norwood
Peterson (MN)
Ruppersberger
Scott (GA)
Sweeney
Weldon (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILLMOR) (during the vote). Two minutes remain in this vote.

□ 1152

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

Mr. JONES of North Carolina changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. FLAKE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 200, not voting 14, as follows:

[Roll No. 41]

AYES—218

Aderholt
Alexander
Allen
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Case
Castle
Chandler
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Drake
Dreier
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Hall
Hart
Hastings (WA)
Hayes
Herger
Herseth
Higgins
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Kaptur
Keller
Kelly
Kennedy (MN)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Myrick
Ney
Northup
Nunes
Nussle
Oberstar
Osborne
Oxley
Paul
Pearce
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Salazar
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Sullivan
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—200

Abercrombie
Ackerman
Akin
Baca
Baldwin
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
Chabot
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (FL)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Forbes
Foxx
Franks (AZ)
Garrett (NJ)
Gohmert
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Harman
Hastings (FL)
Hayworth
Hefley
Hensarling
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
Kucinich
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Maloney
Markey
Matsui
McCarthy
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Obey
Olver
Ortiz
Otter
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Poe
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shadegg
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Tancredo
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
Westmoreland
Wexler
Woolsey
Wu
Wynn

NOT VOTING—14

Andrews
Baird
Davis (CA)
Davis (IL)
Duncan
Evans
Ford
Harris
Istook
McCollum (MN)
Norwood
Peterson (MN)
Ruppersberger
Sweeney

□ 1203

Messrs. PASCRELL, BOREN, JEFFERSON, SCOTT OF VIRGINIA AND MS. CORRINE BROWN of Florida changed their vote from ''aye'' to ''no.''

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF CONGRESS THAT THE RUSSIAN FEDERATION SHOULD FULLY PROTECT THE FREEDOMS OF ALL RELIGIOUS COMMUNITIES WITHOUT DISTINCTION

The SPEAKER pro tempore (Mr. KIRK). The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 190.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 190, 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 411, nays 1, answered ''present'' 1, not voting 19, as follows:

[Roll No. 42]

YEAS—411

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Baca
Bachus
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
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
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
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
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
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)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

ANSWERED ''PRESENT''—1

Kucinich

NOT VOTING—19

Andrews
Baird
Calvert
Davis (CA)
Davis (IL)
Duncan
Evans
Ford
Harris
Istook
McCollum (MN)
Murtha
Norwood
Peterson (MN)
Rangel
Ruppersberger
Sweeney
Waters
Whitfield

□ 1211

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 42, H. Con. Res. 190, I was en route from my Congressional District on official business. Had I been present, I would have vote "yea."

GENERAL LEAVE

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the consideration of H.R. 4939, and that I may include tabular material on the same.

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

There was no objection.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 725 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4939.

□ 1212

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 consideration of the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, with Mr. GILLMOR in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from California (Mr. LEWIS) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, today we turn our attention to the fiscal year 2006 emergency supplemental, addressing the global war on terror and the gulf coast disaster assistance.

The committee-recommended funding levels is $91.833 billion, which is $400 million below the President's request.

The bill provides for $67.6 billion in support of Operation Iraqi Freedom and Operation Enduring Freedom. The supplemental fully funds the administration's request of $4.85 billion to train and equip security forces in Afghanistan and Iraq.

The bill earmarks, I repeat, Mr. Chairman, the bill earmarks $850 billion over the President's request to upgrade Abrams tanks and Bradley fighting vehicles. The committee is also earmaking, I repeat, Mr. Chairman, earmarking an additional $480 million over the request for newer, self-up-armored Humvees, for a total of $890 million of earmarks.

The committee has fully funded the President's request to procure and develop countermeasures to prevent IED attacks on our troops. The bill also includes the enhanced $400,000 life insurance benefit for servicemembers and $100,000 death gratuity for combat-related fatalities.

The committee did not fund $1 billion of the request for various construction projects related to security training activities in the region because they were poorly defined and not well justified.

The committee did provide a five-fold increase for the Department of Defense Inspector General to monitor war expenditures.

Under title II, the supplemental provides $19.1 billion for hurricane-related disaster assistance, including $9.55 billion for FEMA's disaster relief fund. The bill also provides $4.2 billion for HUD community development block grants to address long-term recovery and restoration of devastated areas.

□ 1215

The bill also provides the requested amount of $1.46 billion for various flood control projects and levee repairs by the U.S. Corps of Engineers.

This legislation also requires FEMA to provide better reporting on the expenditure of disaster funds and provides funding for the Inspector General of the Department of Homeland Security and the Department of Justice to investigate and prosecute fraud cases.

Like most Members of the House, I have heard from many of my constituents expressing strong concerns about the possibility of foreign-owned companies managing U.S. ports. As a result of those concerns, the House Appropriations Committee overwhelmingly, and in a bipartisan fashion, adopted an amendment that prohibits the company, Dubai Ports World, owned by one of the governing bodies of the United Arab Emirates, from taking over the operation of any port facility in the United States.

It was not my intention, Mr. Chairman, to have the committee rewrite the Defense Production Act or change the Committee on Foreign Investment in the United States, the CFIUS process. Those are very complex policy decisions which rest primarily with the Financial Services Committee. Additionally, the Homeland Security Committee, the Armed Services Committee, the Committee on Energy and Commerce, and the Committee on International Relations have a great deal of interest in this matter.

The straightforward amendment adopted in our committee was crafted to block only the Dubai Ports World deal. This is a national security issue. This is a national security bill. Our goal is to ensure that security of our ports is in America's hands.

During our debate, Mr. Chairman, on the supplemental, I fully expect an amendment to strike this language from the bill. This striking amendment, which will likely fail on a broad bipartisan basis, gives our Members the opportunity to voice their strong opposition to the port deal. It will also send a strong and unmistakable message that the Congress and the American people stand united on the critical national security issue that involves the ports.

Mr. Chairman, I urge an aye vote on the passage of this legislation.

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

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the distinguished gentlewoman from New York (Mrs. LOWEY), the ranking member of the Foreign Operations Subcommittee.

Mrs. LOWEY. Mr. Chairman, I rise in support of this bill, and I am pleased to have worked with Chairman KOLBE to develop the foreign assistance portion of this measure. The bill cuts the amount requested for international assistance by about $140 million from the administration's request, and rescinds an additional $17 million in previously appropriated funds that are no longer needed.

However, I do have concerns about what we have included and what we have not included. I am particularly concerned about the lack of funding in this bill for Afghanistan. During the chairman's recent visit to Afghanistan, the ambassador and USAID staff outlined a need for $600 million in FY 2006 supplemental funding to help address the power and infrastructure needs in Afghanistan.

Our ambassador, the Afghan government, and provincial leaders all agreed that progress on reconstruction and development was critical to help consolidate the rule of law, curtail the influence of the Taliban and al Qaeda operatives and combat opium poppy cultivation.

Yet, the President's request does not contain the $600 million that Ambassador Neumann requested. It does not even contain the $407 million that Secretary Rice requested in her submission to OMB. The President requested just $62 million for assistance to Afghanistan in the supplemental, one-tenth of what is needed. The committee further cut this amount providing only $8 million for Afghanistan.

Now, I do understand that Chairman KOLBE and Chairman LEWIS are frustrated with the lack of response from the State Department on the counter-narcotics program in Afghanistan, and I share that frustration. However, in this instance, I fear that we are cutting off our nose to spite the State Department's face. I do not think this is a responsible strategy. And before this bill is enacted, I hope we can find the means to restore or even increase the

administration's request for Afghanistan.

While I applaud the funding in this bill for Sudan and other humanitarian needs in Africa, I was disappointed that the administration did not seek robust funding for the fledgling democracy in Liberia and the critical transition in Haiti. I am pleased that the committee accepted an amendment by Representative JACKSON to add $50 million in assistance to Liberia. It is important that the United States send a strong message of support to Liberia, particularly as we prepare to receive President Ellen Johnson Sirleaf, the first woman to be elected head of state in Africa.

This money will provide critical short-term support to meet refugee and humanitarian needs, as well as to help stabilize Liberia in the initial months of her administration. First Lady Laura Bush and Secretary Rice pledged that the U.S. would stand by Liberia during this period of transition, and I think our bill with the addition of $50 million in economic support funds does just that.

Finally, let me speak to the bulk of funding in the foreign operations bill which is for Iraq. I am not convinced that providing more money for Iraq will cure the problems for that country. But I will support the additional funding because I think we owe our men and women in uniform in Iraq every tool to achieve success.

I am dismayed that the committee defeated on a party-line vote, however, my amendment to ensure proper oversight of these additional resources. My amendment would have simply placed the additional funds in the foreign operations title of the bill under the oversight of the Special Inspector General for Iraq, as is the case for prior funds appropriated for assistance to Iraq.

By voting against this commonsense amendment, the Republicans in our committee sent the message to American taxpayers that while Congress expects them to bear the burden of reconstructing Iraq, the Republicans in Congress are not interested in ensuring that the money is accounted for and effectively spent. I hope the issue is corrected when the bill is taken up by the Senate. I urge my colleagues to support this bill.

Mr. LEWIS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. YOUNG), my mentor, the former chairman of the Appropriations Committee, who now chairs the Subcommittee on National Security.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman from California for yielding me the time. I want to compliment him for having produced this very important supplemental appropriations bill in record time, and a very good bill.

I want to expand a little on what the chairman has said about this bill. For example, we have increased the President's budget by $850 million to ensure that Army tracked combat vehicles such as Abrams tanks and Bradley fighting vehicles will be upgraded, especially for the units that will be rotating into Iraq in the coming months. An increase of $360 million in equipment for the Marine Corps is provided based on an assessment of their most pressing shortfalls. And $273.7 million additional is provided for Air Force procurement, including additional predators, electronic countermeasures to protect our aircraft, and funding to ensure the continuation of the C–17 production line.

Very importantly, Mr. Chairman, the committee recommendation supports and enhances the President's request for the National Guard and Reserve forces. We have included in the war supplemental portion of this bill a total of $3.57 billion for the Guard and Reserve, an increase of $320 million over the amounts requested by the President.

We have been able to add to the request the following items: $230 million for the Abrams Tank Integrated Management or AIM program, to support fielding of National Guard combat brigades; $50 million for 42 Bradley fighting vehicles to complete two Army National Guard combat brigades; and $40 million to cover shortfalls in the Army Reserve personnel accounts.

All and all, Mr. Chairman, this is a good bill. It does speak to the needs of those who are fighting the war. I highly recommend its passage.

Mr. OBEY. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, as I said earlier, this bill is here because of a massive failure of American leadership, which goes right to the very top in the White House.

We are going to be spending $90 billion in this bill, most of which goes for Iraq, a war which was engaged in by our country, initiated by our country on the basis of bad information and manipulated intelligence. After we were in the war, we were told by the administration that Iraqi reconstruction would cost between $1 and $2 billion and could be financed by Iraqi oil revenues.

After the administration submitted its reconstruction request for over $18 billion, Secretary Rumsfeld told us, ''We just had no idea of how bad the Iraqi economy was.''

That certainly is an understatement.

The administration then claimed that we would be greeted as liberators and that 6 months after the invasion, we could begin withdrawing troops. Since then, the insurgency has exploded. We have lost over 2,300 U.S. troops who have been killed. Thousands have been injured. Many more Iraqis have been killed and a continuing U.S. troop deployment in Iraq of around 130,000, down only slightly from the 150,000 in the year before.

We have had a failure to plan for adequately equipping our troops with armor. And as a result, our troops have been rummaging for scrap metal from garbage dumps and they have had to deal with a myriad of other equipment shortages.

Then we have seen the disgraceful stories about Abu Ghraib. We have seen stories about torture all being done in the name of the United States, in the name of every citizen of this country. We have reports that more than 100 people have died in custody, and then we have reports that the administration is spying on Americans and eavesdropping on Americans. I want to make it clear, I want our government to eavesdrop on every person that it needs to eavesdrop on in order to protect this country, but I want it done in a way which is constitutional, and in a way which is in conformance with the law, not outside the law, and right now that is not the case.

So this bill comes before us with the United States divided and with the American people confused about what our mission is, what our purpose is, and what our plans are. And now we are asked to provide this additional money.

I will vote for this bill because, while I have grave misgivings about the war, and while I believe that Mr. Rumsfeld should have resigned a long time ago, I intend to support whatever money is necessary in order to support our troops. But having said that, let me just make another observation. We are going to be spending $91 billion. $19 billion is for Katrina. Over almost $70 billion is for Iraq. And I am told that those funds will be expended at a rate of about $6.8 billion a month. And yet we are going to be squabbling over the next 2 days over a fraction of that amount that some of us believe should be used to provide heating for our elderly, education for our kids, and medical care for our veterans.

Three years after this war began, does anybody here really believe the President of the United States when he tells us that this is all about bringing democracy and freedom to Iraq? $400 billion and then some later, does anybody believe that Congress did the right thing when this Congress handed a blank check to the administration? After more than 17,000 Americans wounded in Iraq, does anyone think Congress was right to sit on its hands when it was clear that this White House and the civilian leadership at the Pentagon did not have the first clue about what they were doing?

□ 1230

Mr. Chairman, in addition to the divisions which we face on Iraq, we face some other problems with this bill.

This bill, for instance, contains Mr. LEWIS' amendment shutting off and shutting down the ports transaction involving Dubai. At the same time, however, the committee blocked the Sabo amendment which would have created a process which would have guaranteed that our government would know each and every time such a transaction was being contemplated. Without the Sabo

amendment, we are still in a position where notice to the American government of any such transaction is optional. We do not believe on this side of the aisle it ought to be optional.

Secondly, the committee blocked efforts, again by Mr. SABO, to add $3.4 billion for crucially needed funding to strengthen port security and border security.

The committee cut back my amendment to provide $1 billion to help low-income Americans pay for higher energy prices which are in large measure arising today because of our misadventures in Iraq. The committee cut back that effort to $750 million with no guarantee that a single dollar of that will be provided to people who need it this year.

Then the committee declined to support a provision by Mr. BERRY which would have repaired the prescription drug plan that has now gone into effect and which would have at least given seniors more time to sort out their confusion before they have to commit themselves to signing up for one plan or another.

The committee also refused to adopt, well, to save time, I will skip the other three points that I think were important to discuss, but let me simply say this, Mr. Chairman. There will be a lot of debate on this bill over the next 2 days, and a lot of it will be focused on Iraq. But I think it is important for each and every American to understand and it is important for each and every man and woman representing this country in uniform to understand that our divisions about the advisability of the war and about what ought to happen next in that war have nothing whatsoever to do with our feelings for those who wear the uniform of the United States and are presently engaged in this contest. They have done every possible thing that could be asked of them. We owe them our gratitude for their sense of sacrifice, their willingness to answer the call of their country, and I do not think that turmoil over the advisability of the war ought to be mistaken for disagreement that we owe a debt of obligation to each and every person who is fighting in that war.

I wish we had a similar sense of self-sacrifice on the part of persons who are not participating in that war. It sometimes seems that the only people who are being asked to sacrifice are military families. We are telling the rest of the country, while some folks are off to war, ''Do not worry, folks, we are going to give you a nice fat tax cut, and people who make $1 million a year are going to get $110,000 tax cut.'' No sense of self-sacrifice there.

So, Mr. Speaker, I intend to vote for this bill in the end, but we could have adopted a number of amendments which would have made this a much more balanced product, and I would hope that as we go through the debate that we will find a way to at least address some of the issues which we failed to address when the committee dealt with the bill last week.

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

Mr. LEWIS of California. Mr. Chairman, I am happy to yield 4 minutes to the gentleman from Kentucky (Mr. ROGERS), the chairman of the Homeland Security Subcommittee.

Mr. ROGERS of Kentucky. Mr. Chairman, I thank the gentleman from California for yielding the time and, more importantly, for ushering out this important bill in short time and in good order, and I urge my colleagues to support this supplemental appropriations for the global war on terror and hurricane recovery.

Mr. Chairman, without a doubt, Hurricane Katrina was the worst natural disaster the Nation has ever seen, covering more than 93,000 square miles, claiming over 1,300 lives. Nearly 7 months after landfall, Hurricane Katrina continues to consume us as a Nation, both with recovery and rebuilding, as well as questioning what went wrong and why.

The bill before us today fully funds the ongoing work of FEMA. Since Katrina made landfall, and including the $9.5 billion in this bill, the Congress has provided more than $44.5 billion in supplemental funds for Gulf coast recovery just through the Disaster Relief Fund. That is a staggering sum of money, Mr. Chairman, and one that reflects our commitment to help our Nation recover from the devastation of the 2005 hurricane season.

Mr. Chairman, we are a little more than 2 months away from the 2006 hurricane season. I do not think that is a particularly welcome observation for those still recovering from the 2005 season.

I am pleased that this bill includes several important programs that will help us prepare. One of the lessons learned, Mr. Chairman, in Katrina was the importance of early warning and communications. The bill before us today includes $70 million to allow FEMA to improve public alert, warning and communications systems.

The Bipartisan Committee on Hurricane Katrina and the White House's ''Lessons Learned'' identified critical failures in FEMA's ability to manage its workload. To address some of those concerns, this bill includes $5 million to hire additional personnel for logistics management, inventory management, and contract management. With these additional staff on board before the 2006 hurricane season begins, FEMA will be better prepared to position critical assets, as well as plan for short-term recovery operations such as debris removal and housing.

Katrina also showed us that much work remains on both the national response plan and the national incident management system. This bill includes $5 million to immediately begin a review of those two important documents.

Mr. Chairman, I am also pleased this bill includes funds for ongoing work of the Coast Guard as it relates to the war on terror and addresses an unexpected shortfall within the Secret Service based on increased protective operations driven by the latest terrorist tactics and the current threat environment.

As reported by the full committee, this bill is free of extraneous matters, and I believe it is important that we maintain that clean bill of health. I suspect there will be attempts to add additional funds to areas deemed critical such as port security, border and immigration security, nuclear non-proliferation, first responders and aviation security. I would remind my colleagues that the 2007 appropriations cycle is already upon us. I believe debate on these very important issues should be reserved and considered within the context of the regular appropriations cycle in which we are engaged even now.

I also understand there may be attempts to take funds from the Disaster Relief Fund and use them for other purposes. I would urge my colleagues to oppose those attempts.

I urge, Mr. Chairman, all of us to support this bill.

Mr. OBEY. Mr. Chairman, I yield 7 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank my good friend the distinguished minority leader of the House Appropriations Committee.

Mr. Chairman, a lot of us on this side and virtually everyone on the other side are going to vote for this bill, but we should do so with considerable reservations.

First of all, two-thirds of it goes to fund the Iraq War; even though, after 4 years, there is still no end in sight. You wonder if this is not more good money going after bad or at least after a mission that has yet to be defined.

We will now have spent $490 billion from fiscal year 2001 through fiscal year 2007. Mr. Chairman, the cost of the entire Vietnam War, adjusted for inflation, was exactly the same cost that we have now appropriated.

Mr. Chairman, the most credible poll that was just taken showed that three-quarters of the American troops believe that we should withdraw within the year, and over half said it should be within 6 months.

Even more telling, a poll that was conducted on January 28 of this year among Iraqi citizens showed that 82 percent of Sunnis and 69 percent of Shi'a want U.S. troops withdrawn immediately. These are the people that we are trying to save for democracy, and in fact, the majority of both Shi'a and Sunnis believe that the U.S. will hurt, that is their word ''hurt,'' Iraq over the next 5 years unless it withdraws immediately. Mr. Chairman, we need an exit strategy that is going to work and that has the support of the people we're trying to help.

Now the other reservation we have is over the way in which this money is being spent. We are told that about $8.8

billion has been used inappropriately of Iraqi reconstruction funds that we appropriated. It is unaccounted for, according to the Inspector General in Iraq. There are 50 investigations going on. A Halliburton subsidiary just acknowledged, admitted, that they overcharged the government by $63 million for a contract.

We need a Truman Committee-type investigation. It saved the American taxpayer tens of billions of dollars in the 1940's. It was rejected in the full committee, but it should be made part of this bill.

Now another major part of this bill deals with Hurricane Katrina. I was just down there in Louisiana, Mr. Chairman, on my own tab, for what it is worth what I learned about the contracting process down there is just stunning. It makes you wonder whether we should be providing any money unless we can get a handle over the way the money is spent.

Let me give you a thinly-veiled hypothetical example. One contract, for example, we give it to a prime contractor to fix roofs for $25,000 a roof. Eighty percent of it goes to a subcontractor, then 60 percent to another subcontractor, to another subcontractor, and, finally, it gets down to a company that actually puts the roof on for $1,200 a roof. You do the math, Mr. Chairman. Virtually all of the money goes to these contractors who never banged a hammer on a nail, and you know how we found out about it? Because the actual undocumented aliens who did the work contacted a FEMA person on the field, wondering how they were going to get paid. You go figure, Mr. Chairman.

Another contract went for debris removal, prime contractor, subcontractor, down again through reiterations, finally goes to the company that is already doing the very work for the City of New Orleans for a fraction of the cost but they never saw 90 percent of the money. These are things a Truman Committee could look into and fix.

Beyond the need for more oversight on the contracting process of the Federal Government, Mr. Chairman, we have some other issues that should have been part of this bill. The members of the full committee in the last omnibus appropriations conference had put the bill to bed, finished it up, when the majority leader of the Senate came over and added 45 pages providing liability exemption for drug companies.

□ 1245

We wanted to rectify that by striking the language we never approved. That was not done.

The third issue that we debated in full committee, and unfortunately it lost, was to give Medicare recipients an extra 7 months within which to make a decision as to whether to participate in Medicare part D. If Medicare senior citizens don't sign up by May 15, they have to then wait for another 7 months and they will pay an extra 1 percent a month. That means there will be a tax, if you will, a penalty of 7 percent for the rest of their lives applied to their insurance premiums.

It is too confusing a program. They need more time to decide. We ought to give them another 7-month extension so that they can make that decision by the end of this calendar year. If we don't ten million seniors will pay this penalty for the rest of their lives.

Mr. Chairman, there are so many other issues in this bill that we could discuss. Some of them will be discussed. But the bottom line is that it is an awful lot of money. It is the largest supplemental we have ever passed in this body. The largest appropriation as a supplemental ever considered. We have to provide it, but we ought to show more scrutiny towards the way the money is being spent.

And finally, Mr. Chairman, there is a provision here with regard to Dubai Ports World attempted purchase of American ports. I know I am in the distinct minority. It was a 62–2 vote, and I was one of the two that opposed this language. We have to identify our friends, and Dubai is our friend. The fact is that the Homeland Security Secretary said if this deal goes through it will strengthen port security, yet we ignore that information as well as the reality of the fact that Dubai is doing everything to be a bridge to the moderate Arab world. We blew up that bridge in committee, as far as I am concerned, Mr. Chairman, and I would hope we will try to rectify some of that damage.

Mr. LEWIS of California. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. GILLMOR, 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. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to make an announcement.

After consultation with the Speaker, the majority and minority leaders, the Chair announces that during the joint meeting to hear an address by her Excellency Ellen Johnson Sirleaf, President of the Republic of Liberia, only the doors immediately opposite the Speaker and those on his right and left will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House.

Due to the large attendance which is anticipated, the Chair feels the rule regarding the privilege of the floor must be strictly adhered to.

Children of Members will not be permitted on the floor, and the cooperation of all Members is requested. The practice of reserving seats prior to the joint meeting by placard will not be allowed. Members may reserve their seats by physical presence only following the security sweep of the Chamber.

RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday, March 9, 2006, the House stands in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 49 minutes p.m.), the House stood in recess subject to the call of the Chair.

During the recess, beginning at about 1:50 p.m. the following proceedings were had:

□ 1350

JOINT MEETING OF THE HOUSE AND SENATE TO HEAR AN ADDRESS BY HER EXCELLENCY ELLEN JOHNSON SIRLEAF, PRESIDENT OF THE REPUBLIC OF LIBERIA

The Speaker of the House presided.

The Assistant to the Sergeant at Arms, Bill Sims, announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort Her Excellency Ellen Johnson Sirleaf, the President of the Republic of Liberia, into the Chamber:

The gentleman from Ohio (Mr. BOEHNER);

The gentleman from Florida (Mr. PUTNAM);

The gentleman from Arkansas (Mr. BOOZMAN);

The gentleman from Nebraska (Mr. FORTENBERRY);

The gentleman from Iowa (Mr. LEACH);

The gentlewoman from Florida (Ms. ROS-LEHTINEN);

The gentleman from California (Mr. ROYCE);

The gentleman from New Jersey (Mr. SMITH);

The gentleman from South Carolina (Mr. WILSON);

The gentleman from Arizona (Mr. FLAKE);

The gentlewoman from California (Ms. PELOSI);

The gentleman from South Carolina (Mr. CLYBURN);

The gentleman from Georgia (Mr. LEWIS);

The gentleman from New Jersey (Mr. PAYNE);

The gentlewoman from California (Ms. WATERS);

The gentleman from North Carolina (Mr. WATT);

The gentleman from Rhode Island (Mr. KENNEDY);

The gentlewoman from Michigan (Ms. KILPATRICK);

The gentlewoman from California (Ms. LEE); and

The gentlewoman from California (Ms. WATSON).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort Her Excellency Ellen Johnson Sirleaf, the President of the Republic of Liberia, into the House Chamber:

The Senator from Tennessee (Mr. FRIST);

The Senator from Alaska (Mr. STEVENS);

The Senator from Indiana (Mr. LUGAR);

The Senator from Illinois (Mr. DURBIN);

The Senator from Wisconsin (Mr. FEINGOLD); and

The Senator from Rhode Island (Mr. REED).

The Assistant to the Sergeant at Arms announced the Dean of the Diplomatic Corps, His Excellency Roble Olhaye, Ambassador from the Republic of Djibouti.

The Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for him.

The Assistant to the Sergeant at Arms announced the Cabinet of the President of the United States.

The Members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 2 o'clock and 6 minutes p.m., the Assistant to the Sergeant at Arms announced the President of Liberia, Her Excellency Ellen Johnson Sirleaf.

The President of Liberia, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. Members of the Congress, it is my great privilege and I deem it a high honor and a personal pleasure to present to you Her Excellency Ellen Johnson Sirleaf, President of the Republic of Liberia.

[Applause, the Members rising.]

ADDRESS BY HER EXCELLENCY ELLEN JOHNSON SIRLEAF, PRESIDENT OF THE REPUBLIC OF LIBERIA

President JOHNSON SIRLEAF. Mr. Speaker, Mr. Vice President, Members of the United States Congress, and distinguished guests, I am deeply touched by the honor bestowed on my small but proud West African Republic of Liberia and on myself by inviting me to address this body of representatives of the people of the great United States of America. By this invitation, you have paid one of the greatest tributes there is to all those who laid down their lives for my country to be free and democratic. I can only say a big thank you.

The people of Liberia and the people of the United States are bound together by history and by values. We share a deep and abiding belief in the power of freedom, of faith, and of finding virtue in work for the common good.

The national motto of Liberia, founded, as you know, by freed American slaves, is: ''The love of liberty brought us here.'' We became the first independent republic in Africa. Our capital, Monrovia, is named for your President, James Monroe. Our flag is a star in a blue field and red and white stripes. Its one star makes us the ''lone star state'' in Africa. Our constitution and our laws were based upon yours. The U.S. dollar was long our legal tender and still is used alongside the Liberian dollar today.

But our ties greatly exceed the historical connection. I stand before you today as the first woman elected to lead an African nation, thanks to the grace of almighty God; thanks to the courage of the Liberian people, who chose their future over fear; thanks to the people of West Africa and of Africa generally, who continued to give hope to my people. Thanks also to President Bush whose strong resolve and public condemnation and appropriate action forced a tyrant into exile; and thanks to you, the Members of this august body, who spurred the international effort that brought blessed peace to our nation.

It was the leadership of the 108th Congress, more than 2 years ago, that paved the way for a United Nations force that secured our peace and guaranteed free and fair elections. It was your $445 million addition to a supplemental appropriations bill that attracted additional commitments from international donors. With those funds, we have laid the foundation for a durable peace, not only in Liberia, but in the whole West African subregion. Special appreciation goes to the 109th Congress, those of you in this room, for the effort in recent weeks to meet Liberia's developing needs.

Honorable ladies and gentlemen of this Congress, I want to thank you. The Liberian people have sent me here to thank you for your vision. Our triumph over evil is also your triumph.

Our special relationship with the United States brought us benefits long before the autumn of 2003. Thousands of our people, including myself, have been educated in American missionary schools and gone on to higher training in this country. You have generously welcomed tens of thousands of our people as they fled war and persecution.

I was among them. In 1985, after challenging the military regime's failure to register my political party, I was put in jail with several university students who also challenged military rule. This House came to our rescue with a resolution threatening to cut off aid to the country unless all political prisoners were freed. Months later, I was put in jail again, this time in a cell with 15 men. All of them were executed a few hours later. Only the intervention of a single soldier spared me from rape. Through the grace of almighty God and the mercy of others, I escaped and found refuge here, in Washington, D.C.

But long before that, our country and I benefited from Liberia's special relationship with the United States. My family exemplifies the economic and social divide that has torn our nation. Unlike many privileged Liberians, I can claim no American lineage. Three of my grandparents were indigenous Liberians; the fourth was a German who married a rural market woman. That grandfather was forced to leave the country when Liberia, in loyalty to the United States, declared war on Germany in 1914.

Both of my grandmothers were farmers and village traders. They could not read or write any language, as more than three-quarters of our people still cannot today; but they worked hard, they loved their country, they loved their families, and they believed in education. They inspired me then, and their memory motivates me now to serve my people, to sacrifice for the world and honestly serve humanity. I could not, I will not, I cannot betray their trust.

My parents were sent at a young age to Monrovia, where it was common for elite families to take in children from the countryside to perform domestic chores. They endured humiliations and indignities, but my mother was fortunate to be adopted by a kind woman, and both my parents were able through this system to go to school, a rarity at that time for poor people. My father even became the first native Liberian in the Liberian national legislature.

I was not born with the expectation of a university education from Harvard or being a World Bank officer or an Assistant Secretary-General of the United Nations. When I was a small girl in the countryside, swimming and fishing with twine made from palm trees, no one would have picked me out as the future president of our country.

I graduated from the College of West Africa, a United Methodist high school. I waited tables to support my studies in the United States, college in Wisconsin and graduate school in Massachusetts. I went on to enjoy the benefits and advantages of a world-class education.

So my feet are in two worlds, the world of poor rural women with no respite from hardship, and the world of accomplished Liberian professionals, for whom the United States is a second and beloved home. I draw strength from both.

But most of our people have not been as fortunate as I was. Always poor and underdeveloped, Liberia is only now

emerging from two decades of turmoil that destroyed everything we managed to build in a century and a half of independence. The costs of our conflict run wide and deep, manifested in varied ways: mismanagement, corruption, bad governance, massive looting of public treasury and assets. Unlike the tsunami in Asia and Katrina here in your own country, where the destruction and human casualty were caused by nature, we participated in or stood silently by in our own self-destruction. Our country agonized with your citizens and the victims and families of these natural tragedies and our country also agonized with itself over the effects of a senseless civil war.

In the campaign months, I traveled to every corner of our country. I trudged through mud in high boots, where roads did not exist or had deteriorated past repair. I surveyed ruined hospitals and collapsed clinics. I held meetings by candlelight, because there is no electricity anywhere, including the capital, except from private generators. I was forced to drink water from creeks and unsanitized wells, all of which made me vulnerable to the diseases from which so many of my people die daily.

I came face to face with the human devastation of war, which killed a quarter of a million of our 3 million people and displaced most of the rest. Hundreds of thousands escaped across borders. More, who could not, fled into the bush, constantly running from one militia or another, often surviving by eating rodents and wild plants that made them sick and even killed them.

Our precious children died of malaria, parasites and malnourishments. Our boys, full of potential, were forced to be child soldiers, to kill or be killed. Our girls, capable of being anything they could imagine, were made into sex slaves, gang-raped by men with guns, made mothers while they still were children themselves.

But listening to the hopes and dreams of our people, I recall the words of a Mozambican poet who said, ''Our dream has the size of freedom.'' My people, like your people, believe deeply in freedom; and in their dreams, they reach for the heavens.

I represent those dreams. I represent their hope and their aspirations. I ran for President because I am determined to see good governance in Liberia in my lifetime. But I also ran because I am the mother of four, and I wanted to see our children smile and play again.

Already, I am seeing those smiles. For even after everything they have endured, the people of Liberia have faith in new beginnings. They are counting on me and my administration to create the conditions that will guarantee the realization of their dreams. We must not betray their trust. All the children I meet, when I ask what they want most, say, ''I want to learn.'' ''I want to go to school.'' ''I want an education.'' We must not betray their trust.

Young adults, who have been called our lost generation, do not consider themselves lost. They, too, aspire to learn and to serve their families and their communities. We must not betray their trust.

Women, my strong constituency, tell me that they want the same chances that men have. They want to be literate. They want their work recognized. They want protection against rape. They want clean water that won't sicken and kill their children. We must not betray their trust.

Former soldiers tell me they are tired of war. They do not want to have to fight or run again. They want training. They want jobs. If they carry guns, they want to do so in defense of peace and security, not war and pillage. We must not betray their trust.

Entrepreneurs who have returned from abroad with all their resources, risking everything to invest in their country's future, tell me they want a fair and transparent regulatory environment. They want honesty and accountability from their government. We must not betray their trust.

Farming families who fled the fighting for shelter in neighboring countries or found themselves displaced from their communities want a fresh start. They want to return home. They want seeds. They want farm implements. They want roads to get their goods to market. We must not betray their trust.

I have many promises to keep. As I won elections through a free and peaceful process, I must preserve freedom and keep the peace. As I campaigned against corruption, I must lead a government that curbs it. As I was elected with the massive vote of women, I must assure that their needs are met.

We are not oblivious to the enormity of the challenges we face. Few countries have been as decimated as ours. In the chaos of war, our HIV rates have quadrupled. Our children are still dying of curable diseases, tuberculosis, dysentery, measles, and malaria. Schools lack books, equipment, teachers, and buildings. The telecommunications age has passed us by. We have a $3.5 billion external debt, lent in large measure to some of my predecessors who were known to be irresponsible, unaccountable, unrepresentative, and corrupt. The reality that we have lost our international creditworthiness bars us from further loans, although now we would use them wisely.

Our abundant natural resources have been diverted by criminal conspiracies for private gain. International sanctions, imposed for the best of reasons, still prevent us from exporting our raw materials. Roads have disappeared and bridges have been bombed or washed away. We know that trouble could once again breed outside our borders. The physical and spiritual scars of war are deep indeed.

So with everything to be done, what must we do first? We must do everything we can to consolidate the peace that so much was paid to secure, and we must work to heal the wounds of war. We must create an emergency public works program to put the whole nation to work and give families an income through the rebuilding of critical infrastructure, strengthening security and attracting investment. We must rehabilitate the core of an electricity grid to high-priority areas and institutions and visibly demonstrate to the people that government can provide necessary services.

We must bring home more of our refugees and resettle the displaced. We must give them the tools to start anew, and encourage more of our skilled expatriates, who have the knowledge and the experience to build our economy, to return home. For those unable to come home, we must appeal to you to grant them continuing protective status, and residency where appropriate, to put them in a condition to contribute to their country's reform and development.

We must complete the demobilization of former combatants and restructure our army, police and security services. We must create legal systems that preserve the rule of law, applied to all without fear or favor.

We must revive educational facilities, including our few universities. We must provide essential agricultural extension services to help us feed ourselves again, developing the science and technology skills to ensure that we prosper in a modern global economy. We must create an efficient and transparent tax system to ensure the flow of government revenues and create a hospitable investment climate.

With few resources beyond the will of my people, I want you to know, we have made a strong beginning. During my first few weeks in office, by curbing corruption we have increased government revenue by 21 percent. We have canceled noncompliant forestry concessions and fraudulent contracts; required senior government appointees to declare financial assets; implemented cash management practices to ensure fiscal discipline and sharpen efficiency; met the basic requirements for eligibility under the U.S. general system of preferences and initial Ex-Im Bank support; restored good relationships with bilateral and multilateral partners; commenced the process leading to an IMF-supported staff monitoring program; accelerated implementation of the Governance Economic Management Plan, the GMAP; and launched a Truth and Reconciliation Commission to investigate the abuses of war.

But while we seek national unity and reconciliation, we must not sacrifice justice. I respect the lifesaving role that our West African neighbors, particularly Nigeria, played at no small cost to them in accepting to host Mr. Charles Taylor. Liberians are deeply grateful. But I say here, as I have said before, Liberia has little option but to see that justice is done in accordance with the requirements of the United

Nations and the broad international community.

I know that my government must go beyond these strong beginnings, must do much more than we have done so far, and we must do it quickly. Our people's courage and patience are formidable, but their expectations are high. And their needs are urgent.

This does not mean that we want big government. We cannot afford it, and we believe that government should not attempt to do what civil society and business can do better. The people of Liberia know that government cannot save the country. Only their own strength, their determination, their creativity, resilience and their faith can do that.

But they have the right to expect the essentials that only a government can provide. They have the right to a government that is honest and that respects the sanctity of human life. They need and they deserve an economic environment in which their efforts can succeed. They need infrastructure, and they need security. Above all, they need peace.

That is the task of my administration. To meet that challenge, to do what is right, I ask for the continuing support of this Congress and the American people.

Honorable ladies and gentlemen, my appeal comes with the recognition of all that you have already done. In addition to the financial assistance to disarm our fighters and feed and house our displaced, the artful diplomacy of the United States was central to ending our long conflict. We thank you with all our hearts.

As small and impoverished as we are, we cherish the friendship we have had with you. During the Second World War, we stood together, even if only symbolically, to fight Nazi expansionism and tyranny. At the request of President Roosevelt, we planted rubber trees after the Japanese seized the Indonesian supply. When U.S. law prohibited sending ships to a Europe at war, we agreed to establish a shipping registry to help transport American goods. During the Cold War, we hosted a submarine tracking center, an intelligence listening post, and one of the largest Voice of America transmitters in the world.

Again, we ask that we continue working together, but we do not ask for patronage. We do not want to continue in dependency. The benefits of your assistance must be mutual.

Honorable Members of Congress, much is at stake for all of us. Liberia at war brought misery and crimes against humanity to its neighbors, a toll that is beyond calculation. A peaceful, prosperous Liberia can contribute to democracy, stability, and development in West Africa and beyond.

Nine times—nine times—in the past 15 years, the United States has been forced to evacuate official Americans and their dependents from our country, at enormous cost to your taxpayers. Monrovia, I am told, is the most evacuated U.S. embassy in the world. I am determined that you will not need to rescue your people from our shores for a 10th time. You contribute hundreds of millions of dollars to a U.N. peacekeeping force in Liberia. A fraction of this will be required to support a peaceful and stable Liberia.

Honorable Members of this great Congress, think with me about this. What is the return on an investment that trains young combatants for life, rather than death? What is the yield when our young men can exchange their guns for jobs? What is the savings in food aid when our people can feed themselves again? What is the profit from educating our girls to be scientists and doctors? What is the dividend when our dependence ends, and we become true partners rather than supplicants?

Honorable Members, we know that there is no quick fix for the reconstruction of our country; but Liberians, young and old, share their government's commitment to work, to be honest, to unite, to reconcile, and to rebuild. A nation so well endowed, so blessed by God with natural resources should not be poor. Starting from a small base, as we do, we have rubber and timber and diamonds and gold and iron ore. Our fields are fertile. Our water supply is plentiful. Our sunshine is warm and welcoming.

With your prayers and with your help, we will demonstrate that democracy can work, even under the most challenging conditions. We will honor the suffering of our people, and Liberia will become a brilliant beacon, an example to Africa and to the world of what the love of liberty can achieve. We will strive to be America's success story in Africa, demonstrating the potential in the transformation from war to peace; demonstrating the will to join in the global fight against terrorism; demonstrating that democracy can prevail, demonstrating that prosperity can be achieved.

The people of Liberia have already rolled up their sleeves, despite overwhelming obstacles, confident that their work will be rewarded, confident in the hope and promise of the future.

The women of Liberia and the women of Africa, some in the marketplaces and some in the high levels of government, have already shared their trust and their confidence in my ability to succeed and ensure that the doors of competitive politics and professionalism will be opened even wider for them.

Honorable Members, I will succeed. I will not betray their trust. I will make them proud. I will make you proud in the difference which one woman with abiding faith in God can make.

God bless you.

[Applause, the Members rising.]

At 2 o'clock and 49 minutes p.m., Her Excellency Ellen Johnson Sirleaf, President of the Republic of Liberia, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Assistant to the Sergeant at Arms escorted the invited guests from the Chamber in the following order:

The Members of the President's Cabinet;

The Dean of the Diplomatic Corps.

JOINT MEETING DISSOLVED

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly, at 2 o'clock and 50 minutes p.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The House will continue in recess subject to the call of the Chair.

□ 1544

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BOOZMAN) at 3 o'clock and 44 minutes p.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 45 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1644

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BOUSTANY) at 4 o'clock and 44 minutes p.m.

WAIVING POINTS OF ORDER AGAINST PROVISIONS IN H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that all

points of order against provisions in H.R. 4939 be waived.

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

There was no objection.

PERMISSION TO OFFER CERTAIN AMENDMENTS AT ANY POINT DURING FURTHER CONSIDERATION OF H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that, during further consideration of H.R. 4939 in the Committee of the Whole pursuant to House Resolution 725, that the following amendments may be offered at any point in the reading:

An amendment by Mr. GILCHREST regarding section 3011; and an amendment by Mr. SABO, regarding the Defense Production Act; and that each such amendment may be offered only by the Member named in this request or a designee, shall be considered as read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole; and that each amendment shall be debatable for 20 minutes, equally divided and controlled by the proponent and an opponent.

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

There was no objection.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 725 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. 4939.

□ 1646

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. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, with Mr. BOOZMAN (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, 28½ minutes remained in general debate. The gentleman from California (Mr. LEWIS) has 19 minutes remaining and the gentleman from Wisconsin (Mr. OBEY) has 9½ minutes remaining.

Who yields time?

Mr. LEWIS of California. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Chairman, I want to commend the gentleman from California (Mr. LEWIS), the Chairman of the committee, for his work in bringing this supplemental appropriations bill to the floor. He has really done an outstanding job of, I think, balancing the different interests that are involved here.

I want to take my time, Mr. Chairman, Members, to speak a bit about that part of the bill that deals with the foreign assistance funds. That is Chapter 3 of H.R. 4939.

The Foreign Operations portion of the fiscal year 2006 supplemental is $2.08 billion. That amount is $140 million, or 6.7 percent less than the request of the administration of $2.2 billion.

Now, here is how we arrived at this lesser figure.

First, we eliminated funding requested by the President that is not for the current fiscal year. That is $74 million. We eliminated funding that was requested for non-emergency costs. That is $99 million. And we reduced costs by rescinding previously appropriated funds of $17 million that are not needed because of changed circumstances.

Let me talk for a minute about specific regions and countries. First, Iraq. The bill provides new budget authority of $1.67 billion for Iraq, or two-thirds of the amount in foreign assistance is going to Iraq. But that is a reduction of $58 million from what the President requested. This reduction represents the amount requested for fiscal year 2007 costs for the U.S. Agency for International Development. As I said a moment ago, we concluded that this 2006 supplemental bill should not be used to pre-fund expenses of the next fiscal year.

In addition, the supplemental transfers $185 million from the Iraq Relief and Reconstruction Fund appropriation to augment the new funds provided in this supplemental. These are still unobligated funds that are appropriately applied to the purposes of this legislation. And that brings the total available to Iraq of $1.85 billion.

Many Members are greatly concerned about Darfur and our efforts to stave off genocidal warfare in that region of Africa. Though a fraction of the amount requested for Iraq, our bill attempts to accomplish this. It contains $201 million, fully funding the President's request for Darfur programs. This includes $123 million for the African Union Mission in Sudan, or called AMIS, for peacekeeping activities. The administration has assured us that this $123 million will finance the entire U.S. fiscal year 2006 contribution.

Also included in this amount is $11.7 million for refugee assistance and $66.3 million in nonfood assistance in the International Disaster and Famine Assistance Account. The plight of displaced persons in Darfur remains critical and is pathetic.

The supplemental bill provides new budget authority of only $8.4 million for Afghanistan. This is a reduction of $54 million from the request but does not constitute a lessening of our commitment to this emerging democracy. Rather, it represents, first, the amount requested, $16 million, for fiscal year 2007 funds for USAID. It reduces that amount. Second, it eliminates the amount requested for non-emergency requirements of $38 million. The $8.4 million fully funds the request for emergency replacement of an electric turbine generator and assistance for migration and refugee requirements.

My colleagues should know that the Secretary of State has not yet met the requirements of the fiscal year 2006 Appropriations Act which requires a certification that the Government of Afghanistan is fully cooperating with U.S.-financed efforts to eradicate poppy cultivation. It did not seem prudent at this juncture to appropriate any non-emergency funds for Afghanistan until that certification can be made.

The legislation includes $10 million in the Democracy Fund appropriation for the promotion of democracy, governance, human rights, independent media and the rule of law programs in Iran. This is a reduction of $55 million from the requested amount. However, $50 million of that is for broadcasting efforts and is addressed in Chapter 6 of this bill, the jurisdiction of Mr. WOLF's subcommittee.

For Liberia, the bill includes a total of $63.8 million. $13.8 million of that amount would be used to cover the extraordinary costs of refugees returning to Liberia, and $50 million will provide assistance for economic and project support.

Now let me turn to the issues that are not specific dollar amounts. One of these is a general provision, Section 3012, not in Chapter 3 of the bill. It deals with assistance to the Palestinian Authority.

I want to be clear. This bill includes no new, no additional funding for the Palestinian territories, and the President's supplemental request included no such funding. However, the fiscal year 2006 Foreign Operations Appropriations Bill did include $150 million to support the Palestinian people and build the capacity of the Abbas-led government. Since the fiscal year 2006 bill was passed, as my colleagues know, Hamas won a majority of the Palestinian legislature in the recent elections.

The provision included in this bill before us today reconfirms and reemphasizes congressional oversight of our foreign assistance programs to this troubled region. It directs that no fiscal year 2006 or prior year funding can be used to support the Palestinian Authority or a successor entity until the

government fulfills the requirements of the so-called Quartet Statement. It also suspends U.S. assistance to the Palestinian Authority until the administration completes its review of the entire assistance program.

To be clear, this provision will not halt, nor should it halt, humanitarian assistance to the Palestinian people. We can and we must hold the elected leadership in the Palestinian territories to account for their messages of violence. But we should not punish the people of the territories for asserting themselves peacefully and democratically against corruption in their quest for a better life.

I urge my colleagues to vote in favor of this supplemental. The foreign operations funding contained in Chapter 3 has been scrubbed so that only emergency requirements remain, and that is $140 million reduction from the President's request.

Mr. LEWIS of California. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN) for the purpose of a colloquy.

Ms. ROS-LEHTINEN. Mr. Chairman, last year Hurricanes Katrina, Rita and Wilma dealt a triple blow to the residents of my district. Florida's commercial fishermen were among the hardest hit, yet these small business owners did not receive any special disaster assistance from last year's Hurricane Supplemental Appropriations Bill and minimal aid from other Federal agencies. Both their livelihoods and the future of this important industry are threatened. That is why I am requesting the gentleman's help in securing the necessary resources to assist these hard-working men and women.

Mr. LEWIS of California. Mr. Chairman, will the gentlewoman yield?

Ms. ROS-LEHTINEN. I yield to the gentleman from California.

Mr. LEWIS of California. I am certainly aware of the devastating impact of last year's hurricane season, and you have my assurances that I will work with you and do everything I can to address this issue when we go to conference with the Senate on this bill.

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. BOUSTANY) for the purpose of a colloquy.

Mr. BOUSTANY. Mr. Chairman, I appreciate your bringing this important legislation to the floor. I will include for the RECORD a letter I recently received from several elected officials from my district which explains in great detail the devastation Hurricane Rita inflicted on Southwest Louisiana and the need for Federal support in its aftermath.

The Nation suffers from Rita amnesia, because the residents of Southwest Louisiana did everything right. We heeded the Federal warnings, evacuated before the storm, saving thousand of lives in the process. In fact, there were no deaths after Rita.

We returned after the storm and immediately got to work to begin the long process of rebuilding our communities and restoring our way of life. The FEMA Long Term Community Recovery Team has said that Southwest Louisiana is leading the State in the recovery effort.

Southwest Louisiana is not looking for a Federal handout, but we need the Nation's help to recover from this unprecedented storm. Debris removal has been slow. 5.73 million cubic yards so far has been collected, enough to cover a football field with a pile of debris 1 mile high. Homes are now destroyed or uninhabitable. And, in fact, in Cameron Parish, 90 percent of the homes were reduced to slabs of concrete. Industries are hurting. The Lake Area Industry Alliance, home to a vast petrochemical complex which serves the entire U.S., reports damages to its facilities of nearly $50 million; and that is just one example.

Mr. Chairman, we cannot ignore the plight of Southwest Louisiana, and I urge my colleagues to support this important legislation. Remember Rita. I yield back.

CITY OF LAKE CHARLES,
March 11, 2006.

Re Hurricane Rita Recovery in Southwest Louisiana.

Hon. CHARLES BOUSTANY,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN BOUSTANY: First and foremost, we from Southwest Louisiana want to thank you for your support in our efforts to recover from Hurricane Rita. You have been very vocal in your effort to help us and we sincerely appreciate it. This letter is intended to give you information to support your efforts and to remind you that we stand ready to work with you in this effort. However, it has become very evident that others in our nation's capitol have forgotten about the destruction that occurred as a result of that storm.

We are not asking them to take our word for it. Just this week Governor Rick Perry testified in Washington D.C. and according to AP wire reports he requested that Texas be given $2 billion dollars, because ''states slammed by Katrina are getting more generous help than his state, *which bore the brunt of Hurricane Rita.*'' Governor Perry's significant funding request indicates his belief that Hurricane Rita was a destructive storm.

We do not intend to compete with our Texas neighbors for recovery money. We acknowledge that Hurricane Rita inflicted serious damage on Southeast Texas. But Southwest Louisiana also suffered significant devastation from this storm as well. The eye of the storm made landfall in Cameron Parish on September 24. The highly destructive northeast quadrant of the storm (with its winds and storm surge) was most destructive in Cameron Parish and in Calcasieu Parish in Louisiana. Cameron Parish as we knew it no longer exists. We, as Governor Perry, are concerned that we run the risk of being overshadowed by Hurricane Katrina when it comes time to allocate limited resources to the recovery effort.

Southwest Louisiana's elected officials, emergency responders and citizens worked hard to take the initiative to comply with evacuation orders, maintain discipline after the storm and truly prioritize our needs in a professional manner. Included below for your review is an overview of what happened in Calcasieu and Cameron Parishes during the Katrina and Rita storms. Hopefully this information will help you and your staff in your efforts to prevent Congress and the federal agencies responsible for hurricane relief from forgetting the devastation that occurred across the coastal parishes of Louisiana and in Southwest Louisiana in particular.

Hurricane Katrina also impacted Southwest Louisiana. Calcasieu Parish alone welcomed approximately 20,000 evacuees from Hurricane Katrina by opening shelters at a cost of nearly $1 million. The support of our community for the evacuees was overwhelming. Food, clothing, money and time were donated. Businesses and residents offered shelter, entertainment and support. The Lake Charles American Press described the effort as our community's finest hour. When Hurricane Rita approached our area, the first concern was to evacuate these people to safety.

When Hurricane Rita passed through Southwest Louisiana, our citizens listened to officials and heeded warnings to evacuate. Residents of Cameron and Calcasieu Parishes left the area on heavily congested roadways to the north along with residents of Texas who had already been given an order to evacuate. Gas supplies were limited and hotels to the north were full with evacuees from Hurricane Katrina, many who had evacuated a second time to escape Hurricane Rita.

Residents of Calcasieu Parish began returning to the area after the storm starting September 30, to ''look and leave''. They returned to find over 19,000 homes or approximately 25 percent of the housing stock was destroyed. Another 35 percent of the housing was damaged. Power was out throughout most of the area for one to three weeks causing widespread loss of water and sewer systems and shuttering industry and retail businesses. Gasoline was a rare commodity. Approximately half of the trees in Calcasieu Parish were destroyed or damaged.

Industries and public facilities were also heavily damaged. Lake Charles Regional Airport suffered over $20 million in damage including the passenger terminal, which was damaged beyond repair. The facility was closed approximately fifteen days after the storm. Chennault International Airport, home to Northrop Grumman, suffered approximately $40 million in damages and was closed for four weeks after the storm. Damages to other aviation industry businesses brought the estimated damage to our aviation industry to approximately $90 million.

The Lake Area Industry Alliance, home of a vast petrochemical complex important to the entire United States, reported damages of approximately $50 million to their members' facilities. Damage to off-shore rigs and the closure of the Port of Lake Charles (the nation's 12th largest port) caused supply disruptions to production facilities. Supply disruptions and power outages resulted in loss of production, worker layoffs and additional startup costs. Lyondell Chemical Company closed its facility, costing the community 295 well paying jobs with benefits; it will be impossible to replace this facility.

The six casinos of our gaming industry were shut down during the power outage. Harrah's two riverboat casinos and hotel were damaged beyond repair. Harrah's facility is currently closed; our community has lost 2,000 jobs as a result.

McNeese State University and Sowela Technical College sustained extensive damage. The Calcasieu Parish School System experienced heavy damage to school facilities and closure of all public schools for approximately four weeks. Damage to education facilities is estimated at $57 million.

The Calcasieu Parish Police Jury and area municipalities suffered damages to facilities of approximately $30 million. The parish

wide highway system, including three movable bridges in Calcasieu Parish, required extensive debris removal and repairs to make them safe for traffic. The I–10 bridge over Lake Charles, the main east-west traffic artery through southwest Louisiana and across the southern U.S. was closed following the storm for structural inspection after a barge ran into a supporting structure. An early estimate of parish-wide highway damage is $20 million.

Cameron Parish, our sister parish to the south was totally devastated. Although there was no loss of life, Cameron suffered the loss of a way of life. Approximately 90 percent of the homes in Cameron, the Parish seat were destroyed. Other communities suffered similar or worse fates. The major industries—oil, agriculture, seafood and tourism—were destroyed. It will take years for the residents to recover. And Southwest Louisiana will never be fully recovered until Cameron is rebuilt and back ''in business'' again.

Cameron Parish contains four wildlife refuges, all of which sustained significant damage. The Sabine National Wildlife Refuge of 125,000 acres was officially closed after Hurricane Rita. Facilities were destroyed and the landscape was littered with debris from damaged structures, vehicles, dead animals and hazardous chemical containers. The refuge cannot reopen until the hazardous debris is removed and there is no safety risk to the public. In 2004 the economic effect of the refuge and its visitation was $9 million, supporting 108 jobs and $1 million in tax revenue. This is an average return of $10.18 for every federal dollar spent operating the refuge. Annually 300,000 people tour the Creole Nature Trail, which is designated an All-American Road. Nature trail brochures are being pulled out of circulation by bureau officials.

The Southwest Louisiana community immediately began cleaning up and repairing damages in order to begin recovery from this storm. Temporary ''blue'' roofs were installed on 17,104 houses and apartments. An estimated 5.73 million cubic yards of storm debris was collected, enough to cover a football field with a pile more than one half-mile high.

In addition to residents who were displaced from their homes due to damage, approximately 10,000 evacuees from other places are now residing in Calcasieu Parish. Hotel vacancy is essentially zero and there is a shortage of affordable housing for residents. Because of this housing shortage, many residents have not been able to return to the Parish. Many businesses are still unable to operate for normal business hours because of a shortage of workers. Although many minimum wage jobs are advertised and unfilled for long periods of time, unemployment in the Parish has more than tripled from 5.3 percent in 2004 to 16.2 percent in November 2005, an increase of 10.9 percent due to a number of complex reasons.

We understand the scale of the storm in Hurricane Katrina. And we understand that Southeast Texas was affected by the Hurricane Rita, but please do not penalize us for being aggressive in our efforts to help ourselves recover. It has been said by the FEMA Long Term Community Recovery Team that Southwest Louisiana is leading the state in the recovery effort. But true recovery requires more than just debris removal and new roofs. Because of the devastation caused by Hurricane Rita, we need to retool and rebuild the economy of Southwest Louisiana. We cannot depend on the existing businesses and industry to rebuild the economy of our area. We must be creative and aggressive in our efforts to both diversify and expand our economy if we are to accomplish the long term recovery goals FEMA and others have set for our area.

Hurricanes Rita and Katrina have impacted 30–40 percent of the economy of our state. It will take years to truly recover from this disaster in terms of real economic recovery. Please help us remind your colleagues that no state in the history of our great nation has ever suffered the extent of economic and social disruption that Louisiana has as a result of these two storms.

Some would say that it is this ''can do'' attitude that has prevented us in Southwest Louisiana from getting national media attention. We don't want media attention, but we do need your attention. Please assist us in getting our ''fair share'' of federal funding for our recovery effort. And please consider extending the GO Zone Legislation for parishes hardest hit by these storms. We need at least an additional two years to take advantage of the economic recovery offered by this bill. And when it comes to the allocation of Community Development Block Grant monies to the individual states, please include an allocation for Hurricane Rita parishes/counties as well.

Thank you again for all you have done in the recent months to focus attention on the recovery of Southwest Louisiana. If you need additional information or we can assist you in any way, please do not hesitate to contact us.

Sincerely yours,

RANDY ROACH,
Mayor, City of Lake Charles

WILLIE MOUNT,
Louisiana State Senate

GERALD THEUNISSEN,
Louisiana State Senate

CHUCK KLECKLEY,
Louisiana House of Representatives

ELCIE GUILLORY,
Louisiana House of Representatives

RONNIE JOHNS,
Louisiana House of Representatives

DAN MORRISH,
Louisiana House of Representatives

BRETT GEYEMAN,
Louisiana House of Representatives.

[From American Press Editorial, Mar. 10, 2006.]

HEY, CONGRESS, HOW ABOUT US?

On Wednesday, President Bush once again toured New Orleans' areas damaged by Hurricane Katrina.

The President's visit, his 10th, comes on the heels of another visit by a large congressional delegation to New Orleans and parts of Mississippi hit by Hurricane Katrina.

There were about 100 people in the delegation, including Speaker of the House Dennis Hastert and Minority Leader, Nancy Pelosi.

The trip was organized by Hastert's office and the Federal Emergency Management Agency.

Meanwhile, residents of Calcasieu, Cameron, and Vermilion parishes who are picking up the pieces from the devastating Hurricane Rita wonder if they are being forgotten or if anybody in Washington, D.C., cares.

We understand that the areas in New Orleans and the Mississippi Coast are hurting, but so are Southwest Louisiana and Southeast Texas.

It's an insult to Southwest Louisiana residents that more than five months after Hurricane Rita struck here they are still waiting for members of Congress to come and see the devastation Rita wrought.

Members of Congress need to talk to Cameron Parish residents who have seen their entire way of life blown away by Rita.

Why do Louisiana Gov. Kathleen Blanco and Texas Gov. Rick Perry have to go to Washington to beg Congress to send more funds for Hurricane Rita relief?

All of this is a stark reminder about how Congress is out-of-touch with what needs to be done to help Southwest Louisiana and Southeast Texas get back on track.

Louisiana Seventh District U.S. Rep. Charles Boustany Jr. is aware of the problem with Rita amnesia in Washington. He sent a letter to Hastert and Pelosi when he learned about the congressional visit to New Orleans and Mississippi, urging them to include Southwest, Louisiana in their fact-finding tour.

Hastert responded in a March 1 letter that he considered including a tour of Southwest Louisiana in their recent visit, but it was not possible.

''Unfortunately, logistics and time constraints made it impractical to tour the parts of Louisiana impacted by Hurricane Rita during this trip,'' Hastert wrote.

He added that he wants to arrange a ''future visit'' so he can ''personally come down to Southwest Louisiana.''

Time's a-wastin', Mr. Speaker.

A number of congressional delegations have visited Louisiana and Mississippi in months past. Why didn't any come to this part of the state? Why does Boustany have to beg members of Congress to come here? Why haven't U.S. Sens. Mary Landrieu and David Vitter come here with a delegation of their Capitol Hill colleagues in tow to see Southwest Louisiana?

Landrieu of New Orleans and Vitter of Metairie have been on the forefront in getting assistance for Katrina-ravaged areas.

They represent this part of the state, too.

Vitter recently asked Don Powell, the federal recovery and rebuilding coordinator, to tour storm-damaged areas in Southwest Louisiana.

It's the members of Congress, not Powell, who will approve the relief funds this area so desperately needs.

Landrieu and Vitter need to help bring a large congressional delegation here to Southwest Louisiana. The sooner the better.

Mr. GENE GREEN of Texas. Mr. Chairman, I fully support the funding for our troops in this Emergency Supplemental; the men and women serving our country in Iraq and Afghanistan must have equipment to effectively fight insurgents, and the harsh environment has taken its toll on everything from helicopters to tanks to armored vehicles.

I am concerned however that we are not addressing the impact of lost equipment and vehicles when our National Guard and Reserve units are forced to leave their equipment in Iraq.

Some reports state that Guard and Reserve units in the U.S. are only equipped at 30 percent of pre-war levels. The FY06 Defense Appropriations bill included $1 billion for reequipping units here at home, but the Guard needs $20 billion to address the shortage.

Money is tight in times of war, but national security is hollow if we leave our homeland unprotected to fight wars overseas. If we are going to increase the federal debt limit yet again—by nearly $800 billion this time—and extend tax cuts, we should also equip the men and women who protect the homeland from terrorist attacks and natural disasters.

This is extremely important for constituents in the district I represent. In 2001, Tropical

Storm Allison, just weeks into the hurricane season, flooded tens of thousands of homes and businesses in Southeast Texas. The Guard was a critical part of the rescue and recovery effort, using its large trucks and equipment to reach individuals stranded by the high water. During Katrina and Rita, the Guard again played a major role in rescue and recovery efforts after a natural disaster.

With the start of hurricane season on June 1st—less than three months away—we must ensure Guard units along the Gulf coast have the equipment they need to save lives.

I also want to talk about housing for Katrina and Rita evacuees. We have 100,000 evacuees in the City of Houston's emergency housing program, but frankly FEMA and HUD have been very difficult to work with.

FEMA told the City to sign 1-year leases for evacuees and promised in writing to reimburse Houston. First, these reimbursements have been extremely slow, and the our cities and apartments are becoming the bank for FEMA.

I met with Houston apartment owners that have not been paid rent for 90 days—I could not get away with that in my apartment in D.C., but FEMA gets away with it.

Second, these commitments are not being honored. Instead, they are going to pull the rug out from under probably 30,000 of these evacuees that FEMA says won't qualify for housing help after March 31.

In the coming weeks, 30,000 evacuees in Houston are going to get a letter giving them 30 days notice before eviction, even if they have a 1-year lease that FEMA promised to reimburse back in September. Many of these evacuees are schoolchildren.

FEMA has no plan for where the folks that they decide no longer qualify for housing assistance are going to find housing or where they are going to go. Rental rates are going to go up due to the influx of evacuees. Houston's section 8 housing program is full.

30,000 Americans should not end up on the streets of Houston and America should not stand for it. FEMA made commitments to 1-year leases and they are not abiding by their written commitments.

Mr. Chairman, I fully support the hurricane relief funding in this bill and the funding for the men and women in Iraq and Afghanistan, but I believe that there is a tremendous amount of work yet to be done.

Mr. ORTIZ. Mr. Chairman, I rise to support the amendments by my colleagues in Texas, Mr. HINOJOSA and Mr. DOGGETT; our levee system in South Texas has long passed the point of insufficient—we are in an emergency situation.

The Lower Rio Grande Flood Control Project has several components, including the levee system along the Rio Grande, which is in a state of disrepair. This amendment provides $10 million for IBWC; it has no effect on budget authority; and it reduces outlays by $2 million for FY 2006.

The integrity of the 500 mile levee system is the responsibility of the Army Corp of Engineers and the International Boundary and Water Commission. The IBWC has not received any consistent federal funding necessary to rehabilitate this critical levee system.

An indirect impact from Hurricane Emily last September brought water levels along the South border to critical levels that we have not seen in decades.

It was Hurricane Katrina that gave each American a tutorial on the utter importance of levees when it comes to protecting U.S. lives and property.

In the 2 major storms that blew ashore last fall, Katrina gave us a glimpse of the damage possible if these levees are not repaired . . . and Emily that made us hold our collective breath as the waters rose near the top of the levee system.

Like New Orleans, the population protected by these levees is enormous. South Texas is a densely populated area, and is the front door of international trade. Millions of lives and the nation's economy could hang in the balance when these levees fail. Evaluations of the present condition of these levees conclude the system is deficient in both hydraulic capacity and structural integrity.

The investment we ask to include today as part of this emergency supplemental is a small price to pay to ensure the integrity of these levees when we have the next major hurricane. Hurricane season is rapidly approaching, and this is the last opportunity to fix the levee system before hurricanes start blowing into the Gulf. Let us not be penny wise and pound foolish about the dangers that await us, as we were with the New Orleans levees.

We know the damage that can happen . . . and we know it will only come at a profoundly bad time, as millions of residents are trying to flee the coast . . . and the U.S. economy takes a multi billion dollar hit.

Mr. PAUL. Mr. Chairman, I rise in opposition to this legislation, which makes ''emergencies'' out of non-emergencies and fails to provide assistance to my home State of Texas, which did suffer an emergency in the form of Hurricane Rita last summer.

First, I should note to my colleagues and the American taxpayer that, at almost $92 billion, this is the largest supplemental appropriations request in the history of the U.S. Congress.

Is it really an emergency to send $1.2 billion to pay off our allies for their help in Afghanistan? Won't these countries in close proximity presumably benefit more than even we will from the stability that we are told U.S. troops will provide? Perhaps these countries should be paying us for stabilizing their neighborhood. But no, it is always the U.S. taxpayer who ends up paying.

Is $36 million more for taxpayer-funded broadcasting programs overseas really an emergency?

Is $30 million to build roads in Liberia an emergency, when roads in Texas are still unrepaired after Hurricane Rita?

Mr. Chairman, I am offering an amendment to this ''emergency'' supplemental that reduces some of the non-emergency ''emergencies'' by $500 million and allocates that money for the recovery of the State of Texas from Hurricanes Katrina and Rita. Additionally, my amendment will take another half-billion dollars from the non-emergency portions of this bill and apply it toward the Federal deficit.

The real emergency is the rate that this government is spending money we do not have on policies that we cannot afford while ignoring what should be our real priorities.

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

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

The Acting CHAIRMAN (Mr. BOOZMAN). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. When the reading for amendment reaches title II, that title shall be considered read.

Pursuant to the order of the House of today, the following amendments may be offered at any point in the reading:

An amendment by Mr. GILCHREST, regarding section 3011;

An amendment by Mr. SABO, regarding the Defense Production Act.

Each amendment may be offered only by the Member named in the request or a designee, shall be considered read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations each may offer one pro forma amendment for the purpose of debate; shall not be subject to a demand for division of the question; and shall be debatable for 20 minutes, equally divided and controlled by the proponent and an opponent.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 4939

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2006, and for other purposes, namely:

TITLE I—GLOBAL WAR ON TERROR SUPPLEMENTAL APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 TITLE II GRANTS

For an additional expenses for ''Public Law 480 Title II Grants'', during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title II of said Act, $350,000,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AMENDMENT OFFERED BY MR. GILCHREST

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GILCHREST.

Strike section 3011.

The Acting CHAIRMAN. Pursuant to the order of the House today, the gentleman from Maryland (Mr. GILCHREST) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Maryland.

□ 1700

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

Mr. Chairman, there has been a great deal of dialogue in the last few weeks about this issue of Dubai Ports World controlling U.S. ports. What I would like to do with this amendment, Mr. Chairman, is to explain what the Dubai Ports World issue is, and in the process, hope my colleagues will vote in favor of this amendment which strikes the section of the supplemental appropriations bill, the section 3011.

I would at first like to give some frame of reference as to what it means to be the Dubai Ports World, which basically has purchased P&O, a British firm, that works with scheduling for the loading and unloading of cargo at our Nation's ports.

The Baltimore Sun, which is a newspaper in Maryland that represents the Port of Baltimore, one of the largest ports in the United States, says the following: ''Potentially lost in this uproar is a clear understanding of what a stevedore company does.'' Stevedore, that is what the Dubai Ports World is going to do. They are going to employ stevedores.

For the record, its employees, of Dubai Ports World, do not touch any cargo. No employee of the Dubai Ports World touches cargo. They are not in charge of port security. They do not oversee shipping manifests. That means they don't know what is in the containers. Stevedores, which is what the Dubai Ports World is going to be, are the middle managers who tell longshoremen, who are Americans, who are employed by the ports, who are employed by the State and local governments that control the ports, the longshoremen are the ones that load and unload the cargo.

Dubai Ports World will be able to tell them when that ship is going to dock and how to unload it. USA Today, many foreign companies, including one from Singapore, China and Taiwan, are doing business today at U.S. ports, leasing some terminals, to schedule the loading and unloading.

General Tommy Franks, this is what General Tommy Franks says about this particular issue: I personally believe that we have no greater ally in seeking a resolution of problems in the Middle East, the Palestinian issue, the Israeli issue, than we have found in the United Arab Emirates.

Finally, Mr. Chairman, this quote, and there are quotes from every major newspaper in this country, this is a quote from The New York Times: ''Dubai is not a democracy, and it is not without its warts. But Dubai is a bridge of decency that leads away from the failing civilization to a much more optimistic, open and self-confident society. Dubaians are building a future based on butter, not guns; private property, not caprice; services more than oil and globally competitive companies, not terror networks. Dubai is about nurturing Arab dignity through success, not suicide. As a result, its people want to embrace the future, not blow it up.

Dubai, the United Arab Emirates. We have a difficult, nearly impossible situation in Iraq, difficulties in the Arab world. Who do we need most to bridge the gap of the lack of knowledge? Who do we need most in the Arab world to connect and bridge that gap between the United States and that culture? It is the United Arab Emirates.

It is time for us to recognize that this is an ally that we need to integrate with the United States as far as global issues and global terror issues are concerned.

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

Mr. LEWIS of California. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN (Mr. BOOZMAN). The gentleman is recognized for 10 minutes.

Mr. LEWIS of California. Mr. Chairman, I yield half that time to my colleague from Wisconsin (Mr. OBEY).

The Acting CHAIRMAN. Without objection, the gentleman from Wisconsin will control 5 minutes.

There was no objection.

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

Mr. OBEY. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, this has been a very frustrating day. I can remember when this place used to be a legislative body. Now it has unfortunately become 99 percent a political institution, and even the politics of the institution doesn't seem to be working out too well on either side of the aisle.

What we have before us now is a holy picture debate. This is a Potemkin amendment. It is a Potemkin debate, and it is another example of how Congress has been reduced to dealing in symbols rather than dealing with substance.

We have had this country in a frenzy about the Dubai involvement in American ports over the past couple of weeks. The Appropriations Committee had a vote, and by vote of 62 to 2, the committee adopted an amendment by the distinguished chairman of the committee, Mr. LEWIS, which shut off the ability of the Dubai company to make their purchase of American port facilities.

We tried, in the committee, to make that action more rational by also establishing a process under which we would have a regularized notice to our government every time such a transaction is being proposed. The committee saw fit to turn that down.

We are now out on the floor. What is going on now is that there is such a frenzy to have every single member of the House also on record on this issue, that we now have a faux debate going on. As I read this, the only purpose of this debate today is to allow every Member of the House to cast a vote. It is what I call a holy picture vote, and it means that when the votes come, this amendment is going to be overwhelmingly defeated.

The only purposes I see that will have been accomplished by taking this time, is that Members will then have a vote in their pocket that they can take home and brag to people about. I admire the gentleman from Maryland and his willingness to be a sacrificial lamb on the amendment. I know that one or two people on this side of the aisle, such as Mr. MORAN, share his view, and I admire them for their courage.

I have to say that I really am frustrated to see on this, and a number of other amendments today and tomorrow, this House is going to deal with these issues in a symbolic manner rather than discussing it in a thorough, systematic way that might bring some additional credit to the House.

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

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

Mr. Chairman, I don't feel like I am a sacrificial lamb, and I am not doing this for any other purpose other than to give our strongest ally in the Middle East, the United Arab Emirates, the dignity that they deserve. There are Americans that feel they can do this in a most positive fashion.

Mr. Chairman, I yield 2½ minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank my good friend from Maryland.

Mr. Chairman, I have no illusions about the results of this vote. It is going to be pretty much proportionate to the 62–2 vote that we took in the full Appropriations Committee, Mr. KOLBE and I being in the minority. But I want to share with my colleagues why this is the wrong thing to be doing.

The fact is that Dubai is our natural bridge to the modern, peaceful and progressive Arab world, and, with this amendment, instead of crossing that bridge, we blow it up.

The fact is that we currently have over 600 ships that are using Dubai, U.S. naval vessels. We have more than 77,000 military personnel who take leave in Dubai, and we have never had a security incident. In fact, more U.S. military personnel take liberty, port leave, in other words, in the United Arab Emirates today than in any other place in the entire world.

The UAE wants to be our friend. They want to invest some of those petro-dollars back in the United States. They want to modernize. They want, in fact, to trade with Israel. They want to trade with Europe. They want to trade with the United States. They are under a lot of political pressure, but, in fact, the emirs are standing up to that pressure.

Couldn't we be expected to do the same? Are we going to yield to the fear

and the prejudice that I think motivates this amendment? Because it is not reasoned judgment. In fact, the Committee on Foreign Investment in the United States was to be conducting a 45-day thorough investigation. Then we would be able to make an informed decision. At the end of that investigation they were going to make recommendations.

But the reality is there aren't a whole lot of things that need to be changed with this transaction. It is a financial transaction. U.S. longshoremen still handle the cargo. The U.S. Coast Guard provides physical security. The Customs Service inspects the cargo.

In fact, it was the UAE who was first, right away, to sign the U.S. Container Security Initiative. We asked them to. They are doing everything. And, my friends, the Director of the Department of Homeland Security, Secretary Chertoff, said if this deal goes through, it will make our ports more secure, not less.

Listen to the experts.

Mr. LEWIS of California. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I am doing this in no small part because I have been looking for an accurate description of ''holy pictures'' for some time now since I have been dealing with my friend from Wisconsin, and in this process we are going through today, I think I may have found at least one snapshot.

What we have done in this bill is attempt to respond to a very serious concern on the part of the American public regarding having a country or an organization that is related to a country in the Middle East having authority or control over any of our ports in this country. It is viewed by many as a serious national security issue, and this is a national security bill.

Our goal is to make certain that we have thought through this Dubai Ports World deal very carefully before moving forward. The language is to stop that deal. It is rather straightforward. The 62–2 vote in the committee indicates the broad cross-section of public reaction reflected in the membership to going forward without some action on the part of the committee, and thus this language in the bill. It is rather straightforward.

I welcome this discussion today, and intend to be as helpful as I can to those opposing our language.

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

Mr. GILCHREST. Mr. Chairman, I yield 2½ minutes to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding.

Let me paraphrase the words that Mr. OBEY said a few minutes ago. Rather than holy pictures, I would say this provision of the bill is a little bit like sprinkling holy water over the issue. It has no effect.

Dubai has already announced that they are going to sell their interests. The deal already went through. There is no effect of this provision in actually blocking the sale. This is making everybody feel good, that they can thump their chest and say we are doing something really tough here.

There are three good arguments, Mr. Chairman, as to why we should not be doing this.

First, it diverts our attention from the real issue. The real issue, is we don't have good port security.

□ 1715

In fact, our port security is terrible. It is very poor. This diverts us from really dealing with the issue that we do not inspect more than 2 percent of all containers. We do not really have a system for tracking containers and we do not know the origin of these containers. Containers start in one place in Malaysia and go to Singapore and then go to Vancouver, and then by train to Chicago. We have no idea where it originated and what might have been put into the container.

We do not have the information. We have bad port security. And Congress has a responsibility for the oversight and to make sure that the Department of Homeland Security is doing the job it should be doing.

This diverts our attention from this issue and, allows everybody to feel good about what they are doing. It has no effect, none, on port security, or on the security of the United States.

The second reason why this is bad, it is damaging, as has been indicated by the gentleman from Virginia, it is damaging to our relationship with the United Arab Emirates.

The United Arab Emirates, Dubai, is the largest port in the world outside of the United States for U.S. warships. This last year 56 warships docked in the United Arab Emirates, Dubai, the same port that is managed by this company, and 590 supply vessels. All supplies that go to Iraq go through this port.

Now we are inviting trouble. If Dubai decides that they want to retaliate against the United States, we will be up a creek without a paddle when it comes to getting our supplies into Iraq.

And then, the third reason, it sends the wrong signal to investors around the world. It says to investors around the world that we are not really a reliable trading partner or a reliable investment partner. It says to them, that, the United States has rules that they are supposed to follow, and then they throw them overboard.

This has been confirmed to me in at least one email that I have received from somebody who is an investor in Singapore. It said that many of his clients are reconsidering some of their investments in the United States, investments that create jobs for American workers in this country, because we do not have a reliable policy.

This is good politics but bad policy, and this provision should be removed from the bill.

Mr. LEWIS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today to express my support for H.R. 4939. I will be supporting the Supplemental Appropriations Act so our Armed Forces who are so bravely working to rebuild Iraq and fight the global war on terror have all of the tools and equipment they need to be successful.

My support comes, however, with a great deal of consternation. Because in this voting for this legislation I will also be forced to support unrelated spending for the rebuilding of the gulf coast.

Let me be clear. I believe that we need to help those devastated by Katrina. I have been there twice. But we must do it in a responsible manner with a clear understanding of where and how the money is spent.

It is clear that we must sustain military operations and reconstruction efforts in Iraq and Afghanistan, continuing making progress and tracking down and bringing terrorists to justice and procure the necessary equipment for our troops to carry out their mission.

It is unclear to me, however, why we must couple this funding with gulf coast relief funds. Both are worthy causes, but in my view the spending for the latter is in desperate need for further oversight and explanation.

For instance, we should be taking a closer look at the $9.6 billion included for FEMA's problematic Disaster Relief Fund and the $4.2 billion included for community development block grants, which are not even required to go to the gulf coast areas. These funds should not be incorporated into a bill with those for our military force protection needs, including up-armored Humvees, Abram tanks, Bradley fighting vehicles.

Congress has already allocated $62.3 billion to hurricane relief and recovery. I believe that it is Congress' responsibility to demand a strict accounting of how these dollars are spent, and any further funds allocated to the gulf coast for hurricane relief should be offset with other savings.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. GINGREY. I yield to the gentleman from California.

Mr. LEWIS of California. We are on the amendment dealing with the Dubai Ports. Does the gentleman know that?

Mr. GINGREY. Mr. Chairman, I did not know that. I apologize.

Mr. LEWIS of California. I thought that is why you were asking to speak. But that is okay. Just go right ahead.

Mr. GINGREY. Mr. Chairman, I will go ahead and complete. I do apologize for that. I was not aware of that.

But I think it is important, in conclusion, that we work toward rebuilding and restoring normalcy for those who are affected by Katrina. However,

we should do so in a stand-alone bill to ensure that we have proper oversight.

Mr. GILCHREST. Mr. Chairman, this is what I would like to conclude with. Dubai Ports World will have no administrative authority over any ports. They will have no security responsibility over any ports in the United States. That is retained by the Federal and State governments, completely.

All the longshoremen will still be American longshoremen that load and unload these ships. The Dubai Ports World is an organization made up of American investors, and chief executive officers of the United States are officers in this Dubai Ports World organization. They are a strong ally. Let this vote signal dignity and worth to the United Arab Emirates. I urge my colleagues to vote for the motion to strike.

Mr. LEWIS of California. Mr. Chairman, I will use just a few seconds to close.

We oppose this amendment for security purposes. This language should remain in the bill to make certain that Dubai Ports World does not have any management control or authority over any of our major ports.

Mr. OXLEY. Mr. Chairman, while I understand the sentiments and the security concerns of the Members here today on this ports issue, I feel strongly that free trade is a core American value that is worth fighting for. I look forward to making the case for free trade and for economic engagement with our moderate Arab allies here today.

But first, let's consider what we are and are not voting on today. The U.S. Congress cannot stop this sale, as this provision would seek to do. We simply do not have jurisdiction beyond our shores. In fact, the sale has already happened and the shareholders will be paid over the next couple of weeks. While I appreciate the desire of Members to stop the sale, the fact is that this language does nothing of the sort.

I'm not sure what the goal is. The language certainly does not stop the purchase by Dubai Ports World, and—even more important—does nothing to improve the security of our ports. I would argue that this provision does not improve our security but will damage us economically, militarily, and diplomatically.

It seems as if we are operating in a fact-free zone here.

The facts are that companies based in many other countries are already managing most of the Nation's ports. Will we be seeking to overturn these contracts next?

The fact is that no American company chose to bid on Peninsular and Oriental. There is only one American company large enough to take on this kind of contract, and my understanding is that firm is already at capacity. Would we simply wish an American ports management company into creation?

Let's talk a little about port security. We know that no matter who manages port operations, the U.S. Coast Guard, the U.S. Customs Service, and U.S. longshoremen continue to be responsible for port security, the checking of cargo, and the handling of cargo.

Stephen Flynn of the Council on Foreign Relations testified before Congress: "We need to know what's in the box more than we need to know who is moving them around a container yard."

So if our concern truly is port security, why are we not focusing on supporting that overall effort?

The fact is that Dubai Ports World is of course involved with the Jebel Ali port, one of the largest and among the most advanced ports in the world. According to The New York Times, it is the world's 11th largest port and annually handles more than 7.5 million containers, many of them going directly to and from the United States. On a number of issues, they have cooperated with the U.S. government to allow for our inspections.

Robert C. Bonner, formerly with Customs, was quoted in The New York Times: "Dubai has acknowledged the absolute importance of securing cargo against terrorists."

On cargo security, we ought to be concerned about what's being onloaded in foreign ports just as much as we are concerned about what's being offloaded on our shores. Once a dangerous ship arrives, it's far too late for concern.

So if we trust Dubai Ports World on the first crucial half of a cargo transaction—the loading—why would we not trust the company to be involved in U.S. cargo operations in a strictly management capacity?

Nonetheless, the company has moved forward to sell the operations to a U.S. buyer. DPW announced yesterday it has retained credible, well-known legal and financial firms to handle this transaction. The company has agreed to abide by a voluntary commitment to hold U.S. ports separate until the sale is complete.

And still, it seems that it's not enough. I would ask: What more would we have DPW do? When will this be dead enough to satisfy the U.S. Congress?

The action, I am sad to say, sends exactly the wrong message to the world about the climate for international businesses in the United States. It sends the wrong message about our willingness to engage in transactions that create growth and jobs here at home. It tells the world that we are an unreliable trading partner.

While we are sometimes obsessed with the so-called "outsourcing" of American jobs abroad, why are we not similarly concerned about our ability to "insource" jobs through foreign direct investment?

Moving to the military aspect of our relationship with Dubai, today we may blatantly insult a moderate Arab ally that has generously allowed the use of its port and airfield facilities for our military. General Peter Pace, chairman of the Joint Chiefs of Staff, has called the U.S. military relationship with the UAE "superb." Dubai provides servicing and port security that is good enough for the U.S. Navy.

I worry how that relationship will proceed in the future, and I believe that this entire affair will end up as diplomatic disaster for the United States throughout the moderate Middle East.

Lawrence Lindsey recently wrote in The Wall Street Journal: "The UAE isn't any old Arab country. It sits astride the Strait of Hormuz through which a fifth of world oil passes. Iran sits on the other side. . . . From a global perspective, efforts by the U.S. Congress to alienate the UAE at this time look about as sensible as Russian roulette."

There are many other respected voices who have spoken to the economic, security, and global issues raised in this controversy.

Robert Samuelson, the renowned economist, wrote recently in The Washington Post about how this action will damage American interests. In addition to the damage done to our relationship with the UAE and other allies in the Middle East, Samuelson holds the view that it has weakened worldwide confidence in the dollar.

Samuelson concludes, "Every country has the right to protect its security interests. But those interests must be defined coherently and not simply as the random expression of political expediency."

James Glassman of the American Enterprise Institute testified before a Financial Services subcommittee: "Our ties through trade, in fact, have made us more safe as our trading partners become more prosperous, open and democratic. But our politicians and pundits should know that we can't pick and choose. If we decide to deny firms from developing nations—Arab, Asian or otherwise—from investing in the United States, those firms will go elsewhere. And we will pay the price—in higher interest rates, higher mortgage rates, higher inflation, lower stock prices, less participation in a world [that is] growing more and more creative and exciting."

Since World War II, the United States has enjoyed economic growth and an increase in economic standard of living that has never before been achieved in world history. This has gone hand-in-hand with our values of democracy and freedom of thought. We have watched other nations fail because they were too closed, either economically or politically or both. One of the critical factors in our stunning success has been free trade and the free movement of capital throughout the world.

I can't say it any better than Thomas Friedman, who wrote: "People across the world still look to our example of pluralism, which is like no other. If we go Dark Ages, if we go down the road of pitchfork-wielding xenophobes, then the whole world will go Dark Ages."

"There is a poison loose today, and America—America at its best—is the only antidote. That's why it is critical that we stand by our principles of free trade and welcome the world to do business in our land, as long as there is no security threat."

This is a feel-good vote in the heat of the moment that I think the House will live to regret. It's time for us to decide whether we are going to continually respond to 9/11 with a reactive fear, or whether we're going to move forward and engage the world with confidence. Today, I will vote for the latter.

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

The Acting CHAIRMAN (Mr. BOOZMAN). The question is on the amendment offered by the gentleman from Maryland (Mr. GILCHREST).

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

Mr. LEWIS of California. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. SABO

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SABO:

Page 83, after line 16, insert the following new section:

SEC. 3011A. (a) Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended to read as follows:

"SEC. 721. INVESTIGATION OF CERTAIN TRANSACTIONS FOR NATIONAL SECURITY IMPLICATIONS.

''(a) INVESTIGATIONS.—

''(1) IN GENERAL.—Upon receiving written notification, as prescribed by regulations under this section, of any merger, acquisition, or takeover proposed or pending on or after the date of the enactment of this section by or with any foreign person which could result in foreign control of any person engaged in interstate commerce in the United States, the President, acting through the President's designee and the Committee on Foreign Investment in the United States shall conduct an investigation to determine the effects, if any, of the proposed or pending merger, acquisition, or takeover on the national security of the United States.

''(2) TIMING.—Any investigation required under paragraph (1) shall be completed before the end of the 75-day period beginning on the date of the receipt by the President or the President's designee of written notification of the proposed or pending merger, acquisition, or takeover.

''(b) CONFIDENTIALITY OF INFORMATION.—

''(1) IN GENERAL.—Any information or documentary material filed with the President or the President's designee pursuant to this section shall be exempt from disclosure under section 552 of title 5, United States Code, and no such information or documentary material may be made public, except as may be relevant to any administrative or judicial action or proceeding.

''(2) AVAILABILITY TO THE CONGRESS.—No provision of paragraph (1) shall be construed as preventing the disclosure of any information or documentary material to either House of Congress or to any duly authorized committee or subcommittee of the Congress.

''(c) COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.—

''(1) ESTABLISHMENT.—The Committee on Foreign Investment in the United States established pursuant to Executive Order No. 11858 (hereafter in this section referred to as the 'Committee') shall be a multi-agency committee to carry out this section and such other assignments as the President may designate.

''(2) MEMBERSHIP.—The Committee shall be comprised of the following members:

''(A) The Secretary of the Treasury.

''(B) The Secretary of State.

''(C) The Secretary of Defense.

''(D) The Secretary of Homeland Security.

''(E) The Attorney General.

''(F) The Secretary of Commerce.

''(G) The Director of the Office of Management and Budget.

''(H) The United States Trade Representative.

''(I) The Chairman of the Council of Economic Advisors.

''(J) The Director of the Office of Science and Technology Policy.

''(3) CHAIRPERSON.—The Secretary of the Treasury shall be the Chairperson of the Committee.

''(4) OTHER MEMBERS.—The Chairperson of the Committee shall involve the heads of such other Federal agencies, the Assistant to the President for National Security Affairs, and the Assistant to the President for Domestic Policy in any investigation under subsection (a) as the Chairperson determines to be appropriate on the basis of the facts and circumstances of the transaction under investigation.

''(5) ROLE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence shall provide appropriate intelligence analysis and intelligence briefings to the Committee.

''(d) ACTION BY THE PRESIDENT.—

''(1) IN GENERAL.—No proposed or pending acquisition, merger, or takeover, of a person engaged in interstate commerce in the United States by or with foreign persons may occur unless the President, on the basis of an investigation and report by the Committee, finds that such acquisition, merger or takeover, will not threaten to impair the national security of the United States, as defined by regulations prescribed pursuant to this section, and approves the transaction.

''(2) ENFORCEMENT.—The President shall direct the Attorney General to seek appropriate relief, including divestment relief, in the district courts of the United States in order to implement and enforce—

''(A) any finding, action, or determination under this section of disapproval of an acquisition, merger, or takeover; or

''(B) any conditions imposed on any approval of any acquisition, merger, or takeover.

''(3) FINALITY OF DETERMINATIONS.—All actions and determinations under this section shall be final and not subject to judicial review.

''(e) FINDINGS BY THE PRESIDENT.—

''(1) IN GENERAL.—A finding under this section of impairment or threatened impairment to national security shall be based on credible evidence that leads the President to believe that—

''(A) the foreign interest exercising control might take action that threatens to impair the national security; and

''(B) other provisions of law do not provide adequate and appropriate authority for the President to protect the national security.

''(2) FACTORS TO BE CONSIDERED.—Any investigation under this section shall take into account the following factors:

''(A) Domestic production needed for projected national defense requirements.

''(B) The capability and capacity of domestic industries to meet national defense requirements, including the availability of human resources, products, technology, materials, and other supplies and services.

''(C) The control of domestic industries and commercial activity by foreign citizens as it affect the capability and capacity of the United States to meet the requirements of national security.

''(D) The potential effects of the proposed or pending transaction on sales of military goods, equipment, or technology to any country—

''(i) identified by the Secretary of State—

''(I) under section 6(j) of the Export Administration Act of 1979, as a country that supports terrorism;

''(II) under section 6(l) of the Export Administration Act of 1979, as a country of concern regarding missile proliferation; or

''(III) under section 6(m) of the Export Administration Act of 1979, as a country of concern regarding the proliferation of chemical and biological weapons; or

''(ii) listed under section 309(c) of the Nuclear Non-Proliferation Act of 1978 on the 'Nuclear Non-Proliferation-Special Country List' (15 C.F.R. Part 778, Supplement No. 4) or any successor list.

''(E) The potential effects on the proposed or pending transaction on United States international technological leadership in areas affecting United States national security.

''(f) REPORT TO THE CONGRESS.—Upon making any determination to approve or disapprove any merger, acquisition, or takeover by or with any foreign person which could result in foreign control of any person engaged in interstate commerce in the United States, the President shall immediately transmit to the Secretary of the Senate and the Clerk of the House of Representatives a written report of the President's determination under this section to approve or disapprove such merger, acquisition, or takeover, including a detailed explanation of the finding made and factors considered.

''(g) CONGRESSIONAL ACTION.—

''(1) IN GENERAL.—If the determination of the President contained in the report transmitted to the Congress under subsection (f) is that the President will approve any merger, acquisition, or takeover under subsection (d) and not later than 30 days after the date on which Congress receives the report, a joint resolution described in paragraph (2) is enacted into law, then the President shall take such action under subsection (d) as is necessary to prohibit the merger, acquisition, or takeover, including, if such acquisition has been completed, directing the Attorney General to seek divestment or other appropriate relief in the district courts of the United States.

''(2) JOINT RESOLUTION DESCRIBED.—For purposes of paragraph (1), the term 'joint resolution' means a joint resolution of the Congress, the sole matter after the resolving clause of which is as follows: 'That the Congress disapproves the determination of approval of the President contained in the report submitted to Congress pursuant to section 721(f) of the Defense Production Act of 1950 on _____.', with the blank space being filled with the appropriate date.

''(3) COMPUTATION OF REVIEW PERIOD.—In computing the 30-day period referred to in paragraph (1), there shall be excluded any day described in section 154(b) of the Trade Act of 1974.

''(h) REGULATIONS.—The President shall direct the issuance of regulations to carry out this section. Such regulations shall, to the extent possible, minimize paperwork burdens and shall to the extent possible coordinate reporting requirements under this section with reporting requirements under any other provision of Federal law.

''(i) EFFECT ON OTHER LAW.—No provision of this section shall be construed as altering or affecting any existing authority, power, process, regulation, investigation, enforcement measure, or review provided by any other provision of law.

''(j) TECHNOLOGY RISK ASSESSMENTS.—In any case in which an assessment of the risk of diversion of defense critical technology is performed by the Committee or any other designee of the President, a copy of such assessment shall be provided to any other designee of the President responsible for reviewing or investigating a merger, acquisition, or takeover under this section.

''(k) BIENNIAL REPORT ON CRITICAL TECHNOLOGIES.—

''(1) IN GENERAL.—In order to assist the Congress in its oversight responsibilities with respect to this section, the President and such agencies as the President shall designate shall complete and furnish to the Congress, not later than May 1, 2007, and upon the expiration of every 2 years thereafter, a report, both in classified and unclassified form, which—

''(A) evaluates whether there is credible evidence of a coordinated strategy by 1 or more countries or companies to acquire United States companies involved in research, development, or production of critical technologies for which the United States is a leading producer; and

''(B) evaluates whether there are industrial espionage activities directed or directly assisted by foreign governments against private United States companies aimed at obtaining commercial secrets related to critical technology.

''(2) DEFINITION.—For the purposes of this subsection, the term 'critical technologies' means technologies identified under title VI of the National Science and Technology Policy, Organization, and Priorities Act of 1976 or other critical technology, critical components, or critical technology items essential to national defense or security identified pursuant to this section.

''(1) BIENNIAL REPORT ON CRITICAL INFRASTRUCTURE.—In order to assist the Congress in its oversight responsibilities, the President and such agencies as the President shall designate shall complete and furnish to the Congress, not later than 90 days after the date of enactment of this subsection and upon the expiration of every 2 years thereafter, a report, both in classified and unclassified form, which—

''(1) lists all critical infrastructure, as defined under subtitle B of title II of Public Law 107–296, that is owned, controlled or dominated by an alien, a foreign corporation, or a foreign government;

''(2) evaluates whether there is credible evidence of a coordinated strategy by 1 or more countries or companies to acquire United States critical infrastructure; and

''(3) evaluates whether there are industrial espionage activities directed or directly assisted by foreign governments against private United States companies controlling critical infrastructure.''.

(b) The amendments made by subsection (a) shall apply to the review and investigation of any acquisition, merger, or takeover which is or becomes subject to section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) (as in effect immediately before the date of the enactment of this Act or on or after such date) that has not become final before the date of the enactment of this Act.

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

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentleman from Minnesota (Mr. SABO) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Minnesota.

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

Mr. Chairman, I am disappointed that the Rules Committee has not allowed me to offer my amendment to strengthen the CFIUS foreign investment review process to this bill.

Americans deserve a rigorous review of foreign investments that could affect our national security. We all know now that the Bush administration was sleepwalking through the review of the Dubai Ports World transaction to acquire shipping terminals at six major U.S. ports.

We should fix the process. Never again should we find that the President and the Secretaries of Homeland Security, Treasury and Defense are unaware of a foreign takeover of a critical U.S. asset until after it is approved.

The bill kills the Dubai Ports World deal. It does not, however, deal with the larger problem of an inadequate foreign investment review process. An amendment I offered in committee would have fixed the problem for the future.

My amendment would strengthen the CFIUS process in the following ways: all transactions that result in foreign control of any person engaged in interstate commerce would be required to undergo a full review to determine whether it affects U.S. national security.

Today, foreign firms voluntarily, let me say that again, voluntarily notify us of these transactions. I believe notification must be mandatory to ensure that our government knows about all such transactions.

My amendment would also retain the Secretary of the Treasury as the chairperson of the committee.

Under my amendment, the President would be required to approve or disapprove all transactions. Today, if the President takes no action, the transaction is automatically approved.

My amendment would extend the CFIUS review period to the full 75 days. Current practice allows most transactions to be reviewed within 30 days, with an additional 45 days of review only if flags are raised.

The amendment would also require the Congress to be notified of Presidential decisions. Furthermore, Congress could overturn approvals within 30 days by a joint resolution. Today, Congress is notified of a CFIUS transaction only when the President disapproves one, and we discover about approvals, like we did in the most recent case, through the press.

Under my amendment, the administration would also be required to report to Congress on foreign ownership of all U.S. critical infrastructure within 90 days of enactment of this bill. Today, no one really knows how much of our critical infrastructure is in the hands of foreign companies and foreign governments.

If we fail to fix the deep flaws in the CFIUS process, our Nation will be vulnerable in the future. We should not take that chance. We should act now to strengthen the foreign investment review process.

I would hope the gentleman from California, the distinguished chairman, would not insist on his point of order so the House may have a vote on this amendment.

Mr. Chairman, I yield to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, this place is really something else. We just had a debate on an amendment that doesn't do ''nothing'' to or for ''nobody''.

The Dubai deal is already dead, and so it is irrelevant whether this House votes for the Gilchrest amendment or not. Because the Dubai deal is already dead, the Lewis Amendment is eviscerated; it does not do anything. It leaves the country with the same problem that we had before we discovered the Dubai controversy.

What Mr. SABO is doing today is what he usually does, which is to try to bring a bit of objectivity and concern for substance into a political pit. And what Mr. SABO is saying in his amendment is ''Let's fix the process so that we do not have the future spectacle of a President to the United States being clueless when a transaction like Dubai is about to take place.''

So what Mr. SABO is saying is, ''Look, the problem with the process is that, right now, it is voluntary, whether or not the people with an economic interest in such a transaction ever notifies our government or not.''

What the Sabo Amendment would do is to say, ''Let's make sure our government always knows what is happening with these kind of transactions.'' And the second thing the Sabo Amendment does is to make certain that Congress can have a role, if it chooses, in this process. Because right now the only time Congress is ever informed is if the President turns down a transaction. They are not informed if the President goes ahead with it.

So I would suggest it would be quaint indeed if this House uses a technicality in the rules to eliminate the only amendment that does something and then makes a big political production out of voting on the Gilchrest amendment, which is totally irrelevant. It is as irrelevant as the Lewis amendment is, because Dubai is already done, the deal is gone, it is quashed.

What Mr. SABO is trying to do is to create some order for the future.

Mr. SABO. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. MORAN).

□ 1730

Mr. MORAN of Virginia. I thank my good friend. I rise in support of this amendment.

As I suggested in addressing the last amendment, we need to be driven by people with expertise, not by fear and prejudice. What Mr. SABO is suggesting is that we get the facts on the table so that we can make the most informed judgment. That is all it is. We are not necessarily going to automatically reject anyone or accept anyone.

Let's have the facts on the table, take the time, let the experts on the Committee for Foreign Investment in the United States do a thorough investigation. I think it will satisfy our constituents' concerns, but it will also enable us to make much more responsible decisions that we have made in the last week. Thank you, Mr. Chairman.

POINT OF ORDER

Mr. LEWIS of California. Mr. Chairman, I rise to make a point of order.

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

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

Mr. SABO. Mr. Chairman, I am disappointed that a point of order is

raised on this very good amendment, but I would concede the point of order.

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

AMENDMENT OFFERED BY MR. GILCHREST

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 38, noes 377, not voting 17, as follows:

[Roll No. 43]

AYES—38

Bartlett (MD)
Barton (TX)
Blumenauer
Brady (TX)
Campbell (CA)
Cannon
Conaway
Davis, Tom
Ehlers
Flake
Franks (AZ)
Gilchrest
Gillmor
Hensarling
Hoekstra
Jefferson
Kline
Kolbe
Linder
Lungren, Daniel E.
McCrery
McDermott
Miller (MI)
Moran (VA)
Neugebauer
Olver
Oxley
Rahall
Reichert
Rohrabacher
Sabo
Schwarz (MI)
Shadegg
Smith (WA)
Thomas
Thornberry
Wilson (SC)
Young (AK)

NOES—377

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

NOT VOTING—17

Andrews
Becerra
Boren
Buyer
Davis (CA)
Davis (IL)
Duncan
Evans
Harris
Hastings (FL)
Lantos
Matsui
McCollum (MN)
Norwood
Peterson (MN)
Sweeney
Westmoreland

□ 1800

Messrs. BOEHNER, SCOTT of Georgia, NUNES, WYNN, Ms. PRYCE of Ohio, Messrs. SAXTON, MEEK of Florida, TIAHRT, Mrs. MUSGRAVE and Mr. RANGEL changed their vote from ''aye'' to ''no.''

Messrs. FRANKS of Arizona, McDERMOTT, and HENSARLING changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. LEWIS of California. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GINGREY) having assumed the chair, Mr. BOOZMAN, Acting 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. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, had come to no resolution thereon.

MISCELLANEOUS TRADE AND TECHNICAL CORRECTIONS ACT OF 2006

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 4944.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 4944, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 412, nays 2, not voting 18, as follows:

[Roll No. 44]

YEAS—412

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
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
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
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 (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
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
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx

Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Hart
Hastings (WA)
Hayes
Hayworth
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
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
McCarthy
McCaul (TX)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
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
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
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
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tancredo
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
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

Goode
Taylor (MS)

NOT VOTING—18

Andrews
Boren
Buyer
Davis (CA)
Davis (IL)
Diaz-Balart, M.
Duncan
Evans
Harris
Hastings (FL)
Matsui
McCollum (MN)
Meehan
Norwood
Pelosi
Peterson (MN)
Sweeney
Tiberi

□ 1820

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 44, H.R. 4944, I was en route from my Congressional District on official business. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. NORWOOD. Mr. Speaker, though I was absent on Wednesday, March 15, 2006, for personal reasons, I wish to have my intended votes recorded in the CONGRESSIONAL RECORD for the following series:

MARCH 15, 2006

Rollcall vote 40 on Ordering the Previous Question on H.R. 4939—"aye."

Rollcall vote 41 for the Adoption of the Rules for H.R. 4939—"aye."

Rollcall vote 42 on Approving H. Con. Res. 190—"aye."

Rollcall vote 43 on the Gilchrest Amendment to H.R. 4939—"nay."

Rollcall vote 44 to pass H.R. 4944—"yea."

PERSONAL EXPLANATION

Ms. MATSUI. Mr. Speaker, I was participating in a meeting at the White House on Wednesday, March 15, 2006, and missed two votes. Had I been present, I would have voted as noted below:

Rollcall vote 43: "nay."

Rollcall vote 44: "yea."

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

The SPEAKER pro tempore (Mr. KUHL of New York). Pursuant to House Resolution 725, 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. 4939.

□ 1820

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. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, with Mr. GINGREY (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from Maryland (Mr. GILCHREST) had been disposed of and the bill had been read through page 2, line 18.

The Clerk will read.

The Clerk read as follows:

CHAPTER 2

DEPARTMENT OF DEFENSE

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $6,506,223,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $1,061,724,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $834,122,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $1,145,363,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

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

Mr. Chairman, I rise for the purpose of a colloquy with Chairman WOLF.

I understood that the Justice Department is working on a plan to distribute $125 million in emergency funds that were provided in the last hurricane supplemental bill for State and local law enforcement.

Yesterday, in our Appropriations subcommittee hearing, I asked the Attorney General what portion of the funds Texas would receive. The Attorney General told me, ''The law requires us to consult with both House and Senate appropriations, and that is ongoing. Believe me, the last thing I want to do is to victimize the victims again, victimize the States who stepped in and bore the brunt of these terrible tragedies.''

Texans did exactly that. Our citizens stepped in and bore the brunt of these terrible tragedies directly with the fallout from Hurricane Rita and indirectly by taking in hundreds of thousands of evacuees.

The Attorney General should deliver to the committee a plan that includes the needs of law enforcement agencies in Texas. Do you agree, Chairman WOLF?

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

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

Mr. WOLF. I do agree. Texans stepped up and helped out in a tremendous way. I hope the Attorney General will work quickly to deliver a plan that meets the gentleman's concerns.

Mr. DELAY. I appreciate the chairman's attention on this matter.

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

Mr. Chairman, all of us have images embedded in our mind about the devastation coming from Hurricane Katrina and Hurricane Rita. We are finding out even today that hurricanes are not the only way that Mother Nature can cause destruction.

In my district, wildfires are raging. It is estimated that, since Sunday, approximately 850,000 acres have been consumed by wildfires. It is estimated by the governor's office that, in the last 3 months or so, approximately 3.7 million acres in Texas have been burned by wildfires. For my colleagues' benefit, that is bigger than the size of Connecticut. Approximately 2 percent of the land mass in Texas has been burned in these fires just in the last 3 months.

In the fires that are going on now, it is estimated that 10,000 to 12,000 head of cattle have been destroyed because of these fires. Obviously, this devastation is continuing. It is not possible in this bill to take action to have some sort of disaster relief, but I know all of my colleagues are concerned about disasters, whatever the cause may be.

I am particularly grateful to the subcommittee chairman, the gentleman from Texas (Mr. BONILLA), for his concern and consideration in looking at ways, as this bill moves forward, when perhaps we can look at ways to assist those who are devastated by what may well be the fires of the century.

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

Mr. THORNBERRY. I yield to the gentleman from Texas.

Mr. BONILLA. Mr. Chairman, Mr. THORNBERRY makes absolutely clear that this is a situation we need to deal with. While there are tragedies that continue in the gulf states and much of the money being debated in this appropriations bill is going for a much-needed cause, the people in Texas that have been affected by these fires are not getting the attention that others are getting and have been getting now for many, many months.

This has been going on for so many days and weeks with no end in sight. I want to assure Mr. THORNBERRY this is only the beginning in this process. While he is one of the great leaders in this effort to try to provide some relief for many of our producers that have been affected, the entire delegation from our State is working hard on this. I commit to the gentleman that we will work diligently to try to remedy this and to provide some assistance for these producers that have been affected.

Mr. THORNBERRY. I thank the subcommittee chairman.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. THORNBERRY. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, first let me say that I very much appreciate Mr. THORNBERRY bringing this matter to my attention.

As the gentleman and I discussed earlier, the territory we are talking about in Texas is just about the size of my district, in which you can put five eastern States. That is a huge territory.

I have been watching the problem with real interest, and there is no question that the House and our committee need to be responsive. We will do everything we can to work with you.

Mr. THORNBERRY. Mr. Chairman, I appreciate the gentlemen working on this.

If I can emphasize one thing, it is hard for the pictures to convey the magnitude of this disaster. When you have more than 3.5 million acres that are devastated, 12,000 head of cattle, it is a disaster of enormous proportions, and I appreciate very much the willingness of the distinguished chairman and other Members to work to help mitigate the effects of this disaster when it is completed.

□ 1830

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

Mr. Chairman, I am being asked every two seconds by Members, what is the story about tonight. Let me simply suggest, and ask the gentleman from California if he concurs. It is my understanding that what we are trying to do is to put together a unanimous consent agreement under which we would be able to complete our business of debating all of the pending amendments within about another 11 hours. That assumes that we can get that UC agreement. If we can't, the debate could go on far longer. We don't quite have that UC agreement worked out yet, but we are trying to. And what we are hoping to do is to proceed with a number of amendments, the Millender-McDonald, Souder, Engel, Shays, Hyde, Burton, Capuano, Salazar, Doggett, Hinojosa, Melancon, Jefferson, Reyes, Jackson-Lee, and Tierney/Leach. We are trying to get at least that far tonight. We don't know if we can. I would ask the gentleman if he has any disagreement with what I just said.

Mr. LEWIS of California. Well, I appreciate the gentleman yielding. And he said it very well. We are putting together a unanimous consent agreement that will package these amendments to protect the rights of those Members who filed amendments. We are trying to expedite the process so we can complete this work tomorrow. In the meantime there are amendments that are going forward. And with that, I very much appreciate the gentleman's cooperation.

Mr. OBEY. And I would simply say, my understanding is if we can reach this UC agreement, there will be no further votes tonight.

Mr. LEWIS of California. That is right. I anticipate that we will, and I am hopeful that that is the case. Under those circumstances, we will have no more votes tonight.

Mr. OBEY. It is also my understanding that afterwards, there is an intention to have the Energy and Commerce Committee also bring up a matter relating to the Low Income Heating Assistance Program.

Mr. LEWIS of California. At the end of this part of the process, that is right. We will go to Energy and Commerce.

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

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

Mr. HOYER. Mr. Chairman, I rise, and I will be very brief, in support of the gentlewoman, the ranking Democrat on the House Administration Committee, which has jurisdiction over elections, who I understand will be offering an amendment which I offered in committee dealing with the challenges to the five-state region struck by Katrina and by Rita as it relates to the administration of elections.

As we know, New Orleans has an election coming up within the next 30 days. Other jurisdictions have elections. I tried to offer $5 million in the committee through the EAC. I want to say that the gentlewoman, I appreciate her leadership on this issue. I support her amendment. I hope it is made in order. I hope it is not objected to. And I hope that we can see it adopted.

I want to tell the gentlewoman as well that Mr. KNOLLENBERG and I have been discussing this, because FEMA has said that they cannot spend, under the Stafford Act, certain expenditures which are required to administer the elections, particularly in New Orleans, because that is upon us, but in other jurisdictions as well. They did pay for the loss of machines. They did pay for the loss of ballot boxes and other paraphernalia necessary, but they have said under the Stafford Act they cannot pay for the election expenses in either Alabama, Mississippi, Louisiana. The gentlewoman's amendment speaks to that and I would certainly be in support of it.

Mr. Chairman, I plan to vote for the emergency supplemental appropriations bill that we are considering today.

H.R. 4939 will pay for supplies and materiel that our forces in Iraq and Afghanistan desperately need to carry out their mission.

The supplemental will also provide much needed resources to Gulf-Area States that were ravaged by hurricanes Katrina and Rita.

However, this bill is not perfect.

I am disappointed that the appropriations committee did not address a problem that has come to light in recent weeks with respect to voting in States that suffered the brunt of hurricanes Katrina and Rita.

On August 29, 2005, residents in Gulf Coast States endured one of the most devastating

natural disasters in our nation's history. Tens of thousands of voters were displaced.

One month later, hurricane Rita caused additional widespread damage to voting infrastructure in Gulf-Area States.

An extraordinary amount of the Gulf region's election infrastructure—voting machines, polling places, and voting materials—were destroyed or severely damaged by the destruction wrought by hurricanes Katrina and Rita.

In Louisiana alone, over 250 polling places in the State's coastal parishes were destroyed.

To make matters worse, tens of thousands of people were forced to temporarily resettle in cities and towns throughout the United States while their communities are rebuilt.

Many if not most of these displaced people have every intention of returning to their communities as soon as conditions allow.

In the meantime, they are determined to maintain as many ties to their communities as they can.

Understandably, they would like to participate in elections that will be held this year in their communities.

Unfortunately, FEMA has proven ineffective at delivering assistance to election officials in hurricane-stricken States who are busy mounting what may be the most extensive and expensive voter outreach, education, and absentee voting program in the Nation's history.

According to FEMA's narrow reading of the "Robert T. Stafford Act," the agency is only empowered to make reimbursements to States to replace destroyed voting machines, but not for outreach to displaced voters.

In other words, FEMA can pay to replace damaged or destroyed voting machines, but it cannot pay to help States plan and execute the voter outreach and voter absentee programs that will be crucial to maintaining electoral continuity in 2006.

As a consequence, of the roughly $3.8 million in claims that the State of Louisiana has so far submitted for reimbursement, for example, only $1.2 million have been approved by FEMA.

During markup of this bill last week, I offered an amendment that would have provided funds to the election assistance commission to help States pay for the entire range of activities that are crucial to running fair, accurate, and secure elections in 2006.

I regret that my amendment was not accepted, and I regret that the bill before us today does not include a provision specifying that under the Stafford Act FEMA is authorized to reimburse States for a wider range of election activities than the agency insists.

Let me be clear: I do not blame this omission on partisanship because there is nothing partisan about the issue.

Democratic, Republican, and Independent voters in the Gulf States all endured last year's trauma.

However, I am very pleased that Chairman KNOLLENBERG recognizes the significance of this issue and has agreed to work to address it in conference.

In the days ahead, I look forward to working with Chairman KNOLLENBERG and his staff to ensure FEMA has the necessary authorities to reimburse the hurricane-stricken States for a much wider range of essential election activities than FEMA claims it has under current law.

The Acting CHAIRMAN (Mr. GINGREY). The Clerk will read.

The Clerk read as follows:

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $166,070,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $110,412,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $10,327,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $1,940,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $96,000,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $1,200,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $18,380,310,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operation and Maintenance, Navy'', $2,793,600,000: *Provided*, That up to $75,020,000 shall be available for the Department of Homeland Security, ''United States Coast Guard, Operating Expenses'': *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $1,722,911,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $5,328,869,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $3,259,929,000, of which—

(1) not to exceed $25,000,000 may be used for the Combatant Commander Initiative Fund, to be used in support of Operation Iraqi Freedom and Operation Enduring Freedom;

(2) not to exceed $10,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes;

(3) not to exceed $1,200,000,000 to remain available until expended, may be used for payments to reimburse Pakistan, Jordan, and other key cooperating nations, for logistical, military, and other support provided, or to be provided, to United States military operations, notwithstanding any other provision of law: *Provided*, That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph; and

(4) not to exceed $44,500,000 for Cooperative Threat Reduction

: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $100,100,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $236,509,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $55,675,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $18,563,000: *Provided*, That the amount provided under this heading is designated as an

emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $178,600,000: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $30,400,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AFGHANISTAN SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Afghanistan Security Forces Fund'', $1,851,833,000, to remain available until September 30, 2007: *Provided,* That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Office of Security Cooperation—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further,* That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further,* That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: *Provided further,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further,* That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: *Provided further,* That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further,* That the Secretary of Defense shall, not fewer than five days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: *Provided further,* That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: *Provided further,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

IRAQ SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Iraq Security Forces Fund'', $3,007,000,000, to remain available until September 30, 2007: *Provided,* That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Multi-National Security Transition Command—Iraq, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further,* That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further,* That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: *Provided further,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further,* That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: *Provided further,* That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further,* That the Secretary of Defense shall, not fewer than five days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: *Provided further,* That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: *Provided further,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $533,200,000, to remain available until September 30, 2008: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $203,300,000, to remain available until September 30, 2008: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $1,983,351,000, to remain available until September 30, 2008: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $829,679,000, to remain available until September 30, 2008: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $7,528,657,000, to remain available until September 30, 2008: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $293,980,000, to remain available until September 30, 2008: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $90,800,000, to remain available until September 30, 2008: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $330,996,000, to remain available until September 30, 2008: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $111,719,000, to remain available until September 30, 2008: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $3,260,582,000, to remain available until September 30, 2008: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $663,595,000, to remain available until September 30, 2008: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $29,047,000,

to remain available until September 30, 2008: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $1,489,192,000, to remain available until September 30, 2008: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $331,353,000, to remain available until September 30, 2008: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $424,177,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $126,845,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $305,110,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $145,921,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $502,700,000: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $1,153,562,000 for operation and maintenance: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AMENDMENT OFFERED BY MS. MILLENDER-MCDONALD

Ms. MILLENDER-MCDONALD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. MILLENDER-MCDONALD:

In chapter 2 of title I, in the item relating to ''Defense Health Program'', insert after the dollar amount the following: ''(reduced by $20,000,000) (increased by $20,000,000)''.

Ms. MILLENDER-MCDONALD. Mr. Chairman, my amendment addresses one of the most critical needs facing our men and women returning home from Iraq and Afghanistan, and that is accessible and reliable prosthetic and orthotic care for our veterans.

Like no war before, the war in Iraq has seen unprecedented numbers of injuries due to surprise bomb attacks.

And like no other war before, troops are often surviving those attacks, though many of them lose limbs. This bill creates new demands and challenges for our health care system that we must provide for our returning men and women. In addition, 20 percent of our practitioners will be retiring over the next 10 to 20 years, a further need for training.

My amendment today provides $20 million to expand the U.S. training capacity for prosthetics and orthotics to the U.S. schools accredited by the National Commission on Orthotic and Prosthetic Education.

This expansion will dramatically improve services for the Nation's military amputees and orthopedically disabled returning from the current conflicts in Iraq and Afghanistan.

The need to provide more orthotic and prosthetic practitioners is compelling. The demand for orthotic and prosthetic provider services is expected to increase by 25 percent for orthotic care and 47 percent for prosthetic care by 2020. At present, only 200 to 225 new practitioners are trained each year in the United States.

On a broader scale, my amendment is an excellent investment in a health field that will continue to grow. For example, over 1.2 million individuals live with limb loss/absence in the United States.

Annually, physicians perform over 185,000 amputations in the United States at about 507 a day. The number of amputations is expected to rise due to devastating complications of diabetes. The growing need for rehabilitation practitioners well trained in the various disciplines of rehabilitation will continue to be a growing trend.

Finally, this funding will be an investment in our veterans hospitals across the country.

I ask, Mr. Chairman, that my colleagues support this important amendment.

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

Mr. Chairman, I rise as Chairman of the Military Quality of Life Subcommittee on Appropriations within whose responsibility this amendment lies, to thank the gentlewoman for offering this amendment. This is a very important issue. And there is definitely a need for future training in prosthetics to meet the needs of our wounded veterans, and indeed, some of our active duty service people.

The only concern I have is that this would take $20 million out of the defense health budget and move it basically to training. Now, this is a very perspective, thoughtful idea. It needs to be done. And the only concern is the current needs of the defense health budget. But I am prepared, Mr. Chairman, to accept this amendment, to move forward, and as we come to conference, if there is any need to reassess, we would do that. But in the spirit in which it is offered, I am prepared to accept the amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. MILLENDER-MCDONALD.)

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $156,800,000, to remain available until expended: *Provided,* That these funds may be used only for such activities related to Afghanistan and the Central Asia area: *Provided further,* That the Secretary of Defense may transfer such funds only to appropriations for military personnel; operation and maintenance; procurement; and research, development, test and evaluation: *Provided further,* That the funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which transferred: *Provided further,* That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AMENDMENT NO. 1 OFFERED BY MR. SOUDER

Mr. SOUDER. 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. 1 offered by Mr. SOUDER:

In the item relating to ''DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE'', after the dollar amount, insert the following: ''(reduced by $25,000,000)''.

In the item relating to ''INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT'', after the dollar amount, insert the following: ''(increased by $25,000,000)''.

Mr. SOUDER. Mr. Chairman, my intention is to withdraw this amendment. But I want to express my frustration at actually a combination of issues but particularly related to Colombia; that I have been a strong advocate that the military has been slow in responding in Afghanistan to the interrelationship to the heroin problem in Afghanistan into the military efforts, and will be there again next week to meet on the ground to see how we are progressing. And I have grave concerns that the DOD money that is being spent in Afghanistan is not being spent as wisely as I would like. Nevertheless, I am happy that the Defense Department is starting to understand the link between what is being done in narcotics and the heroin funding the attacks on our troops and men and women in our armed services there.

□ 1845

We have a grave problem down in the eastern Pacific, and that is, we have spent this money in the Andean Initiative and in Plan Colombia. What we have seen, as naval resources, which are very limited, have been transferred out of that zone, and the DOD has not made additional investments in, that my amendment would address the problem of an oiler.

When our Coast Guard vessels go out to interdict in drug interdiction through the Department of Homeland Security, they have always been dependent, just like many intelligence assets are, on DOD. DOD has not given them an oiler with which to refuel.

So logically the drug dealers, which we see far more than we used to, we can see them coming at us. We have gone from 20,000 to 30,000 deaths in America, real deaths in the streets of America, because we are not interdicting things that we can see, because we don't have an oiler in the eastern Pacific.

Last Sunday in The Washington Post, a big article about Guatemala, a top antidrug person being corrupt. Why is Guatemala being corrupted? Why do we hear about the gangs in El Salvador related to narcotics? Why do we hear about the problems in the southwest border related to narcotics?

We can see the stuff coming, but unless DOD makes some investment in an oiler, we can talk all we want about intercepting narcotics. But if you don't have a way to refuel their ships out in the water, and the United States Navy takes all the resources on it, we can't fight the war on narcotics.

I am going to withdraw this amendment, because I understand the supplemental is focused on Afghanistan and Iraq. I support the antinarcotics efforts in Afghanistan, but I am very concerned, and I am hoping that the Appropriations Committee will work with us on getting this oiler, work with DOD, because this is essential to the war on drugs.

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

The Acting CHAIRMAN (Mr. GINGREY). Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for ''Office of the Inspector General'', $6,120,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RELATED AGENCIES

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For an additional amount for the ''Intelligence Community Management Account'', $158,875,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

(TRANSFER OF FUNDS)

SEC. 1201. Upon his determination that such action is necessary in the national interest, the Secretary of Defense may transfer between appropriations up to $2,000,000,000 of the funds made available to the Department of Defense in this chapter: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to this authority: *Provided further*, That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the authority in this section is subject to the same terms and conditions as the authority provided in section 8005 of the Department of Defense Appropriations Act, 2006, except for the fourth proviso.

SEC. 1202. (a) AUTHORITY TO PROVIDE SUPPORT.—Of the amount appropriated by this Act under the heading ''Drug Interdiction and Counter-Drug Activities, Defense'', not to exceed $40,000,000 may be made available for support for counter-drug activities of the Governments of Afghanistan and Pakistan: *Provided*, That such support shall be in addition to support provided for the counter-drug activities of such Governments under any other provision of the law.

(b) TYPES OF SUPPORT.—(1) Except as specified in subsections (b)(2) and (b)(3) of this section, the support that may be provided under the authority in this section shall be limited to the types of support specified in section 1033(c)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85, as amended by Public Law 106–398 and Public Law 108–136), and conditions on the provision of support as contained in such section 1033 shall apply for fiscal year 2006.

(2) The Secretary of Defense may transfer vehicles, aircraft, and detection, interception, monitoring and testing equipment to such Governments for counter-drug activities.

(3) For the Government of Afghanistan, the Secretary of Defense may also provide individual and crew-served weapons, and ammunition for counter-drug security forces.

SEC. 1203. Notwithstanding 10 U.S.C. 2208(l), the total amount of advance billings rendered or imposed for all working capital funds of the Department of Defense in fiscal year 2006 shall not exceed $1,500,000,000: *Provided*, That the amounts made available pursuant to this section are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 1204. In addition to amounts authorized in section 1202(a) of Public Law 109–163, from funds made available in this chapter to the Department of Defense, not to exceed $423,000,000 may be used to fund the Commander's Emergency Response Program and for a similar program to assist the people of Afghanistan, to remain available until December 31, 2007.

SEC. 1205. Supervision and administration costs associated with a construction project funded with ''Afghanistan Security Forces Fund'' or ''Iraq Security Forces Fund'' appropriations may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 1206. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal year 2005 and 2006 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

CHAPTER 3

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

For an additional amount for ''Child Survival and Health Programs Fund'', $5,300,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AMENDMENT OFFERED BY MR. ENGEL

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

The Clerk read as follows:

Amendment offered by Mr. ENGEL:

Page 26, line 8, after the dollar amount, insert the following: ''(increased by $5,000,000)''.

Page 26, line 16, after the dollar amount, insert the following: ''(increased by $5,000,000)''.

Page 27, line 17, after the dollar amount, insert the following: ''(increased by $40,000,000)''.

Mr. ENGEL. Mr. Chairman, I ask unanimous consent to have the amendment considered at this point.

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

There was no objection.

Mr. LEWIS of California. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

The Acting CHAIRMAN. The gentleman reserves a point of order.

Mr. ENGEL. Mr. Chairman, my amendment speaks to the immediate needs of our southern neighbor, Haiti. This amendment would increase economic support funds by $40 million, development assistance by $5 million, and child survival and health funds by $5 million, totaling an additional $50 million for Haiti. It is my intention to offer and withdraw this amendment.

After a history of instability, poverty and democratic setbacks, Haitians

poured onto the streets of their country last month to cast their votes, demonstrating a desire for a better future. After a contested vote-counting period, the front-runner in the presidential election, Rene Preval, was declared the winner with nearly 52 percent of the official vote, compared to less than 12 percent to his closest contender.

Such a large mandate and a large margin of victory gives Preval a strong mandate and legitimacy to reform and rebuild Haiti's institutions and fractured society. Yet the challenges are vast. The same massive underlying problems still plague Haiti, and a second round of elections looms in the coming weeks.

Now is the time, I very strongly believe, for the United States to tangibly demonstrate that it stands with the Haitian people in their quest for democracy and stability. We have long had a special relationship and a special obligation to the people of Haiti. I believe that there exists a limited window of opportunity to help Haiti, which was opened by the recent successful elections.

We should seize this opportunity by expanding our assistance to Haiti and the Haitian people in the immediate future. My amendment does just that. My amendment provides $50 million in emergency FY 06 supplemental assistance for our impoverished neighbor in the south. Haiti, of course, is the poorest country in the Americas.

Specifically, the amendment increases economic support funds by $40 million, developmental assistance by $5 million and child survival and health by $5 million. This supplemental funding directly addresses the profound social needs in Haiti, while providing support for future elections, reconciliation and efforts to jump-start local economies.

Mr. Chairman, I would like you to know that members of the Subcommittee on the Western Hemisphere, where I am the ranking member, recently wrote a bipartisan letter supporting $50 million of additional assistance for Haiti in this supplemental legislation.

I would like to thank Chairman BARTON and the other members of the subcommittee for their support. I will include this letter in the RECORD.

Elections signal the beginning of a transition, not an end. Thus we believe that this additional assistance is the least we can do at this critical time to help Haiti. We obviously have a stake in their democracy-taking route, having Haiti so close to our shores. Of course, there is a large Haitian-American community in this country which has ties to Haiti that further bind our two countries together as well.

Mr. Chairman, as this legislation moves forward, I ask that the House work with the Senate to include emergency aid for Haiti. It is my hope that, in the end, Congress will heed the bipartisan call of the subcommittee and provide important additional aid to Haiti.

As I said, I am going to withdraw my amendment at the end because I believe that this is the best way to move this amendment forward, by working with the Senate, and hopefully we get it there and it comes here. So I urge my colleagues to listen to our pleas.

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

Mr. Chairman, I understand the gentleman from New York is going to withdraw his amendment, and I will not take more than a few seconds here. I want to make only one point to other Members here.

What the gentleman is proposing is certainly something that is humanitarian, and we certainly agree with his efforts to try to do everything we can to restore order to the very troubled nation of Haiti. But I think it is important to understand that knowing these elections were coming in the 2006 appropriations bill, the foreign assistance amount included in there is $194 million. In addition, the President is requesting in FY 2007 $163 million.

Almost none of the $194 million in the FY 2006 bill has been obligated, so there is no possibility that we are going to need these additional funds. In other words, this is not an emergency at this point. If additional funds are needed, we could easily add them in to the 2007 bill, but we have almost all of the $194 million appropriated in 2006 that are still available for obligations to help this country get on its feet.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the victory of Rene Preval in the first round of elections in Haiti does open a window of opportunity to rescue this country from its failed state status. Now is the time for the United States to tangibly demonstrate that it stands with the Haitian people in their quest for democracy and stability.

Mr. Chairman, I was disappointed that the administration's supplemental request did not contain funding for Haiti, because I do think we have limited time to make a difference by providing assistance to ensure that the second round of elections, which are just weeks away, are free, fair and transparent. This money will help fund quick impact programs to promote reconciliation and stabilization and to expand our participation in the U.N. civilian police training and vetting program.

I appreciate the comments of my chairman and his willingness to make sure that we have adequate funding for Haiti, but I think this amendment does send an important signal to the Haitian people that the U.S. is committed to help them as they pull their country out of chaos.

The United States must show that we care about more than elections, that we care about what comes afterwards as well. So I am very pleased that the chairman addressed this issue.

I am pleased that Mr. ENGEL is withdrawing the amendment, and I look forward to working with the chairman and working with Mr. ENGEL to ensure that we are supportive and that Haiti gets the money that it deserves to try to get it on the right track and move that country ahead. It is an embarrassment to the region, it is an embarrassment to the world, that Haiti has not been able to get this support it needs. So, working together, I am hopeful that we can take positive action to get Haiti on the right track.

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

Mr. Chairman, let me thank our new ranking member of the Western Hemisphere Subcommittee for his leadership and for his commitment to the people of Haiti. I think today illustrates the type of commitment that he has in terms of his truly understanding the critical needs of the Haitian people. So I want to commend you, Mr. ENGEL, for your leadership, and thank you for putting this out here, at least so we can have a debate and discuss why Haiti deserves this $50 million.

Let me just say, first of all, that we all know that on February 7 the Haitian people demonstrated their faith in the democratic process, and today the United States needs to send a signal. We need to show our support for their commitment and for their persistence.

I co-chaired the Haiti Task Force with the great leader Congressman CONYERS. Many members of this Haiti Task Force have worked for many, many years to help the Haitian people, not only with their democracy, which, of course, they have engaged in in terms of the democratic process over the years, but also, most importantly, with their economic development and their humanitarian assistance and the infrastructure assistance that they so desperately need.

Haiti is the poorest country in the Caribbean, and we need to begin to provide resources in a very real way, and I mean in a real way, to the people of Haiti under the leadership of the newly democratically elected government.

This amendment, and it is just the beginning, it is only $50 million, begins to rectify some of the inadequacies of this supplemental, which, of course, we have heard there is really no money in it for Haiti.

So we need to support the Engel amendment. We need to send a message to the world, to the Caribbean, to CARICOM, that we support democracy in Haiti, that we support development assistance for Haiti, that we support economic assistance, that we support an increase to help the Haitian people address their health care needs. The HIV and AIDS pandemic is rampant in Haiti. The highest incidence of AIDS in the Caribbean is in the country of Haiti.

So whatever we do today in terms of this $50 million, I think we need to understand that we need more than $194 million to address the basic needs of the Haitian people.

So, Mr. ENGEL, this is an excellent first step. I hope that people throughout our country recognize that there are those of us here in the House who want to support the aspirations and the needs and the desires and the dreams of the Haitian people, and we should do so by passing this amendment, this $50 million.

□ 1900

Mr. ENGEL. Mr. Chairman, I want to thank Congresswoman LEE and Congresswoman LOWEY for their support and Congressman KOLBE for his explanation.

Mr. ENGEL. Mr. Chairman, in the hope that this will move the process along so that Haiti will get all of the money it needs, I ask unanimous consent to withdraw my amendment.

The Acting CHAIRMAN (Mr. GINGREY). Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEVELOPMENT ASSISTANCE

For an additional amount for ''Development Assistance'', $10,500,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

INTERNATIONAL DISASTER FAMINE ASSISTANCE

For an additional amount for ''International Disaster and Famine Assistance'', $136,290,000, to remain until expended: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For an additional amount for ''Operating Expenses of the United States Agency for International Development'', $61,600,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND–

For an additional amount for ''Economic Support Fund'', $1,584,500,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AMENDMENT OFFERED BY MR. SHAYS

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

The Clerk read as follows:

Amendment offered by Mr. SHAYS:

Page 27, line 17, after the dollar amount, insert the following: ''(reduced by $10,000,000) (increased by $10,000,000)''.

Mr. SHAYS. Mr. Chairman, this amendment would designate $10 million of economic support funds for the Community Action Program, also known as CAP, in Iraq. That is what this amendment does.

I would like to say, Mr. Chairman, that a real hero in this House is Mr. KOLBE who has made sure that these programs have flourished. In my 11 trips to Iraq, I am absolutely convinced the best thing we have done in all of our expenditures on the economic side of the table has been to support these CAP agencies.

There were five NGOs, nongovernment organizations. There are still four left. They stand potentially to lose money in June or July and not have the carry-over into the next fiscal year. What this amendment ensures, with Mr. KOLBE's help, is that that money will be extended so that we can keep them in place.

When we talk about keeping them in place, for instance, one of these nongovernment organizations, and it is typical, has about 130 employees who are all Iraqis throughout Iraq and only seven who are not Iraqis, one or two Europeans, one or two eastern Europeans, and one or two Americans; and when you add up the others we are talking about over 600 Iraqis. And what are they doing? They are rebuilding schools, they are repairing water and sewer lines, building health clinics, helping what takes place in the schools. Just a host of other infrastructure and development projects.

In the report that was done by the Appropriations Committee, and I would like to read from it, it expresses my sentiments better than I could. This is what the report says, ''The CAP program has generated a network of more than 1,300 community associations across 17 governorates in Iraq, and has trained 17,281 community association members.''

The January, 2005, audit by the Office of Inspector General USAID found that the CAP, ''achieved 98 percent of its intended outputs, including citizen participation, inner-government cooperation, local government cooperation, local employment generation, and consideration of environmental concerns.''

The bottom line is, these programs are working extraordinarily well. And I thank Mr. KOLBE, and the chairman of the Appropriations Committee as well, for ensuring that these organizations do not have to close up shop, and fire a whole host of Iraqis.

I would like to just say, in addition, I am a strong supporter of making sure that we do everything we can to have the Iraqis succeed. It is astounding that last year they had three elections. They established a government. That government established a constitutional convention. They created a constitutional convention.

Then we had a second election, ratified by 79 percent of the Iraqis who voted. And then, once the constitution was established, December of this last year, 76 percent of all Iraqi adults voted, not 76 of those who registered, 76 percent. And 30 percent of their new assembly is made up of women. That is extraordinary progress on the political side. We are training their police, their border patrol and their army. I wish we had not allowed it to disintegrate.

But now they are getting to critical mass, so we are seeing the military side, we are seeing the political side. This is the economic side that Mr. KOLBE is focusing on.

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

Mr. SHAYS. I yield to the gentleman from Illinois.

Mr. KIRK. Mr. Chairman, I strongly support the Shays amendment because this continues the CAP program led by groups like Mercy Corps in Iraq who are able to operate with very low levels of security because they are so heavily supported by the local community.

This is a phenomenally successful program. The gentleman is exactly right.

Mr. SHAYS. Mr. Chairman, if I can just add, reclaiming my time, evidently not one of these projects done by these organizations have had to deal with assaults by Iraqis, have had a building or something which was then destroyed by insurgents. They have all survived.

I thank Mr. KOLBE from the bottom of my heart for his help in this effort.

Mrs. LOWEY. Mr. Chairman, I rise to strike the last word.

Mr. Chairman, I rise in support of the gentleman's amendment, and I understand and I am pleased that the chairman is going to accept it, because ICAP is one of the few overwhelming success stories with respect to Iraq reconstruction.

Since 2003, ICAP has worked with communities in all of Iraq's 18 governorates to empower ordinary Iraqis to determine, implement and monitor reconstruction and development in their communities.

We all talk about how Iraqis need to run their own country, choose their own government, fight their own battles, make their own priorities. ICAP is aimed at accomplishing just this goal.

Its implementing partners have trained more than 620 Iraqi staff members. In turn, they have trained over 17,000 community action group members. And ICAP partners do not contract with multi-national corporations to get their work done. Only Iraqi contractors carry out ICAP projects. So, as we move forward, ICAP can be an excellent complement to the new provincial reconstruction teams being established throughout Iraq.

The gentleman's amendment would ensure that ICAP does not run out of funding this summer, as it certainly will if no further resources are provided. So it would be a shame to end this program prematurely. Mr. Chairman, I urge my colleagues to support this amendment.

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

Mr. Chairman, I will be very brief. I am prepared, as the gentleman from Connecticut has already indicated, to accept this amendment.

The Community Action Program, to which this is directed, has been a proven and effective way to build community-based democracy in Iraq and linkages between community and provincial governance, and I think it has worked very well. The experience that we have had in Iraq has really been very much in favor of what we have been trying to do there.

These funds ensure the continuation of that Community Action Program through the fiscal year 2006, and I commit to the gentleman that we are going to consider further appropriations for this proven program in the regular appropriations bill for 2007.

For that reason, I am happy to accept this amendment and hope that we can move forward.

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

Mr. KOLBE. I yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, there is a concern obviously with continuing resolutions. Is there a way to deal with that issue?

Mr. KOLBE. Yes. If there is a scenario in which funding for activities in the foreign operations appropriations bill are funded for a period of time under a continuing resolution, I believe the funds would be available, on a prorated basis, to continue the CAP program until regular appropriations were enacted.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. SHAYS).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF STATE

DEMOCRACY FUND

For an additional amount for ''Democracy Fund'', $10,000,000 for the advancement of democracy in Iran, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

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

The Clerk read as follows:

Amendment offered by Mr. GARRETT of New Jersey:

Page 27, strike line 24 and all that follows through line 5 on page 28.

Page 35, line 20, after the dollar amount, insert the following: ''(reduced by $5,000,000)''.

Page 36, strike line 14 and all that follows through line 21.

Mr. LEWIS of California. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

The Acting CHAIRMAN. The gentleman reserves a point of order.

Mr. GARRETT of New Jersey. Mr. Chairman, we are on the floor tonight to discuss a supplemental emergency appropriation, supplemental meaning that we are adding to something to complete it or to bring it to fruition. An emergency, just ran out and grabbed the dictionary, meaning an unexpected serious occurrence or situation urgently requiring prompt action.

Well, unfortunately, the language in the bill in this area of additional foreign aid is not an unexpected situation or emergent. That is just not my opinion. That is actually the opinion of the committee itself.

The language that we seek to strike is approximately $15 million in additional foreign aid, $5 million to expand public diplomacy information programs relating to Iran, and $10 million in democracy funds for the promotion of democracy, governance, human rights, independent media, and the rule of law in Iran.

Iran is certainly not an ally of this Nation that we are here tonight to seek assistance of $15 million. Again, not my opinion, that it is not an ally of this country. This administration itself called Iran part of the Axis of Evil. Iran, who wants to wipe Israel off the map of the world; Iran, who wants to assist Hamas in any way they possibly can; Iran, who neglects and fails to listen to the world's heed and continues to expand its nuclear program. And yet tonight we have a supplemental program of approximately $15 million to assist that nation.

Again, I say that this is not my opinion, that this is not an emergency situation. The committee in its report says that it is disappointed in the Department of State's failure to provide adequate and timely justification of the emergency nature of these funds.

If the State Department then cannot supply us and cannot supply the committee with the very information that it needs to say that this truly is an emergency situation, why then is this House considering providing an additional $15 million to support Iran?

The rest of the supplemental obviously has worthwhile programs in it. We are trying to assist our men and women overseas who find themselves in harm's way as we speak here tonight with military assistance. We are trying to assist those people down in the gulf coast to rebuild their lives with Katrina aid.

But, at the same time, we have articles such as this added to this Christmas tree list, if you will, of programs to the supplemental bill that do not meet the criteria of an emergency situation.

□ 1915

So, Mr. Chairman, I would say that we should strike the language in the bill that would delete $5 million for public diplomacy and $10 million for economic support fund for Iran.

POINT OF ORDER

Mr. LEWIS of California. Mr. Chairman, regretfully, I must make a point of order against the amendment because it proposes to amend portions of the bill not yet read.

Section 17 of chapter 2 of the House Practice book states in part, ''It is not in order to strike or otherwise amend portions of a bill not yet read for amendment.''

And for that reason I would make a point of order.

The Acting CHAIRMAN (Mr. GINGREY). The gentleman from California (Mr. LEWIS) has raised a point of order. Does the gentleman from New Jersey (Mr. GARRETT) wish to be heard on the point of order?

Mr. GARRETT of New Jersey. Mr. Chairman, if I may have a colloquy with the chairman?

The Acting CHAIRMAN. The Chair cannot entertain a colloquy on a point of order.

Mr. GARRETT of New Jersey. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for ''International Narcotics Control and Law Enforcement'', $107,700,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AMENDMENT OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BURTON of Indiana:

Page 28, line 9, after the dollar amount, insert the following: ''(reduced by $26,300,000) (increased by $26,300,000)''.

Mr. BURTON of Indiana. Mr. Chairman, I have discussed at length with the chairman of the subcommittee from Arizona and the chairman of the full committee the problems that we faced with Plan Colombia.

In the last 5 or 6 years, there have been 23 aircraft lost that are vitally important to the drug interdiction problem that we are facing. This chart shows you where the drugs are coming from and where they are going according to our intelligence agencies. And once drugs, heroin and cocaine, get beyond Colombia, 65 percent of them, almost two-thirds of them, work their way into the United States onto the streets, into the schools, into the playgrounds of this country.

President Uribe just came out up here recently and told us without the additional assets that are asked for in this amendment, he will not be able to do the job in dealing with the drug problem that we face here in America. So we have to decide as a Congress are we going to continue to fight the war against drugs or are we going to start acquiescing? Are we going to start caving in?

According to President Uribe, they need 23 aircraft. We have talked to the appropriators, and I really appreciate Mr. KOLBE for working on this, and Mr. LEWIS, the chairman. We have decided on a compromise right now. I hope that will help President Uribe. It is not going to solve the problem, but at least it is a step in the right direction.

What it does is provides three DC–3s, which will be able to surveil the area and help us interdict these drugs that are getting beyond Colombia and up into the United States. They have been doing a good job without all the assets they need, and with these additional DC–3s, which have all the technology that is necessary to police this area, it should help a great deal.

Make no mistake about it. We still need the Hueys. We still need the Blackhawks. Something like 70 percent of the aircraft they have used in this area have been destroyed in the last 5 or 6 years, and they need help down there. And President Uribe himself came all the way to the United States to make a plea for this help.

I have talked to the Speaker about it as well as the leaders of the Committee on Appropriations. And I hope my colleagues on the Democrat side as well will see fit to support this. We have a war against drugs. I have some colleagues who serve with me on the Government Reform Committee that told me in Baltimore there is an 80 percent increase in the amount of heroin usage in the minority community. If we are going to deal with that problem, we have to provide the resources for President Uribe and the Colombian national police and the Colombian military to deal with this problem.

In addition to that, we have other problems in South America and Central America that need to be dealt with which this equipment will also help us with. And we also have the problem with possible terrorists coming in. This surveillance effort will help in that regard as well.

I have a lot more things I would like to say, but I understand my time is about expired. I hope you will accept this amendment and I really appreciate you working with us.

Mr. Chairman, I thank Chairman HYDE, chairman DAVIS, Congressman SOUDER, Congressman CHABOT and the staff of the International Relations Committee for their exceptional work on crafting this critically important amendment.

Colombian President Alvaro Uribe is a key ally in the War on Drugs and a strong ally in Latin America. Last year, under his leadership and with U.S. and international support, Colombia succeeded in destroying 170,000 hectares of illegal coca (aerial and manual eradication), thus removing a potential 150 metric tons of cocaine with a street value of over $15 billion. Colombia's police and military forces captured or shared in the capture of another 223 metric tons of cocaine and cocaine base.

Despite these many successes, experience has taught us that if the cocaine and heroin make it to the coasts of Colombia, it has a 65 percent chance of getting into the United States. This is due, in part, to the reduction in assets monitoring the trafficking routes. We have excellent intelligence, we know where the smugglers are going but we lack the assets in theater to properly intercept the drugs headed our way.

Since 2000, we have witnessed—and thanks to aggressive oversight efforts by this Congress exposed—a nearly 70 percent reduction in military Marine Patrol Aircraft (MPA) used to interdict these deadly drugs after they reach the Colombian coast.

Furthermore, more than 23 aircraft including fixed wing spray planes and helicopters of the Colombian National Police (CNP) have been lost in action. The losses include both Black Hawk and Huey 2 helicopters used by the police anti-drug units in support of high altitude eradication of the opium corp. In 2003 alone, nearly 25 percent of the aircraft used in spray operations were lost, and they have not been replaced as of yet.

We cannot continue to enjoy even modest success at interdicting and destroying these drugs unless we make up these losses.

The Burton Amendment will restore critical anti-narcotic air and surface assets in the Colombian Navy and National police. The Amendment provides for $99.4 million in counter-drug emergency assistance to help replace some of the 23 Colombian National Police (CNP) aircraft lost in the fight against narco-terrorism since 2000. The money will also would provide three (3) new aircraft to serve as Marine Patrol Aircraft (MPA) for the Colombian Navy's drug interdiction efforts. In addition, the proposal will cover the operational and maintenance expenses for two year for these new aircraft.

I know that many of my colleagues are concerned about the cost of this amendment and the fact that we've asked for the funds to be considered as emergency spending.

I would respectfully remind those of my colleagues who oppose this amendment that the streets of America are awash in drugs. Because many of our own military maritime and air interdiction assets were removed from the Caribbean basin to deal with the challenges of homeland security after 9/11, we have left critical gaps in our drug interdiction net. The end result is that today the Central American Transit Zone is being exploited by drug-traffickers like never before.

We ignore this problem at our own peril, as the very routes being used to ship dangers narcotics to our shores could just as easily be used to smuggle in terrorists or weapons of mass destruction. Although there is no solid evidence yet of Central and South America traffickers and Al-Qaeda, many law enforcement officials have commented on the positive benefits to both groups from such a linkage. I believe it is not a question of if Al-Qaeda will try to exploit this glaring hole in our security net but when. The emergency is now and it is very real.

Spending this modest sum now to consolidate the major gains of the Plan Colombia program and strengthen our homeland security effort will save us far more money in comparison to the potential cost of cleaning up the mess should we allow Plan Colombia to ultimately fail, or al-Qaeda to exploit this situation to kill thousands more innocent Americans.

I respectfully ask my colleagues to vote for this amendment.

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

With great respect for my colleague, I rise in opposition to the gentleman's amendment though I think he raises a valid concern. I just returned from Colombia, and I think there is a real need to boost the Colombian government's interdiction efforts. I think, in fact, I think that greater focus on interdiction may well be more effective than our current emphasis on eradication. However, I think the responsibility for funding this program lies first and foremost with the Colombian government.

The President of Colombia was in Washington just a few weeks ago and met with Chairman KOLBE and me. He did not indicate to us any pressing need for this assistance. In fact, I believe the State Department is seeking to reprogram funds away from Colombian aviation programs and the Colombian national police to finance the demobilization programs.

That said, I do agree that the gentleman raises an important point. I think it is time that we look at a different mix for funding for Colombia, one that boosts spending on alternate development and interdiction programs and reduces funding for eradication programs which I think are ineffective at best. However, I think this amendment is better considered in the context of FY 2007 appropriations process where a more comprehensive discussion of the Colombia program can take place, and I think that is what is really needed here.

There is no emergency requirement for the funding. It does not belong in the supplemental. Therefore, I do urge my colleagues to vote against this amendment.

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

Mr. Chairman, as the gentleman from Indiana has indicated, this amendment he has offered here does represent a compromise that we have worked out so I do rise to say that we support this amendment. Let me say I do agree with my colleague, the ranking member of the subcommittee, the gentlewoman from New York, in many of comments that she made. It is correct that when President Uribe, for whom I have the greatest respect and believe he has been one of the truly great leaders of Colombia in recent decades, I think when President Uribe came to visit with us, he did not give us any indication that this was the money that he was seeking, that he needed additional funds for.

However, having said that, I believe this is an important aspect of our efforts to interdict drugs coming to Central America and Mexico, and then on into the United States. For us it is the frontline of our war against drugs, and for that reason I do think that this amount which represents a reasonable compromise and does not damage our other programs from which the funds are taken in Iraq, for that reason, I think it is one that can be supported.

Mr. Chairman, I would support this amendment.

Mr. HYDE. Mr. Chairman, after 7 years of work on anti-narcotic efforts in Colombia, we are now seeing the fruits of our labors in the drug wars. Americans, and especially our young people, are greatly benefiting here at home from our policies in Colombia and the strong support of the government of President Alvaro Uribe.

We are concerned, however, with the recent waning support by some in the administration for our vital counterdrug initiatives. A focused part of our war on drugs is comprised of the interdiction and spray airplanes used by the Colombian police and military. We have funded a number of these aircraft, but several have been lost because of serious maintenance problems or have been shot down or destroyed.

Since the year 2000, more than 23 aircraft, including spray planes and vital helicopters, have crashed or been lost in action. This includes one of the original Black Hawk helicopters which we in the Congress obtained for the Colombian National Police, CNP, to use against the opium crops as early as 1999. The administration's FY07 budget fails to address these shortfalls.

Moreover, after some correspondence, the State Department dismissed my recent call for the replacement of these aircraft.

What we need is a small, but targeted, assistance package to replace lost anti-drug aircraft and to provide a few new Marine Patrol Aircraft, MPA, of modest cost for the Colombian Navy. We are asking that $99.4 million be directed for the operational costs of maintaining and replacing aircraft used by the Colombian police and military for drug interdiction efforts.

Of that $99.4 million, we ask for $31 million to be allocated for the purchase and operation of ten Huey II helicopters, $40 million be used for the purchase and operation of two UH–60 Black Hawks, one of which will be dedicated to interdicting high value targets, HVT, $2 million to be given toward the upgrade and purchase of flight simulators to be used by the CNP for training on safety and night operations, and $26.4 million to be allocated for the purchase and operation of three DC–3 aircraft which will be used by the Colombian Navy as Marine Patrol Aircraft for multi-role shore interdiction and support missions.

The assistance we provide to Colombia is equally as important to the United States as our assistance in fighting terrorism in Iraq and Afghanistan. Lest we forget, more Americans die each year from using deadly heroin and cocaine that originate from nearby Colombia than did those on the day of the 9/11 attacks in New York, Pennsylvania, and at the Pentagon. We must continue to sustain our war against drugs and the progress we have been witnessing in Colombia.

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

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

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

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

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

Mr. Chairman, I would like to ask the gentleman from California (Mr. LEWIS) a question. As the gentleman knows there is a tradition of courtesy in this House which dictates that when either party has a function that the House will not be in session beyond say 5 or 6 o'clock.

We have made an exception this evening despite the fact that there was a dispute in the Republican caucus earlier in the day, which ate up an extra hour and a half and despite the fact that we have been told that other legislation needed to be brought to the floor. We still indicated our desire to cooperate in establishing a time limit, because we were trying to facilitate the Members of both parties leaving here tomorrow afternoon.

It now appears to me that despite our willingness to do that, we are getting a continual stream of new amendments being produced on the majority side, which are preventing us from reaching a time agreement that would enable us to get out of here at a reasonable hour tomorrow afternoon. I would like to know what the status of the situation is because at this point, I frankly see no purpose in continuing tonight if all we are going to do is give people more time to draft more amendments.

We have imposed a deadline on our side of the aisle and told Members that amendments will not be considered if they come in after a certain hour. But my understanding is on the Republican side there are still amendments coming in and the majority is being pressured to put them on the list. I do not mind working cooperatively, but I do mind when I am being taken advantage of.

I want to suggest that if we can not reach an agreement on time within the next 10 minutes, I for one intend to move to adjourn.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from California.

Mr. LEWIS of California. If I could respond to the gentleman, the gentleman has been more than cooperative and I appreciate what he has to say.

From this gentleman's perspective, it is not our intention to take any additional amendments. We are very, very close to an agreement and I would hope that you and I can see our way through this long enough, a few minutes to make sure that we can get out at a reasonable time.

Mr. OBEY. I want it understood that if we do not have an agreement in 10 minutes, I will move to adjourn.

Mr. LEWIS of California. I always understand the gentleman.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for ''Migration and Refugee Assistance'', $51,200,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For an additional amount for ''International Affairs Technical Assistance'', $13,000,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

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

Mr. Chairman, what I am trying to do still in the interest of cooperation tonight, I am trying to filibuster until Mr. CAPUANO, who is ready to offer the amendment, is ready to offer at this point.

Could I ask if the gentleman is ready? He is ready. This is probably the shortest filibuster in the history of the House.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

PEACEKEEPING OPERATIONS

For an additional amount for ''Peacekeeping Operations'', $123,000,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

□ 1930

AMENDMENT OFFERED BY MR. CAPUANO

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

The Clerk read as follows:

Amendment offered by Mr. CAPUANO:

Page 29, line 10, after the dollar amount, insert the following: ''(increased by $50,000,000)''.

Mr. CAPUANO. Mr. Chairman, in July of 2004 this House declared atrocities in Darfur to be a genocide. Since that time, actually since 2003, 400,000 people at least have died; 200,000 people are in refugee camps in Chad; 2.5 million people are displaced within Darfur. Over half the population has been affected.

The President has used the word ''genocide.'' The Secretary of State has used the word ''genocide.'' The whole world knows what is going on in Darfur.

Many Members of this House, including many Members on both sides of this aisle, have been very active in this issue. In this bill there is already a lot of money appropriated to continue funding the African Union mission that is currently providing 7,700 troops in Darfur to protect the people that are there. However, everyone knows that that is insufficient. The A.U. is doing a good job with the number of troops it has and with the resources it has, but we all know that it needs more.

The President himself has asked to double the number of troops in the Darfur region. I agree with him. Everybody who watches this issue agrees with him. We have to do something.

The money that is in this bill will maintain the A.U. mission, which is a good thing. However, maintaining it is insufficient.

It will eventually become a mission, and that is a good thing. I hope most of us, if not all of us, will support it. That will take 6 to 9 months at the least. In the meantime, maintaining the current situation is unacceptable. Therefore, I have asked for an additional $50 million to be put forward to enhance that mission.

I understand there is some concern about adding more troops with this money. This money can be used for several different items. It is not just boots on the ground.

First of all, money is fungible. Second of all, these troops also have major problems with communication on the ground, with technical planning on the ground, with equipment on the ground that this money can be used for. This money will be our effort to build a bridge between the current situation and the situation that we all are trying to get to, which hopefully will take less than 9 months.

That is why I offer this amendment. That is why I hope it passes.

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

Mr. Chairman, I do rise in opposition to this amendment, and I know some of my colleagues may question why that would be the case, but I think there is a very good and sound reason for that, and I hope the gentleman from Massachusetts will listen to this.

As Members will know, our committee has supported $290 million for the African Union for the AMIS fund. That is the African Military in Sudan support fund. $123 million, that is in this bill. I have been to the Darfur region twice in the last 18 months, and I have seen the very difficult conditions under which this African Union force is working, and I have been pushing the State Department to come up with a strategy as to what would be the future for the A.U. fund.

So, with all of the support that the subcommittee has shown so far for this effort, why are we opposing this additional funding?

Well, the Members may come from both sides of the aisle to the floor and claim that this funding is critical to saving lives in Darfur, but the simple fact is that this will not do that. It does nothing of the kind. In fact, it could actually be counterproductive.

Let me explain why I say that.

There is now an agreement between all the parties, the African Union, the administration and the United Nations, that the African Union force we call AMIS, A-M-I-S, should transition to a United Nations force. Just this last Friday, the African Union announced its support for such a transition and extended the mandate of the AMIS force until the end of this fiscal year. I have their communique in my hand here suggesting that it will be extended and then there would be a transition to a United Nations force. The administration's request, which is fully funded in the bill before us, will fulfill the U.S. contribution to maintain the AMIS force until that time.

If we were to adopt these additional funds, we are basically saying that we do not agree with the idea that this force should be transitioned to a United Nations force. We are saying we want to add additional funds to keep it an African Union fund and not transition it to a United Nations force.

That, Mr. Chairman, would be a mistake. Because there is no question the African Union has made it clear they cannot expand the force. They are willing to extend it for the time being until it can be transitioned to the United Nations force, but they have no capability and no intention of expanding the force. So to put these additional moneys in here to expand the force simply says that we are opposed to transitioning it to a United Nations force where we could have the proper size and the proper forces attached to this.

So that is why I say this amendment actually would be counterproductive to what the gentleman from Massachusetts seeks to do. It is for that reason that I cannot support the message that we would send with this amendment.

If the situation in Darfur is not resolved by the end of the year, this force should be transitioned to the United Nations force where we have seen over and over again it has the capability of dealing with this kind of peacekeeping operation, from Bosnia to other places around the world.

So I urge my colleagues to reject this amendment. They will not be voting against the AMIS, the African Military in Sudan, the A.U. force, that is there. They will instead, by rejecting this amendment, they will be voting for a coordinated effort to truly bring stability to the troubled region of Darfur; and, for that reason, I would urge my colleagues to vote against this amendment.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, more than a year and a half ago, the House and Senate voted unanimously to condemn the genocide in Darfur, and yet every day more people die, and the slow genocide persists unabated.

It is beyond imagination that the collective might and concerted will of the nations of the world cannot find a way to end this daily toll of human misery. Mr. Chairman, I hope and pray that Sudan will allow the U.N. peacekeeping mission to move forward so we can end this devastation. While we wait, however, we must find ways to make the African Union mission more effective.

I would note to my colleagues that the problem in Sudan has not generally been a lack of resources. With bipartisan support, often under Democratic initiative, the Congress has provided over $1.3 billion in assistance for Darfur and southern Sudan. This assistance has been and continues to be needed, and we are committed to providing it.

The primary problem, in my opinion, has been a lack of political will from the government of Sudan, from the international community and, to some extent, from the United States. Until we address these issues of political will, I am afraid we will be forced to rely on solutions that treat the symptoms without curing the disease.

I support this amendment because it seeks to make a bad situation better. I thank the gentleman for offering it.

I also want to acknowledge the leadership of members of the Foreign Operations Subcommittee, specifically Representatives JACKSON and KILPATRICK of Michigan and especially Chairman KOLBE, who have worked diligently to bring attention and focus to the situation in Darfur.

For those reasons, I will support the amendment.

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

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

Mr. CAPUANO. 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. CAPUANO) will be postponed.

The Clerk will read.

The Clerk read as follows:

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

SEC. 1301. Funds appropriated or made available by transfer in this chapter may be obligated and expended notwithstanding section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236).

SEC. 1302. Of the funds made available under the heading ''Iraq Relief and Reconstruction Fund'' in chapter 2 of title II of Public Law 108–106, $185,500,000 is hereby transferred to and merged with the appropriation for ''Economic Support Fund'' contained in this Act: *Provided,* That the amount transferred by this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

(RESCISSION OF FUNDS)

SEC. 1303. Of the funds made available for Coalition Solidarity Initiative under the heading ''Peacekeeping Operations'' in chapter 2 of title II of division A of Public Law 109–13, $17,000,000 is rescinded.

SEC. 1304. Notwithstanding any other provision of law, amounts under the heading ''Iraq Relief and Reconstruction Fund'' in title II of Public Law 108–106 shall remain available for one additional year from the date on which the availability of funds would otherwise have expired, if such funds are initially obligated before the expiration of the

period of availability provided herein: *Provided*, That, notwithstanding section 2207(d) of Public Law 108–106, requirements of section 2207 of Public Law 108–106 shall expire on October 1, 2008.

CHAPTER 4

DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'', $26,692,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 5

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, ARMY

For an additional amount for ''Military Construction, Army'', $287,100,000, to remain available until September 30, 2007: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: *Provided further*, That none of the funds provided under this heading may be obligated or expended until after that date on which the Secretary of Defense submits an updated master plan for overseas military infrastructure to the Committees on Appropriations of the House of Representatives and Senate: *Provided further*, That, subject to the preceding proviso, $60,000,000 of the funds provided under this heading may not be obligated or expended until after that date on which the Secretary of Defense submits a detailed plan for Counter IED/Urban Bypass Roads, Iraq, to the Committees on Appropriations of the House of Representatives and Senate.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', $35,600,000, to remain available until September 30, 2007: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: *Provided further*, That none of the funds provided under this heading may be obligated or expended until after that date on which the Secretary of Defense submits an updated master plan for overseas military infrastructure to the Committees on Appropriations of the House of Representatives and Senate.

AMENDMENT NO. 2 OFFERED BY MR. SALAZAR

Mr. SALAZAR. 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. SALAZAR:

In chapter 5 of title I, after the paragraph relating to ''MILITARY CONSTRUCTION, AIR FORCE'', insert the following:

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For an additional amount for ''General Operating Expenses'', $70,000,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For an additional amount for ''Medical Services'', $560,000,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

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

The Acting CHAIRMAN. A point of order is reserved.

Mr. SALAZAR. Mr. Chairman, I believe that this Congress needs to recognize that caring for our veterans is a continuing cost of the war on terrorism.

My amendment adds $630 million in emergency funding so that the VA can better meet the needs of veterans returning home from Iraq and Afghanistan, and with this financial relief the VA will also be able to provide better care to the heroes of earlier conflicts.

Here is the situation. The VA projected that it would treat 110,000 Operation Iraqi and Enduring Freedom veterans this fiscal year. At the end of January, the first third of the fiscal year, the VA had already treated 74,000 veterans. At this rate, the VA will treat twice the number of veterans than projected.

Our veterans need our support now. There is no better place to include funding for our veterans and military families than in the bill addressing the costs of the war.

First, I have added $250 million for mental health. According to a recent Army study, as many as one in three veterans returning from combat operations in Iraq and Afghanistan will experience symptoms related to mental health problems.

This amendment will make available $9 million to expand veterans' access to family therapy; $168 million to implement the VA's own Comprehensive Mental Health Plan; $24 million for additional substance abuse treatment, one in five post-traumatic stress disorder patients have had substance abuse problems; $35 million to increase capacity to treat returning Iraq and Afghanistan veterans who need outpatient mental health services; $15 million for increased in-patient PTSD treatments, about a 12 percent increase; $3 million to increase staffing for VA efforts to seamlessly transition returning veterans with the Post-Deployment Health Assessment.

The VA is seeing more and more veterans from previous conflicts with post-traumatic stress disorder. This is a growing concern, and it is smart to provide quality mental health care to our returning veterans now and help forestall greater problems and more expense in the future.

The amendment also adds $110 million for prosthetics, a 10 percent increase. We all marvel at what we have done today to help return veterans to a full life, but it is not cheap. Above-knee replacement costs about $50,000, and then it needs periodic adjustment and maintenance. In past years, the VA prosthetic budget had grown by 17 percent a year. By 2007, the administration would cut back the growth to 12 percent. Now is certainly not the time to cut these important programs.

In another area, I added $200 million for direct medical services. Just like last year, we are already hearing anecdotes about shortages at VA medical facilities. Supply problems, budget problems, we do not need a crystal ball to make these predictions. With all the extra new veterans in need of medical care, there will be another budget shortfall.

This is by no means the fault of the men and women in the VA. The VA has made a real innovation by establishing state-of-the-art polytrauma centers, but they cost real money. These centers treat the worst injuries, sharing information with one another and military hospitals by videophone.

The amendment also adds $15 million for medical and vocational rehabilitation services. Service-disabled veterans applying for vocational rehabilitation and employment services increased dramatically over the last decade, roughly a 75 percent increase. Demand for this service will grow even faster due to the ongoing conflicts in Iraq and Afghanistan.

Finally, the amendment includes $55 million for increased staffing to process the growing number of disability claims. Currently, the backlog is more than 370,000 cases, and it is getting worse. In 2005, the VA was averaging 167 days to process one of these claims.

□ 1945

In 2006, it has grown to 185 days. In a time of war, we need to treat our heroes well. Slowing down the process of disability claims is a slap in the face.

Before closing, I would like to acknowledge Chairman WALSH's recognizing that there is a need for VA funding. In fact, he was good enough to grant the VA authority to use $275 million for the construction of a VA Hospital in New Orleans on a need basis.

VA facilities are already feeling the crunch when it comes to their budgets. Why are we not preparing for the future? Why are we willing to let the VA funding run out this year? Why is this administration not willing to fully fund the true cost of the war?

I am here to tell you that we can do better and we must do better. Our troops bravely put their lives on the line and it is our moral duty to provide them the care they were promised. Mr. Chairman, it is high time we stop paying lip service to our veterans and realize that caring for veterans is an ongoing cost of the war. It is high time that we start working towards providing the

VA with the tools needed to provide proper care for our servicemen and -women.

Mr. Chairman, I urge my colleagues to support the amendment and to support the brave men and women in uniform.

POINT OF ORDER

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

The amendment includes an emergency designation and as such, constitutes legislation in violation of clause 2 of rule XXI, and I ask for a ruling from the Chair.

The Acting CHAIRMAN (Mr. GINGREY). A point of order has been made against the amendment. Does any Member wish to address the point of order?

The Chair will rule.

The Chair finds that this amendment includes an emergency designation. The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the amendment is not in order.

The Clerk will read.

The Clerk read as follows:

GENERAL PROVISION—THIS CHAPTER

SEC. 1501. The matter under the heading ''Veterans Health Administration—Medical Services'' in chapter 7 of title I of division B of Public Law 109–148 is amended by inserting after ''calendar year 2005'' the following: ''and for unanticipated costs related to the Global War on Terror'': *Provided*, That the provisions of this section are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 6

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for ''Salaries and Expenses, United States Attorneys'', $3,000,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $99,000,000, to remain available until September 30, 2007: *Provided*, That no funding provided in this Act shall be available for obligation for a new or enhanced information technology program unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations that the information technology program has appropriate program management and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice and Federal Bureau of Investigation: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $5,000,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AMENDMENT OFFERED BY MR. KIRK

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

The Clerk read as follows:

Amendment offered by Mr. KIRK:

Page 34, line 22, after the dollar amount, insert the following: ''(increased by $9,200,000)''.

Mr. KIRK. Mr. Chairman, I thank the Chair, and I want to particularly thank Mr. OBEY of Wisconsin and our chairman, Mr. LEWIS of California, for their work on this.

This amendment addresses a critical need in the drug war in Afghanistan. Since the U.S. coalition forces arrived in Afghanistan, Afghanistan has become the source of three-quarters of the world's heroin supply. We know what a failed state in Afghanistan leads to. In our new counternarcotic operations in Afghanistan, the United States is about to launch a major operation in the Helmand River Valley, where over half of the heroin crop is raised. In doing this, Afghan forces, including their police, will be hitting drug labs, and we need to collect critical information as those operations unfold.

This amendment would provide for critical tools on an aircraft already owned by the Drug Enforcement Agency to collect information on drug traffickers, and especially on kingpins who could be connected to terror. On this, I very much support the work of Chairman WOLF.

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

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

Mr. WOLF. The committee accepts the amendment and congratulates the Member for doing this to help DEA. I think he makes a very powerful point.

Mr. KIRK. Thank you.

Mr. Chairman, this amendment would provide this critical platform to give the tools necessary for Drug Enforcement Agency to be the most effective they can be against Afghan drug kingpins. We already have 120 dedicated drug enforcement personnel on the ground helping Afghan police to carry out this mission. Chairman HYDE, Chairman ILEANA ROS-LEHTINEN, and I have backed this amendment because we feel it is critical for DEA to have these tools now to apply the lessons learned in Colombia to build a success in the coming operations in Afghanistan.

It is also important to note that this House supported amendments to the PATRIOT Act, which now make it a crime to deal in heroin for the support of terror without the need to show a connection to the U.S. market. We have seen Afghan drug dealers and terrorists killing U.S. troops, including two from the 10th Mountain Division, and this tool and the legal authorities that the House just provided are critical in helping force protection and adding to the tools that we need to continue this conflict in the most effective way.

So with that, I urge adoption of this amendment. It is a modest addition to this bill and provides a critical tool that will very quickly, dramatically assist in DEA's operation in Afghanistan.

Mr. HYDE. Mr. Chairman, the purpose of this amendment is to secure funding for an aerial surveillance platform to be used for counternarcotics efforts by the agents and personnel of our Drug Enforcement Administration, DEA, in Afghanistan.

The 9/11 Commission has made it clear that if Afghanistan were to again fall into failed-state status, we would be set back in our war on terror.

The growing opium and heroin trade provides for that possibility. The massive opium crop helps finance terrorism and anticoalition attacks and hampers the effective growth of peace and stability in the region. The drug trade also fuels corruption, which undermines the new democratic institutions we have worked so hard to establish.

We must vigorously pursue, interdict, and arrest the drug kingpins and shut down their operations. The just-signed PATRIOT Act has an additional provision I authored, creating a new Federal offense of narco-terrorism, to be enforced by the DEA against those who use illicit drugs and proceeds from their sales to support or fund terrorist acts or organizations, in places like Afghanistan.

In order to enable the DEA to enforce the new legislation, it is important for it to have the appropriate tools. An aerial surveillance platform provides both ''force protection'' of its dedicated and courageous personnel, as well as a platform for gathering judicially enforceable and prosecutable evidence of drug-related crimes. This evidence can be used in this country as a means of prosecuting and bringing to justice the drug kingpins and their cohorts.

If Afghanistan were to revert to its former failed-state status, the United States would be dealt a severe blow in its global war on terror. We cannot expect the Afghan legal system to effectively combat the drug problem in that country.

Thus, it is critical that we take the appropriate measures to ensure security and stability in Afghanistan. This modest $9.2 million amendment is one huge step toward that goal.

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

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $4,100,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Diplomatic and Consular Programs'', $1,380,500,000, to remain available until September 30, 2007: *Provided,* That of the amount made available under this heading, $1,326,000 shall be available for transfer to the United States Institute of Peace: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AMENDMENT NO. 8 OFFERED BY MR. DOGGETT

Mr. DOGGETT. 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. 8 offered by Mr. DOGGETT: Page 35, line 20, after the dollar amount, insert the following: ''(increased by $7,800,000)''.

Mr. DOGGETT. Mr. Chairman, this $7.8 million State Department amendment that I offer tonight on behalf of myself, Mr. ORTIZ, and Mr. REYES empowers you, Mr. Chairman, and you, Mr. WOLF, as our important subcommittee chairman, and the conferees to address a serious threat to the lives and livelihood of tens of thousands of Texans who call home an area along the southernmost tip of our country that encompasses three congressional districts.

Consistent with the rule under which this bill is being considered, these dollars would simply go to the State Department. But I believe in conference you would be able to clarify, consistent with tonight's debate, that it is designed to upgrade the Federal levees along the Rio Grande that are under the exclusive control of the International Boundary and Water Commission, an agency within the State Department.

Exactly 1,018 days ago, the administration received what was really an alarming report from within its own State Department that our Federal levees along the Rio Grande are up to 9 feet deficient in height, geologically flawed, structurally unsound, and would overtop along some 38 river miles. We know that the time to make repairs is when the sun is shining, not when the flood is coming. The kind of wall that we need along our borders, along our southern border, is a wall to hold in a swollen Rio Grande river. A levee.

What do the levees' weaknesses reported by the State Department mean if you live in the Rio Grande Valley? Well, this is an aerial photo of much of that area. It includes the poorest SMSA, statistical metropolitan area, in the United States: Mission, McAllen, Pharr, and Hidalgo. Hardworking people, small businesses, mission hospital, nursing homes, schools, Balboa Acres neighborhood, along with many others. That is what they look like today on an aerial photo.

What happens if the levees' break? That is what they will look like. They are going to be underwater. And the best way to reach these places is going to be by boat. If the Federal levees are not maintained adequately, and they have not been maintained adequately according to the State Department itself, we will lose 80 percent of our fresh water supply in McAllen, Texas. We will lose two-thirds of the sewer system, which will become unworkable.

That is what we call an emergency, as in emergency supplemental appropriations, in south Texas. We believe that the need is urgent, and that is why some 39 local governments across our three congressional districts, Chambers of Commerce and economic development corporations have pled with the administration to respond to this need.

Last year, under the leadership of Chairman WOLF and Ranking Member MOLLOHAN, the State Department appropriations bill that this Congress passed called on the President for additional funding. Afterwards, Chairman WOLF and Mr. MOLLOHAN wrote Secretary of State Rice a letter asking for support for rehabilitating these levees, recognizing how many people would suffer if they were not rehabilitated, and noting from their letter, that ''this impacts the safety of the citizens of the Valley.''

Of course, the Valley levees are not the only levees in the country that have problems. I know, Mr. LEWIS, that your own State of California has concerns in Sacramento. I would say to you that our situation is unique and different in several particulars. This flooded area, with deficient levees, are exclusively Federal levees that only the Federal Government can remedy because they are along an international border under the control of the State Department.

Second, we are in a hurricane area, a high hurricane area. Last year, we ran out of names we had so many hurricanes, and this year promises another severe hurricane season. But for the fate of nature, the hurricane that hit New Orleans could just as easily have tacked west instead of tacking east and caused just the scenario that is displayed here tonight on this aerial photo.

What I propose, Mr. Chairman, is to add about half a percent, less than the increase that the chairman just agreed to for the last amendment, about half a percent to the $1.3 billion in the State Department, and ask that you clarify in conference that it is to meet a need that I know you are aware exists, and I believe you are trying to respond to. And I believe the State Department recognized and wanted that in this emergency appropriations bill, but somewhere in the bureaucratic process this was not included.

I know that there is more work we will be doing together. I appreciate the meeting that was held today with representatives from south Texas concerning this problem with Mr. WOLF's staff and the meeting we will have tomorrow with the International Boundary and Water Commission. We have our request coming up in the regular appropriations process. But without an emergency appropriation, I believe that the Federal Government really is not meeting its responsibility, a responsibility to the lives and livelihoods of the good hardworking people along the Texas Rio Grande Valley.

That is all this amendment is trying to do, knowing that it could be this summer in hurricane season, it could be next year or the year after. Every day, every month we delay, a thousand days has been enough, and that we need to move forward in addressing this concern now. I thank you.

□ 2000

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

I am kind of surprised the amendment came up, to a certain extent. The gentleman from Texas, not this gentleman, but the gentleman he referred to, just came into town, and I have not had an opportunity to talk to him. I thought I was going to get to talk to him, and we felt that we were going out of our way to help.

The President has been requesting funding for the Lower Rio Grande Flood Control project for years and has again requested funding in the President's budget for 2007.

There are other areas of the country that have this problem, and so to do it here and not there, and there are gang problems around the Nation. Let us forget the full bills and put everything into the supplemental and so we can just have one big supplemental and not have to pass any other bills.

But to go through the normal process, the gentleman from Texas brought the issue of the Lower Rio Grande Valley Flood Control project to my attention last year. As a result, we included language in the IBWC account directing more funds be provided above the President's request for this project.

A week ago, the gentleman talked to me about additional moneys for the project in the fiscal year 2007 process. Funding for the International Boundary Water Commission should be addressed in the regular bill. This request does not belong in an emergency supplemental, and I urge a ''no'' vote on the Doggett amendment.

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

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

Mr. OBEY. I yield to the gentleman from Texas.

Mr. DOGGETT. I respect the subcommittee chairman's comments. I do not think he or the Appropriations Committee or the chairman of the full committee are the problem. They recognized this problem last year when they asked the State Department to take additional action. The State Department took additional action, and I believe they asked to be included in this emergency appropriations bill.

We need help in the regular appropriations cycle. We will need that help not just this year but every year for probably the next 10 years. It is a modest amount. All we are asking for is $7.8 million to add to the $2.2 million that was appropriated last year, the $10 million a year that this part of the State Department has been saying since 2003 that they need to avert disaster.

So tonight I would ask all of my colleagues to join with us in meeting an emergency with an emergency appropriation, and then we will strive to work together in a positive, bipartisan way to address what I know the committee recognizes to be a real, genuine, urgent problem.

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

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

Mr. DOGGETT. 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 Texas (Mr. DOGGETT) will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. HINOJOSA

Mr. HINOJOSA. 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. 3 offered by Mr. HINOJOSA.

In the item relating to ''DIPLOMATIC AND CONSULAR AFFAIRS'', after ''United States Institute of Peace'', insert '': *Provided further*, That of the amount made available under this heading, $10,000,000 shall be available for the United States Section of the International Boundary Water Commission, United States and Mexico''.

Mr. HINOJOSA. Mr. Chairman, I plan to withdraw my amendment after I give a summary of the serious condition of the floodway levee system near the Rio Grande River in Texas.

My friend and colleague, Mr. LLOYD DOGGETT, has brought some charts and shown what he understands to be the problem. I was born and raised there. I remember 1967 when six brothers were told by my dad that we were going to stop and shut down our business to go and help control what was happening on our levees that just could not stand the over 28 feet of water that was coming down the Rio Grande River and that our levee system was unable to stand up to that pressure.

So I am here to say that we today are appropriating billions of dollars to help New Orleans recover because we did not spend the millions necessary to maintain our levee system. Because of our shortsightedness, the residents of New Orleans are displaced and many died trying to escape the flood waters. I am here today to plead with you to not let this tragedy happen in my part of the country.

The International Boundary Water Commission is charged with maintaining over 500 miles of levees along the U.S.-Mexico border. A recent study by the U.S. Corps of Engineers shows that numerous sections of these levees are too weak, they are too low to hold back flood waters from the devastating Rio Grande River.

More than a million people call the Rio Grande Valley home, and 2.5 million people live on the Mexican side of the Rio Grande River. This region is the poorest in the Nation, and I am sure we do not want to see more images on television of the poorest of the poor losing what little they have.

My colleagues in Congress need to know that the Rio Grande Valley is also the gateway through which much of our Nation's commerce flows. Should a devastating flood hit the valley, factories and small businesses in Indiana, Illinois, New York, and throughout the Nation will shut down because of their inability to get just-in-time deliveries of the parts and supplies from maquiladoras that come through the valley's international border ports.

My constituents are not only afraid of the effects of a category 4 or category 5 hurricane, such as we experienced with Hurricane Beulah in 1967, but we are worried that even a slow-moving tropical storm could make them homeless like their neighbors in New Orleans. Heavy rains in the mountains of northern Mexico could cause a catastrophe because those flood waters empty into the Rio Grande River in areas from El Paso to Laredo to Roma and to Brownsville, Texas.

The IBWC estimates that $125 million would fix all of our inadequate floodway levees in South Texas.

My border colleagues and I, in a bipartisan collaboration with other members of the Texas delegation, will be asking the appropriators for most of this funding over a 5-year period or sooner through the regular appropriations process.

This evening, I spoke with Chairman WOLF and have agreed to work with him on ways to resolve these concerns. I welcome that opportunity.

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

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

There was no objection.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

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

The Clerk read as follows:

Amendment offered by Mr. GARRETT of New Jersey:

Page 35, line 20, after the dollar amount, insert the following: ''(reduced by $5,000,000)''.

Mr. GARRETT of New Jersey. Mr. Chairman, I have come to the floor tonight to address the issue of an emergency supplemental in which we are spending upwards of $15 million more in essence on what I call foreign aid. I am here tonight on this particular amendment to strike approximately $5 million of that foreign aid.

As I stated before and as people look to this program and what we do here tonight, one must wonder what makes this situation an emergency. Well, the committee itself raised that same question when they said, ''The committee is disappointed in the Department of State's failure to provide adequate and timely justification for the emergency nature of these funds.''

What are these funds going to? These funds are going to the country of Iran. An ally of ours? Not by any stretch of the imagination. In fact, Iran has been called by this administration part of the Axis of Evil. Iran is a country that wishes to wipe Israel off the face of the map. In fact, the President of Iran has even said that they wish to wipe the United States off the face of the map.

So one wonders who at the State Department was looking at this situation in the past and did not know that there was a need for funds in this particular area, either in the past budget which we have already gone through or in the budget process that we are going through as we speak now. Apparently no one knew at the State Department that Iran is a problem country that we have to deal with and needed additional funding for, and so they come to us at the last minute with a supplemental emergency appropriation.

With all of the problems that we have today in this country, now is not the time to be adding more to our Nation's debt for foreign aid. Other portions of this bill certainly have merit to them. Portions, for example, for aid to our soldiers. Our men and women who find themselves in harm's way as we speak here tonight need the additional dollars and cents to get the job down there.

We have heard also the issues with regard to the folks down in the gulf coast, and there is additional funding for that program as well, to assist those people in New Orleans and elsewhere as far as their needed relief.

But do we need to spend additional emergency funds tonight for foreign aid in essence for diplomatic and consulate programs for Iran, not by any stretch of the imagination an ally of this country?

Mr. Chairman, I would suggest we should not. This is not a program that

we will be putting on the burdens of today's taxpayers. No, we will be putting this burden on our children and our children's children. Why is that? It is because we are already in deficit spending in this Nation, and the emergency supplemental we are debating tonight will simply add to that debt and add to that burden.

I encourage my colleagues to support this amendment, to strike this additional foreign aid which is not an emergency by any stretch of the imagination.

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

Mr. Chairman, I would tell the body, this really is not foreign aid. You cannot pick up the newspaper without seeing the threat that Iran is to the Nation. This is a priority of the administration, but a priority of everyone who cares with regard to changing the government that we have in Iran. I do not know how you put it, but it is not aid. Iran is a threat to the United States. Is that a fact? I think you would have a very hard time finding anybody who says, no, it is not a fact. It is.

Iran is developing a nuclear bomb. I have seen some reports that say it may be within 18 months to 2 years of having an nuclear bomb.

The Iranian government is intent on destroying Israel. The Iranian government is the one who funded the bombing of the Marines barracks in 1993 where 241 marines died. They fund Hezbollah. They are the ones creating the problem in Lebanon. They are the ones involved in the funding and the blowing up of the American embassy in Beirut, the first embassy and the second embassy.

We need to do everything we can to change the government and get information to the people. So what the administration is trying to do is to have some public diplomacy, to basically do what Democrat administrations and Republican administrations have done during the Cold War: public diplomacy, exchange programs, change their government through peaceful means.

This is not foreign aid. I would say on behalf of anyone who thinks that Iran is a danger, please, I would urge a ''no'' vote on this amendment.

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

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

Mr. GARRETT of New Jersey. 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 New Jersey (Mr. GARRETT) will be postponed.

The Clerk will read.

The Clerk read as follows:

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Office of Inspector General'', $25,300,000, to remain available until September 2007, of which $24,000,000 shall be transferred to the Special Inspector General for Iraq Reconstruction for reconstruction oversight: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Mr. LEWIS of California. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GARRETT of New Jersey) having assumed the chair, Mr. GINGREY, Acting 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. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, had come to no resolution thereon.

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PERMISSION TO OFFER CERTAIN AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that, during further consideration of H.R. 4939 in the Committee of the Whole pursuant to House Resolution 725, notwithstanding clause 11 of rule XVIII, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

An amendment by Ms. MILLENDER-MCDONALD, regarding funding for election activities under FEMA;

An amendment by Mr. HINCHEY, regarding limitations on foreign media;

An amendment by Mr. HINCHEY, regarding funding for contracts using other than competitive procedures;

An amendment by Mr. MELANCON, regarding funding for flood control programs;

An amendment by Mr. MELANCON, regarding agriculture disaster relief for Louisiana;

An amendment by Mr. JEFFERSON, regarding funding for HUD and FEMA disaster relief;

An amendment by Mr. JEFFERSON, regarding increased funding for HUD;

An amendment by Ms. JACKSON-LEE of Texas, regarding increased funding for rental housing under HUD;

An amendment by Ms. JACKSON-LEE of Texas to strike certain Secretarial authorities to waive low- and moderate-income requirements;

An amendment by Ms. JACKSON-LEE of Texas, regarding limiting certain funds on gulf coast elections;

An amendment by Ms. JACKSON-LEE of Texas, regarding approval of disaster loans;

An amendment by Mr. PAUL, regarding funding for the State of Texas;

An amendment by Mr. TIERNEY, regarding establishment of a House Select Committee;

An amendment by Mr. CONAWAY, to strike section 3010;

An amendment by Mr. CONAWAY, regarding LIHEAP funding and ANWR and OCS drilling;

An amendment by Mr. KENNEDY of Minnesota, regarding demonstrations within cemeteries;

An amendment by Mr. NADLER, regarding ocean shipping containers;

An amendment by Ms. VELÁZQUEZ, regarding deadlines for SBA loans;

An amendment by Ms. VELÁZQUEZ, regarding SBA loan rates;

An amendment by Mr. HALL, regarding child care subsidies;

An amendment by Ms. DELAURO to repeal avian flu liability provisions;

An amendment by Mr. BERRY of Arkansas, regarding the enrollment period for Medicare benefits;

An amendment by Ms. KAPTUR, regarding establishment of a House Select Committee;

An amendment by Ms. LEE, regarding FEMA termination of housing activities;

An amendment by Mr. DEFAZIO, regarding limitation on funds with an exception for constitutional activities;

An amendment by Mr. REYES, regarding funding for pandemic flu;

An amendment by Mr. REYES, regarding the Veterans Administration;

An amendment by Mr. GINGREY, to strike funding for the Historic Preservation Fund;

An amendment by Mr. WESTMORELAND, to strike section 3006;

An amendment by Ms. FOXX, to strike funding for the Broadcasting Board of Governors;

An amendment by Mr. FLAKE, to strike section 3007;

An amendment by Mr. INSLEE, regarding FISA;

An amendment by Mr. BRADY of Texas, to strike certain language regarding HUD funding distribution;

An amendment by Mr. BRADY of Texas, regarding HUD funding distribution among the States;

An amendment by Mr. BRADY of Texas, regarding additional funding for Texas;

An amendment by Mr. BRADY of Texas, regarding additional funding for Texas offset by State Department and FEMA disaster relief funds;

An amendment by Mr. BRADY of Texas, regarding redirection of HUD funding for educational costs in Texas;

An amendment by Mr. GARRETT of New Jersey, regarding educational and cultural exchange programs;

An amendment by Mr. WAXMAN, regarding DOD contracts, which shall be debatable for 20 minutes;

An amendment by Mr. NEUGEBAUER, eliminating funding in title II, which shall be debatable for 30 minutes;

An amendment by Mr. OBEY, regarding availability of certain LIHEAP funds, which shall be debatable for 30 minutes; 30 minutes;

An amendment by Mr. SABO, regarding funding for Homeland Security, which shall be debatable for 20 minutes (and which shall be in order at any point in the reading);

An amendment by Ms. LEE, regarding Iraq, which shall be debatable for 30 minutes;

An amendment by Mr. JINDAL, regarding funding for VA offset from FEMA disaster relief;

An amendment by Mr. JINDAL, regarding defense programs offset from FEMA disaster relief;

An amendment by Mr. JINDAL, regarding funding for military construction offset by FEMA disaster relief;

An amendment by Mr. TAYLOR of Mississippi, regarding military construction.

Each such amendment may be offered only by the Member named in this request or a designee or by the Member who caused it to be printed in the RECORD or a designee, shall be considered as read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent. An amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). Is there objection to the request of the gentleman from California?

Mr. OBEY. Mr. Speaker, reserving the right to object, and I certainly will not, I simply want to point out that right now we are at page 35 in the bill. There are some 83 pages in the bill; and after we dispose of the amendments on those pages, we still have at least 24 amendments that come at the end of the bill, which means that unless we have considerable Member cooperation, we are going to be here deep into tonight and deep into tomorrow night. So I would invite Members to understand what the situation is with respect to the number of amendments still before us.

With that, I withdraw my reservation.

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

There was no objection.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 725 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. 4939.

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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. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, with Mr. GINGREY (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from New Jersey (Mr. GARRETT) had been disposed of and the bill had been read through page 36, line 13.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or his designees for the purpose of debate;

An amendment by Ms. MILLENDER-MCDONALD, regarding funding for election activities under FEMA;

An amendment by Mr. HINCHEY, regarding limitations on foreign media;

An amendment by Mr. HINCHEY, regarding funding for contracts using other than competitive procedures;

An amendment by Mr. MELANCON, regarding funding for flood control programs;

An amendment by Mr. MELANCON, regarding agriculture disaster relief for Louisiana;

An amendment by Mr. JEFFERSON, regarding funding for HUD and FEMA disaster relief;

An amendment by Mr. JEFFERSON, regarding increased funding for HUD;

An amendment by Ms. JACKSON-LEE of Texas, regarding increased funding for rental housing under HUD;

An amendment by Ms. JACKSON-LEE of Texas to strike certain Secretarial authorities to waive low- and moderate-income requirements;

An amendment by Ms. JACKSON-LEE of Texas, regarding limiting certain funds on gulf coast elections;

An amendment by Ms. JACKSON-LEE of Texas, regarding approval of disaster loans;

An amendment by Mr. PAUL, regarding funding for the State of Texas;

An amendment by Mr. TIERNEY, regarding establishment of a House Select Committee;

An amendment by Mr. CONAWAY, to strike section 3010;

An amendment by Mr. CONAWAY, regarding LIHEAP funding and ANWR and OCS drilling;

An amendment by Mr. KENNEDY of Minnesota, regarding demonstrations within cemeteries;

An amendment by Mr. NADLER, regarding ocean shipping containers;

An amendment by Ms. VELÁZQUEZ, regarding deadlines for SBA loans;

An amendment by Ms. VELÁZQUEZ, regarding SBA loan rates;

An amendment by Mr. HALL, regarding child care subsidies;

An amendment by Ms. DELAURO, to repeal avian flu liability provisions;

An amendment by Mr. BERRY of Arkansas, regarding the enrollment period for Medicare benefits;

An amendment by Ms. KAPTUR, regarding establishment of a House Select Committee;

An amendment by Ms. LEE, regarding FEMA termination of housing activities;

An amendment by Mr. DEFAZIO, regarding limitations on funds with an exception for constitutional activities;

An amendment by Mr. REYES, regarding funding for pandemic flu;

An amendment by Mr. REYES, regarding the Veterans Administration;

An amendment by Mr. GINGREY, to strike funding for the Historic Preservation Fund;

An amendment by Mr. WESTMORELAND, to strike section 3006;

An amendment by Ms. FOXX, to strike funding for the Broadcasting Board of Governors;

An amendment by Mr. FLAKE, to strike section 3007;

An amendment by Mr. INSLEE, regarding FISA;

An amendment by Mr. BRADY of Texas, to strike certain language regarding HUD funding distribution;

An amendment by Mr. BRADY of Texas, regarding HUD funding distribution among the States;

An amendment by Mr. BRADY of Texas, regarding additional funding for Texas;

An amendment by Mr. BRADY of Texas, regarding additional funding for Texas offset by State Department and FEMA disaster relief funds;

An amendment by Mr. BRADY of Texas, regarding redirection of HUD funding for educational costs in Texas;

An amendment by Mr. GARRETT of New Jersey, regarding educational and cultural exchange programs;

An amendment by Mr. WAXMAN, regarding DOD contracts, which shall be debatable for 20 minutes;

An amendment by Mr. NEUGEBAUER, eliminating funding in title II, which shall be debatable for 30 minutes;

An amendment by Mr. OBEY, regarding availability of certain LIHEAP funds, which shall be debatable for 30 minutes;

An amendment by Mr. SABO, regarding funding for Homeland Security, which shall be debatable for 20 minutes (and which shall be in order at any point in the reading);

An amendment by Ms. LEE, regarding Iraq, which shall be debatable for 30 minutes;

An amendment by Mr. JINDAL, regarding funding for VA offset for FEMA disaster relief;

An amendment by Mr. JINDAL, regarding defense programs offset from FEMA disaster relief;

An amendment by Mr. JINDAL, regarding funding for military construction offset by FEMA disaster relief;

An amendment by Mr. TAYLOR of Mississippi, regarding military construction.

Each amendment may be offered only by the Member named in this request or a designee or by the Member who caused it to be printed in the RECORD or a designee, shall be considered read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent.

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The Acting CHAIRMAN (Mr. GINGREY). The Clerk will read.

The Clerk read as follows:

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For an additional amount for ''Educational and Cultural Exchange Programs'', $5,000,000, to remain available until expended: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GARRETT of New Jersey:

Page 36, strike line 14 and all that follows through line 21.

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

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT of New Jersey. Mr. Chairman, I come once again to the floor to raise the issue that I have raised earlier this evening, and that is in this time of spiraling deficits and excess spending by the Federal Government, is now the time to be spending money on an emergency supplemental where the nature of the emergency comes into question? In this case, as I classified in my terminology before, I called it foreign aid, I don't know whether anyone can really say that this is not.

The funding here is $5 million for academic, professional and cultural exchange focused on Iran. As I pointed out before, and it was agreed, Iran is no ally of the United States Government. As we agree, Iran is a part of the Axis of Evil. They are supporting Hamas. They do wish to eliminate and see Israel wiped off the map of the world. They do wish to see the United States wiped off the map of the world. They are continuing with their nuclear program. In this, we are all in agreement. Iran is a threat.

This is not something new. This is not something that just came about in the last few days, weeks, months or what have you. We have known that Iran is a threat to the world community for some time, at least this House did. We have had many debates and discussions on this in the past on this floor as to the threat that Iran poses to this Nation, to its area community and the world in general.

The question then becomes, is this new news to the State Department? Apparently it is, because were it not new news to the State Department, they would have gone through regular order and they would have sought this $5 million or the $10 or $15 million for the other appropriations that we previously spoke about.

They would have gone through regular order, and they would have asked for and put this through the budget process in the current budget cycle year, or they would have included it in the budget proposal that we are currently considering as we go forward for the next fiscal year. They did not. Instead, they come to us now at the last minute and ask for an emergency supplemental appropriation.

I would ask that the State Department pay more attention to these matters. If they were not aware that Iran was such a threat and that these programs are needed, and I am not about to debate right here that they are not needed, but if they were needed, they should have gone through regular order, they should have come through the process earlier.

In addition, all other areas of spending in this House, when it goes through regular order, has to compete against other necessary expenditures. Some foreign threats that we have, Afghanistan, and Iraq and elsewhere, have to be weighed against other competing interests.

Likewise, they must be weighed against domestic interests as well. As in this bill, there is money here for Katrina. They have to assist those people down there. They have an interest as well. Other domestic programs also have to be weighed against other competing domestic interests.

I would simply suggest to this body that while Iran is a threat, it is not a new threat. It is a threat that we have known has been out there for some period of time.

The appropriate manner would have been for this to have gone, as with the other legislation amendments that I discussed previously, through regular order, so that we would have had a complete and full debate on it.

Again, I agree with what the committee said on those other matters, that the committee, as I quote from their report, ''is disappointed in the Department of State's failure to provided adequate and timely justification of the emergency nature of these funds.'' I concur with the committee. The State Department has not provided that justification.

I urge my colleagues to support this amendment to delete this additional $5 million.

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

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

The Acting CHAIRMAN (Mr. CONAWAY). The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. Mr. Chairman, I said it before, but I will say it again: it is an emergency. My goodness, this country is putting together a nuclear weapon. The Bush administration, if you read the paper the last several days, has been meeting every day with experts around the world on the issue of Iran. To cut this money back pulls the rug out from the administration. Iran is a threat.

Iran is developing a nuclear bomb. Iran is the one that funded Hezbollah. Iran blew up the American embassy once. They blew up the American Embassy in Beirut a second time. Iran blew up the Marine Corps barracks killing 241 Marines. It is an emergency.

My God, the Iranians will be laughing at us if we were to reduce this amount of money. This is an emergency. So I just urge a ''no'' vote on the amendment.

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

Mr. OBEY. Mr. Chairman, I rise to simply agree with every word the gentleman from Virginia just spoke. I cannot think of a more mindless, shortsighted or ridiculous amendment to be offered that affects a serious problem than this amendment. It is absolutely backwards. It is ludicrous. It is absolutely against the interest of the United States.

What we are in effect saying is we have such great relations with this country that we don't want to do whatever we can to improve them by going directly to people through exchange programs. I find that to be ridiculous.

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

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

Mr. GARRETT of New Jersey. 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 New Jersey will be postponed.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for ''Contributions for International Peacekeeping Activities'', $129,800,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for ''International Broadcasting Operations'', $7,600,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AMENDMENT OFFERED BY MS. FOXX

Ms. FOXX. Mr. Chairman, I offer two amendments, and ask unanimous consent that they be considered en bloc.

The Acting CHAIRMAN. The gentlewoman may only offer one amendment.

Mr. LEWIS of California. Mr. Chairman, I reserve a point of order against the gentlewoman's amendment.

The Acting CHAIRMAN. The gentlewoman is only allowed one amendment. Does she intend to offer the amendment starting with page 37, striking line 6 through page 38, line 4?

Ms. FOXX. Mr. Chairman, the two amendments I had, one would strike line 6 through 14 and the other lines 15 through 21. We submitted one amendment, and then I was told they had to be separated, and two amendments were submitted.

The Acting CHAIRMAN. The Clerk will designate a single Foxx amendment.

The text of the amendment is as follows:

Amendment offered by Ms. FOXX:

Page 37, strike lines 6 through 21 (relating to Broadcasting Capital Improvements).

The Acting CHAIRMAN. Is there objection to consideration of the amendment in this format?

There was no objection.

The Acting CHAIRMAN. Pursuant to the order earlier today, the gentlewoman from North Carolina (Ms. FOXX) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from North Carolina.

Ms. FOXX. Mr. Chairman, what I understand now is the two amendments were combined into one, for which I am very grateful.

Mr. Chairman, this amendment would strike the funding for the international broadcasting operations of Radio Free Europe section of this bill. I am sure there are many folks who can tell us the merits and great purpose of Radio Free Europe and our broadcasting overseas, but we can debate the merits of Radio Free Europe another time.

It was my understanding that this war supplemental was supposed to be purely for emergency spending for the war. Providing essential equipment for our troops is one thing. Additional funding for additional international broadcasting is another.

Mr. Chairman, many conservatives were disappointed that additional Katrina funding was added to this bill since the moneys approved last fall have not been spent totally. In fact, Mr. Chairman, of the $67.5 billion directly appropriated to Katrina and Rita relief, only $22.5 billion have been spent. Why are we allocating additional hard-earned tax dollars, when over half of the additional funding is yet to be spent?

Furthermore, the Katrina spending approved did not have proper safeguards. I read article after article reporting stories of fraud and abuse of relief funds. The reason we read and hear these stories on the nightly news is because we did not move carefully enough the first time. Let's not make that mistake again with additional Katrina funding or other extraneous funding added that is not emergency funding for the war in Iraq.

I urge Members to support my amendment and remove this funding, so we can debate the merits of the program in its proper setting.

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

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment. It strikes all the radio and television broadcasting. I think I made the point on the last amendment, the Garrett amendment, that this is important to the administration. If the President didn't do this, frankly, he would be subject to criticism by this Congress. This Congress would get up and say, why are you not doing more to change the government?

It is just not a good amendment. I urge overwhelming defeat of the amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX).

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

Ms. FOXX. 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 gentlewoman from North Carolina (Ms. FOXX) will be postponed.

The Clerk will read.

The Clerk read as follows:

BROADCASTING CAPITAL IMPROVEMENTS

For an additional amount for ''Broadcasting Capital Improvements'', $28,500,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISION—THIS CHAPTER

SEC. 1601. Funds appropriated by this Act for the Broadcasting Board of Governors and the Department of State may be obligated and expended notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 504(a)(1) of the National Security Act of 1947.

CHAPTER 7

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $1,800,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

The Acting CHAIRMAN. Pursuant to House Resolution 725, title II is considered read.

The Clerk will designate title II.

The text of title II is as follows:

TITLE II—FURTHER HURRICANE DISASTER RELIEF AND RECOVERY

CHAPTER 1

DEPARTMENT OF AGRICULTURE

EXECUTIVE OPERATIONS

WORKING CAPITAL FUND

For an additional amount for ''Working Capital Fund'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $25,000,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AGRICULTURAL RESEARCH SERVICE

BUILDINGS AND FACILITIES

For an additional amount for ''Agricultural Research Service, Buildings and Facilities'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $20,000,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATURAL RESOURCES CONSERVATION SERVICE

EMERGENCY WATERSHED PROTECTION PROGRAM

For an additional amount for ''Emergency Watershed Protection Program'' $10,000,000, to remain available until September 30, 2008, for the purchase of easements on floodplain lands in disaster areas affected by Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 2

DEPARTMENT OF DEFENSE

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $2,125,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the

concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $22,002,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $3,992,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $21,610,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $4,071,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $10,200,000 for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $2,176,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $94,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $1,304,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $1,408,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $29,913,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $37,359,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $12,755,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $1,277,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $42,307,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $700,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $9,136,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $579,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $899,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SHIPBUILDING AND CONVERSION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Shipbuilding and Conversion, Navy'', $775,236,000 to remain available until September 30, 2010, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, which shall be available for transfer within this account to replace destroyed or damaged equipment; prepare and recover naval vessels under contract; and provide for cost adjustments for naval vessels for which funds have been previously appropriated: *Provided,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That the Secretary of Defense shall, not fewer than 15 days prior to making transfers within this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $85,040,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $13,000,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $2,797,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $12,000,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $6,250,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $730,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $1,222,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL DEFENSE SEALIFT FUND

For an additional amount for ''National Defense Sealift Fund'', $10,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TRUST FUNDS

GENERAL FUND PAYMENT, SURCHARGE COLLECTIONS, SALES OF COMMISSARY STORES, DEFENSE

For an additional amount for ''General Fund Payment, Surcharge Collections, Sales of Commissary Stores, Defense'', $10,530,000, to remain available until September 30, 2010, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $33,881,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISION—THIS CHAPTER

SEC. 2201. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal year 2005 and 2006 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

CHAPTER 3

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

CONSTRUCTION

For additional amounts for ''Construction'' to reduce the risk of storm damage to the greater New Orleans metropolitan area by restoring the surrounding wetlands, $100,000,000, to remain available until expended: *Provided*, That such sums shall be subject to authorization: *Provided further*, That the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide, at a minimum, a monthly report to the House and Senate Committees on Appropriations detailing the allocation and obligation of these funds, beginning not later than July 30, 2006: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FLOOD CONTROL AND COASTAL EMERGENCIES

For additional amounts for ''Flood Control and Coastal Emergencies'', as authorized by section of the Flood Control Act of August 18, 1941, as amended (33 U.S.C. 701n), for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $1,360,000,000, to remain available until expended: *Provided*, That such sums shall be subject to authorization: *Provided further*, That the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide, at a minimum, a monthly report to the House and Senate Committees on Appropriations detailing the allocation and obligation of these funds, beginning not later than July 30, 2006: *Provided further*, That none of the funds provided herein shall be available until the non-federal interests have entered into binding agreements with the Secretary of the Army to pay 100 percent of the operation, maintenance, repair, replacement and rehabilitation costs of the projects: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 4

DEPARTMENT OF HOMELAND SECURITY

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Salaries and Expenses'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $13,500,000, to remain available until September 30, 2007: *Provided*, That these amounts shall be transferred to the Offices of Inspector General of the Departments of Agriculture, Defense, Education, Health and Human Services, Housing and Urban Development, Justice, Labor and Transportation, and the Environmental Protection Agency, the General Services Administration, and the Social Security Administration to carry out necessary audits and investigations of funding and programs undertaken by the respective agencies for response and recovery from the 2005 Gulf Coast hurricanes: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for 'Salaries and Expenses' to provide for the relocation of personnel and equipment related to the New Orleans laboratory facility and for the repair and replacement of critical equipment and property damaged or caused by Hurricane Katrina and other hurricanes of the 2005 season, $12,900,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CONSTRUCTION

For an additional amount for ''Construction'' to rebuild and repair structures damaged by Hurricane Katrina and other hurricanes of the 2005 season, $4,800,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES COAST GUARD

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operating Expenses'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $14,300,000, to remain available until September 30, 2007, of which up to $267,000 may be transferred to ''Environmental Compliance and Restoration'' to be used for environmental cleanup and restoration of Coast Guard facilities; and of which up to $500,000 may be transferred to ''Research, Development, Test, and Evaluation'' to be used for

salvage and repair of research and development equipment and facilities: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for ''Acquisition, Construction, and Improvements'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $80,755,000, to remain available until expended: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL EMERGENCY MANAGEMENT AGENCY

ADMINISTRATIVE AND REGIONAL OPERATIONS

For an additional amount for ''Administrative and Regional Operations'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $70,000,000, to remain available until expended: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PREPAREDNESS, MITIGATION, RESPONSE AND RECOVERY

For an additional amount for ''Preparedness, Mitigation, Response and Recovery'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $10,000,000: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DISASTER RELIEF

For an additional amount for ''Disaster Relief'' for necessary expenses under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $9,550,000,000, to remain available until expended: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Disaster Assistance Direct Loan Program Account'' for the cost of direct loans as authorized under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184), $151,000,000, to be used to assist local governments that were affected by Hurricane Katrina and other hurricanes of the 2005 season in providing essential services, of which $1,000,000 is for administrative expenses to carry out the direct loan program: *Provided,* That such funds may be used to subsidize gross obligations for the principal amount of direct loans not to exceed $200,000,000: *Provided further,* That notwithstanding section 417(b) of such Act, the amount of any such loan issued pursuant to this section may exceed $5,000,000: *Provided further,* That notwithstanding section 417(c)(1) of such Act, such loans may not be canceled: *Provided further,* That the cost of modifying such loans shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a): *Provided further,* That of the amount provided in this chapter under the heading Disaster Relief'', up to $150,000,000 may be transferred to and merged with the funds provided under this heading, to be used to subsidize gross obligations for the principal amount of direct loans not to exceed $200,000,000: *Provided further,* That the amounts provided or transferred under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2401. The Federal Emergency Management Agency may provide funds to a State or local government or, as necessary, assume an existing agreement from such unit of government, to pay for utility costs resulting from the provision of temporary housing units to evacuees from Hurricanes Katrina and Rita if the State or local government has previously arranged to pay for such utilities on behalf of the evacuees for the term of any leases, not to exceed 12 months, contracted by or prior to February 7, 2006, notwithstanding section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174): *Provided,* That the Federal share of the costs eligible to be paid shall be 100 percent.

SEC. 2402. (a) Title III of Public Law 109–90 is amended under the heading ''National Flood Insurance Fund'' by striking ''$30,000,000 for interest on Treasury borrowings'' and inserting ''such sums as necessary for interest on Treasury borrowings''.

(b) The provisions of this section are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 5

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for ''Construction'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to other appropriation accounts from which funds were transferred for such purposes, $132,400,000, to remain available until expended: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL PARK SERVICE

HISTORIC PRESERVATION FUND

For an additional amount for the ''Historic Preservation Fund'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $3,000,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CONSTRUCTION

For an additional amount for ''Construction'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $55,400,000, to remain available until expended: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for ''Surveys, Investigations, and Research'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to other appropriation accounts from which funds were transferred for such purposes, $10,200,000, to remain available until expended: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For an additional amount for ''Royalty and Offshore Minerals Management'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to other appropriation accounts from which funds were transferred for such purposes, $15,000,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For an additional amount for ''Environmental Programs and Management'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $6,000,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

For an additional amount for the ''Leaking Underground Storage Tank Program'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $7,000,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

NATIONAL FOREST SYSTEM

For an additional amount for the ''National Forest System'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $20,000,000, to remain available until expended: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 6

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for ''Military Construction, Navy and Marine Corps'', for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $28,880,000, to remain available until September 30, 2010: *Provided,* That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and

design and military construction projects not otherwise authorized by law: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $57,300,000, to remain available until September 30, 2010: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For an additional amount for ''Military Construction, Army National Guard'', for necessary expenses related to consequences of Hurricane Katrina and other hurricanes of the 2005 season, $67,800,000, to remain available until September 30, 2010: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That the amount provided under this heading in the chapter 7 of title I of division B of Public Law 109–148 (119 Stat. 2770) shall remain available until September 30, 2010: *Provided further*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For an additional amount for ''Military Construction, Air National Guard'', for necessary expenses related to consequences of Hurricane Katrina and other hurricanes of the 2005 season, $5,800,000, to remain available until September 30, 2010: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, NAVY RESERVE

(INCLUDING RESCISSION OF FUNDS)

For an additional amount for ''Military Construction, Navy Reserve'', for necessary expenses related to consequences of Hurricane Katrina and other hurricanes of the 2005 season, $24,270,000, to remain available until September 30, 2010: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That the amount provided under the heading ''Military Construction, Naval Reserve'' in chapter 7 of title I of division B of Public Law 109–148 (119 Stat. 2771) shall remain available until September 30, 2010, except that, of such amount $49,530,000 are rescinded: *Provided further*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MAJOR PROJECTS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Construction, Major Projects'', for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $550,000,000, to remain available until expended: *Provided*, That the foregoing amount shall only be available upon enactment, by June 30, 2006, of authority under section 8104 of title 38, United States Code: *Provided further*, That up to $275,000,000 of the amount provided under this heading may (at any time after the enactment of this Act and without regard to the preceding proviso) be transferred by the Secretary of Veterans Affairs to the ''Medical Services'' account, to be available only for unanticipated costs related to the Global War on Terror: *Provided further*, That the Secretary of Veterans Affairs shall, not fewer than 15 days prior to making a transfer under the authority in the preceding proviso, notify the Committees on Appropriations of the Senate and House of Representatives in writing of the transfer: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 7

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For an additional amount for ''Salaries and Expenses, General Legal Activities'', $2,000,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for ''Salaries and Expenses, United States Attorneys'', $5,000,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for ''Procurement, Acquisition and Construction'', for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $11,800,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SCIENCE

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

EXPLORATION CAPABILITIES

For an additional amount for ''Exploration Capabilities'', for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $30,000,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RELATED AGENCIES

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Disaster Loans Program Account'' for the cost of direct loans authorized by section 7(b) of the Small Business Act, $1,254,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That, of the amount provided under this heading, up to $190,000,000 may be transferred to and merged with appropriations for ''Small Business Administration, Salaries and Expenses'' for administrative expenses to carry out the disaster loan program: *Provided further*, That none of the funds provided under this heading may be used for indirect administrative expenses: *Provided further*, That, of the amount provided under this heading, $712,000,000 is hereby transferred to ''Federal Emergency Management Agency, Disaster Relief'' to reimburse that account for funds transferred to this account by Public Law 109–174: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 8

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the ''Community development fund'', for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure in the most impacted and distressed areas related to the consequences of hurricanes in the Gulf of Mexico in 2005 in States for which the President declared a major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in conjunction with Hurricane Katrina, Rita, or Wilma, $4,200,000,000, to remain available until expended, for activities authorized under title I of the Housing and Community Development Act of 1974 (Public Law 93–383): *Provided*, That funds made available under this heading shall be distributed to address the most critical recovery requirements notwithstanding funding limitations under this heading in title I of division B of Public Law 109–148: *Provided further*, That funds provided under this heading shall be administered through an entity or entities designated by the Governor of each State: *Provided further*, That such funds may not be used for activities reimbursable by or for which funds are made available by the Federal Emergency Management Agency or the Army Corps of Engineers: *Provided further*, That funds allocated under this heading shall not adversely affect the amount of any formula assistance received by a State under this heading: *Provided further*, That each State may use up to five percent of its allocation for administrative costs: *Provided further*, That not less than $1,000,000,000 from funds made available under this heading shall be used for repair, rehabilitation, and reconstruction (including

demolition, site clearance and remediation) of the affordable rental housing stock (including public and other HUD-assisted housing) in the impacted areas: *Provided further*, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds or guarantees (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a request by the State that such waiver is required to facilitate the use of such funds or guarantees, and a finding by the Secretary that such waiver would not be inconsistent with the overall purpose of the statute, as modified: *Provided further*, That the Secretary may waive the requirement that activities benefit persons of low and moderate income, except that at least 50 percent of the funds made available under this heading must benefit primarily persons of low and moderate income unless the Secretary otherwise makes a finding of compelling need: *Provided further*, That the Secretary shall publish in the Federal Register any waiver of any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver: *Provided further*, That every waiver made by the Secretary must be reconsidered according to the three previous provisos on the two-year anniversary of the day the Secretary published the waiver in the Federal Register: *Provided further*, That prior to the obligation of funds each State shall submit a plan to the Secretary detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure: *Provided further*, That prior to the obligation of funds to each State, the Secretary shall ensure that such plan gives priority to infrastructure development and rehabilitation and the rehabilitation and reconstruction of the affordable rental housing stock including public and other HUD-assisted housing: *Provided further*, That each State will report quarterly to the Committees on Appropriations on all awards and uses of funds made available under this heading, including specifically identifying all awards of sole-source contracts and the rationale for making the award on a sole-source basis: *Provided further*, That the Secretary shall notify the Committees on Appropriations on any proposed allocation of any funds and any related waivers made pursuant to these provisions under this heading no later than 5 days before such waiver is made: *Provided further*, That the Secretary shall establish procedures to prevent recipients from receiving any duplication of benefits and report quarterly to the Committees on Appropriations with regard to all steps taken to prevent fraud and abuse of funds made available under this heading including duplication of benefits: *Provided further*, That of the amounts made available under this heading, the Secretary may transfer a total of up to $15,000,000 to the Office of Inspector General and ''Management and Administration, Salaries and Expenses'' for costs associated with administration and oversight: *Provided further*, That none of the funds provided under this heading may be used by a State or locality as a matching requirement, share, or contribution for any other Federal program: *Provided further*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

INDEPENDENT AGENCY

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

For an additional amount for ''Federal Buildings Fund'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $37,000,000, from the General Fund and to remain available until expended: *Provided*, That notwithstanding 40 U.S.C. 3307, the Administrator of General Services is authorized to proceed with repairs and alterations for affected buildings: *Provided further*, That he amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

The Acting CHAIRMAN. Are there any amendments to title II?

□ 2045

AMENDMENT OFFERED BY MR. MELANCON

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

The Acting CHAIRMAN (Mr. CONAWAY). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MELANCON:

Page 54, line 15, after the dollar amount, insert the following: ''(increased by $465,000,000)''.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Louisiana (Mr. MELANCON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. MELANCON. Mr. Chairman, the amendment that I bring forward today will provide for $465 million for levees in South Louisiana. Currently, there is $1.363 billion, $1 million added to the $1,363,000,000 in the bill for flood control and hurricane protection.

Part of the problems during the storms is the over-topping of levees, inadequate levees. We have a situation in south Louisiana that was understood by the White House, and the President made his announcement to send more money down to the Congress.

That total amount did not end up getting into the bill. My amendment would increase the amount of funding to $465 billion, and this amendment would provide $35 million for additional hurricane protection for coastal restoration in an area in south central Louisiana that went under during Rita that was not included in the original monies.

We have areas that are in St. Charles Parish, Plaquemines Parish, Jefferson Parish, St. Bernard Parish, Terrebonne Parish, and Lafourche Parish. These areas need to be taken care of, particularly since these areas are the first areas that will take the brunt of a storm in the Gulf of Mexico and southern Louisiana.

This is a working coast. This is the Louisiana coast. Oil and gas from Louisiana accounts for 30 percent of the energy consumed in this country. Thirty percent of the fish that come from the oceans that this country consumes come from Louisiana's coastal areas and the Gulf of Mexico. Forty-two percent of the commodities exported from this country come through New Orleans and the river bounded by Plaquemines and St. Bernard Parish.

Mr. Chairman, I bring this amendment today because the people of south Louisiana need these important levees to protect them.

In particular, the Morganza to the Gulf project, the people in this area where the Morganza to the Gulf project will be built have taxed themselves and started the projects. They are waiting on a WRDA. If we can get a WRDA bill out of the Senate and conferenced and passed, then these folks have started, and this bill would allow them to have that money to move this project forward to protect their areas of south Louisiana.

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

Mr. LEWIS of California. Mr. Chairman, reluctantly, I rise in opposition to the amendment offered by the gentleman from Louisiana.

The Acting CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. LEWIS of California. The amendment seeks to add $430 million for armoring levees in addition to the $170 million already contained in the bill. The supplemental bill before us provides the request of $170 million to armor the most critical portions of the hurricane protection system that are judged by the Corps of Engineers to be the most critical to providing near-term protection to the citizens of New Orleans.

The funding, as provided, is not geographically specific and can be used across the entire hurricane protection system to armor the areas identified by the Corps as the most vital. This funding is sufficient to address the most essential armoring requirements as identified by the Corps of Engineers.

According to the Corps, only 16 percent of the requested $170 million can be expended in 2006. Given that the Corps will only be able to expend a very limited amount of the $170 million this fiscal year, the provision of additional funding will not result in more near-term protection for the region.

Activities that occur predominately in fiscal year 2007 and beyond do not qualify for emergency funding in this supplemental. They should be addressed in the regular order of our fiscal year 2007 energy and water bill.

The amendment also seeks to add an additional $35 million to accelerate the study phase of the Morganza to the Gulf project. I would like to point out that the study was funded at $11 million in 2006 through both the regular bill and the supplemental funding. The study is ongoing, and it is funded for activities through this fiscal year.

The construction activities require additional authorization. This study does not rise to the level of an emergency. I urge my colleagues to work

with me to pursue this in regular order.

I must mention to my colleague that I have these kind of problems in northern California, that I can similarly put in this emergency supplemental. But, frankly, they are more logical for regular order.

So, with that, I would ask my colleague to consider withdrawing his amendment. Failing that, I am afraid I must oppose the amendment and ask my colleagues to vote ''no'' on its adoption.

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

Mr. LEWIS of California. I yield to the gentleman from Louisiana.

Mr. MELANCON. Mr. Chairman, I understand what you are saying. We have been 5 to 6 years without a WRDA bill. The Morganza to the Gulf project has been in that stalled WRDA bill. There are now 80 Members of the Senate that have signed on to letters saying in this session their intention is to pass a WRDA bill.

If authorization is included with the passage of a WRDA bill, in essence, this funding will be ready to go. These people have authorization on portions, as you have explained, and now they can move forward and continue the process of building these levees that they have so much wanted to build for the last 5 to 10 years.

Mr. LEWIS of California. Mr. Chairman, reclaiming my time. I must say to the gentleman that I do have similar questions that are very much like this in northern California, critical circumstances; and it just is not appropriate in the portion of this emergency bill. Because of that, I would have to oppose the gentleman's request.

Mr. MELANCON. Mr. Chairman, I understand. This is something that I must put to a vote. We are in an emergency situation. We have been. This Congress' actions, where we are at the seventh month, makes it even more critical and more of the need.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. MELANCON).

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

Mr. MELANCON. Mr. Chairman, on that I demand the yeas and nays.

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

AMENDMENT NO. 6 OFFERED BY MR. JEFFERSON

Mr. JEFFERSON. 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. 6 offered by Mr. JEFFERSON:

In chapter 4 of title II, in the item relating to ''FEDERAL EMERGENCY MANAGEMENT AGENCY—DISASTER RELIEF'', after the aggregate dollar amount, insert the following: ''(reduced by $2,000,000,000)''.

In chapter 8 of title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—COMMUNITY DEVELOPMENT FUND—(INCLUDING TRANSFER OF FUNDS)'', after the aggregate dollar amount, insert the following: ''(increased by $2,000,000,000)''.

The Acting CHAIRMAN. Pursuant to the order of the House today, the gentleman from Louisiana (Mr. JEFFERSON) and a Member opposed each will control 5 minutes.

Mr. LEWIS of California. On the amendment that we are considering, Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. The gentleman reserves a point of order.

The Chair recognizes the gentleman from Louisiana.

Mr. JEFFERSON. Mr. Chairman, today, I rise to offer the first of two amendments to H.R. 4939, the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror and the Hurricane Recovery Act of 2006, that will add more funds to the Community Development Block Grant, CDBG funds, to meet the housing and rebuilding needs of Louisiana, Texas and other places.

The first amendment, number 6, printed in the CONGRESSIONAL RECORD, will take $2 billion from the Federal Emergency Management Agency, FEMA, and add it to the Community Development Block Grant funds, making that total request $6.2 billion.

This amendment keeps the total hurricane supplemental request at $19.1 billion. The proposed $2 billion decrease in FEMA funding brings that total to $7.755 billion.

Mr. Chairman, information recently given to us by the Appropriations Committee indicates that FEMA will not run out of its current funds until the second week of July. Moreover, with FEMA's weekly spend rate of $500 million, the first proposed appropriation of $9.55 billion, less my amendment, would fund FEMA through the end of October.

Mr. Chairman, I am certain that between now and October we will be able to amply try and figure out what FEMA really needs and provide the resources it needs at that time.

Mr. Chairman, the administration has asked Louisiana repeatedly to submit a housing plan, and we did that. This chart shows what Louisiana's housing needs are. We had severe destruction of our housing infrastructure in our State, and we have more than 100,000 housing units destroyed. This will cost over $100,000 billion to get this whole matter straightened out, along with other project losses back home.

What we are saying here is that we have a plan which we submitted to the White House, and we have had this plan looked at very closely. The agreement is that Louisiana has submitted a very solid plan for $4.2 billion for unmet needs in its housing reconstruction. Without housing, our city cannot rebuild. Without housing, there is no chance to bring our city back. And so we are saying today, Mr. Chairman, that without full funding we cannot meet the crucial needs to help our citizens rebuild their lives.

There is a move being made now to take the money out of the $4.2 billion to apply to Texas and perhaps some other places, and we say we need all of the $4.2 billion. We also have the $2 billion for Texas. We do not argue they do not need more help, but we do not need to have our money raided to take care of Texas or any other place.

By increasing the CDBG funding, we will allow the needs of Louisiana, Texas and other States to be met without short-changing the administration's commitment to Louisiana.

Mr. Chairman, you know firsthand the monumental housing crisis in Louisiana. Today, thousands of people are being evicted from hotels around the gulf region by FEMA with nowhere to turn. Thus, I implore my colleagues to support this amendment so that we can help these hard-working, earnest taxpayers in the gulf coast rebuild their lives and realign their futures.

Louisiana needs the full $4.2 billion to do that. Support my amendment to make Louisiana, Texas and the rest of the gulf coast region whole. I urge adoption of the amendment.

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

□ 2100

Mr. ROGERS of Kentucky. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, there is no doubt that the Community Development Block Grant Program needs more funding, however, this amendment would take $2 billion out of the Disaster Relief Fund, which is severely underfunded as it is, of the more than $35 billion in supplemental funds that we have provided to the Disaster Relief Fund for the recovery from Katrina, Rita and Wilma. As of March 8, only $3.7 million of that remains unallocated; and long term recovery, of course, is just getting underway.

The disaster fund is very volatile. Over the last month, weekly obligations have varied from $250 million to $1.1 billion. That is per week. The administration estimates the current balance of $3.7 billion in the disaster fund will only last us through the end of May as it is. If you take $2 billion out of that, there is not much left to last us in the disaster fund.

Now, if you take those monies out of the disaster fund, many of the authorized activities for which the States are expecting funding cannot be funded. And I am talking about the Stafford Act Recovery Programs in the gulf coast States' ability to respond to new disasters if they should occur. During the months ahead, funds are needed

primarily for the public assistance and mitigation programs in the gulf coast area.

Also, funding for the disaster fund, if it is less than $9.5 billion, would mean deferring or postponing, at least stopping momentarily, at least, public assistance projects like repairing roads, repairing water control facilities, public buildings and equipment, public utilities, park, recreational facilities and the like, all of that would have to stop.

So, Mr. Chairman, I urge that Members vote against this amendment. Not to say that the Community Development Block Grant Program does not need funds but this ain't the place to get it. So I urge a ''no'' vote.

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

Mr. JEFFERSON. Mr. Chairman, I appreciate what the gentleman has said, but he recognizes in his comments that there is $3.7 billion left unobligated of the money we have already authorized for FEMA. Everyone knows here that FEMA has not been a very good steward so far of the money we have provided to it. This is a way for FEMA to tighten its belt and to provide the folks the housing support they need back home; take care of Louisiana and Texas at the same time; and not hurt the FEMA programs, because everyone knows, as we have documented throughout our hearings and the rest, that FEMA has done a horrible job of managing the money. And even if it needs more, as the gentleman has said, there is $3.7 billion of the money we have already authorized, which is unobligated, which FEMA can have access to if they can prove a need for it. So I would move adoption of the amendment.

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

The Acting CHAIRMAN (Mr. CONAWAY). All time has expired.

The Chair understands the point of order that has been reserved has been withdrawn.

Mr. LEWIS of California. It has been withdrawn.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. JEFFERSON).

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

Mr. JEFFERSON. 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 Louisiana (Mr. JEFFERSON) will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. JEFFERSON

Mr. JEFFERSON. 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. 7 offered by Mr. JEFFERSON of Louisiana:

Page 72, line 18, after the dollar amount insert the following: ''(increased by $1,900,000,000)''.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Louisiana (Mr. JEFFERSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

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

Mr. Chairman, I rise to offer another amendment to meet the same objective for preserving the $4.2 billion for Louisiana, at the same time meeting the housing needs that have been expressed by the State of Texas of another $2 billion.

We get out there different under this amendment, as opposed to taking the money under the FEMA allocation which we have heard objection to, this adds money to the current asked for, requested appropriations of $1.9 billion to the $19.1 billion that is being asked for here, to add to that amount $1.9 billion.

The $1.9 billion, therefore, does not come out of the FEMA funds as the gentleman has objected to. If his argument are well taken, the FEMA fund stays intact. We do not touch it whatsoever. But out of the $3.7 billion, that is unobligated of the money that has already been appropriated for this purpose by this House, we take another $1.9 billion and provide that to Texas. The hope is that the HUD will provide that to Texas, take care of Texas' needs.

So we don't invade the FEMA money under this amendment. We simply add to the amount that came out of committee of $19.1 billion another $1.9 billion to provide the money that Texas needs to get this job done.

We have demonstrated a need for this project back home. We have taken great pains to provide a good plan. Our State has submitted it. It has been vetted by the White House folks. Here the plan is in my hand. It is a wonderful plan that is thoroughly vetted. It is technically perfect, I believe. It states the case well. We have made the case for our needs. We have not exaggerated them.

We have horrible needs back home. 220-something housing units destroyed back home that we need to have fixed up. And we cannot get our city back unless we have our housing infrastructure built back up. So we are urging this House, if it does not want to take the money from existing FEMA programs, take it from the $3.7 billion that is unauthorized, and appropriate, of the $3.7 billion, $1.9 billion to take care of this urgent need in our area.

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

The Acting CHAIRMAN (Mrs. DRAKE). Who seeks time in opposition?

Mr. ROGERS of Kentucky. Madam Chairman, I rise in opposition.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Kentucky. Could I propose a question to the offeror of the amendment? Are you proposing with this amendment to just simply add $1.9 billion to the Disaster Relief Fund?

Mr. JEFFERSON. Madam Chairman, will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentleman from Louisiana.

Mr. JEFFERSON. I am saying that $3.7 billion unobligated of the money the House has already appropriated for disaster relief. I am saying out of the $3.7 billion, we should take $1.9 billion and add to the Community Development Block Grant appropriation. Yes, sir, that is what I am saying. So it is not coming up with the money that the House hasn't already approved. It is simply carving out of what is left, the $3.7 billion that is already left unallocated and unobligated, and obligating it to this purpose.

In this way, we hope to take care of both Texas and Louisiana's needs. And without shortchanging Louisiana, what we have demonstrated through some painstaking processes that money is needed to bring back housing in our State.

Mr. ROGERS of Kentucky. Reclaiming my time, as I understand it then, you propose to take $1.7 billion.

Mr. JEFFERSON. $1.9 billion.

Mr. ROGERS of Kentucky. $1.9 of the 3.7 that has not yet been allocated out of the disaster fund?

Mr. JEFFERSON. Yes, sir.

Mr. ROGERS of Kentucky. For the Community Development Block Grant Program?

Mr. JEFFERSON. Yes, sir.

Mr. ROGERS of Kentucky. So it is essentially like the last amendment but in different form?

Mr. JEFFERSON. It is not like the last amendment, except it is not take it from FEMA, which you objected to saying FEMA needed the money. We are now saying we aren't taking it from FEMA, we still have to take it from unobligated funds, to meet the needs of both Texas and Louisiana.

Mr. ROGERS of Kentucky. Madam Chairman, I yield to the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. I oppose the amendment as well, Mr. JEFFERSON. The State of Louisiana has already received $6.2 billion in CDBG for reconstruction efforts. And yet, the State of Louisiana has yet to submit a plan for the funds, which is required by law.

HUD has been working with the State to craft a reasonable and rationale plan, and we hope to have a better idea of their needs and a recovery plan very soon.

In addition, we are providing an additional $4.2 billion in CDBG to further assist the gulf coast States affected by the hurricanes in 2005, and this includes Louisiana. I am confident that Louisiana will receive funds from this bill. And so, again, I repeat, I oppose the amendment on that basis.

Mr. ROGERS of Kentucky. Reclaiming my time, I also oppose the gentleman's amendment for the same reason that I said on the earlier amendment.

If you take these monies out of the Disaster Relief Fund, then you are saying to the gulf coast States that we will not have money to continue the Stafford Act Recovery Programs, which are vital to that region. You are saying there are not monies there for the public assistance and mitigation programs in the gulf coast area. You are saying that we will have to postpone the projects like repairing roads and water control facilities and public buildings and equipment, public utilities, parks, recreational facilities and the like.

So as much as I understand the gentleman's concern to get more money in the Community Development Block Grant Program, this would be, to coin a phrase, disastrous for the gulf coast region to take it away from the Disaster Relief Fund.

I oppose the amendment.

Madam Chairman, I reserve the balance of my time.

Mr. JEFFERSON. Madam Chairman, I yield myself such time as I may consume. I take issue with the remarks that have been made with respect to the devastating effect that this amendment would have on the recovery in the gulf coast region.

I understood somewhat the argument made earlier that to take money from FEMA would invade the public assistance projects. This money is, however, unobligated to any project in the gulf region. It is money that the Congress has simply appropriated which is unobligated. Consequently, we do not know what, if anything, FEMA is going to use the money for. So we argue here that Texas has already demonstrated a need for $2 billion, according to their calculations. We are saying that ought to be recognized and taken care of, but we have also demonstrated, we think, in our State, a need for $4.2 billion.

Here is the difference. It is true that Louisiana received $6.2 billion recently, and Mississippi received some number, 5.2 or whatever billion dollars as well. We, however, suffered 85 percent of the damage in this area. Mississippi suffered 15 percent of the damage. And nonetheless, we got a 54 percent share of the CDBG funds. Mississippi got 46 percent of the CDBG funds.

So we are saying we were well shortchanged of where we should have been. This is to make up for that, to fix the problems, to try to correct it. So we argue that of the $3.7 billion unobligated, it does not hurt one smidgeon of work that anyone has in mind for FEMA. This is not FEMA's money right now. It is not allocated for any purpose at all. It is available to be used for whatever good purpose we can find. I can tell you, this is a tremendously good purpose for our area. We need the money very substantially.

The President and his people have determined that we need $4.2 billion. Our plan which we do have here, which we have submitted to the White House, which they have vetted carefully, shows we need $4.2 billion. We simply are fearful that our money would not be vetted for this purpose, which the President wanted designated solely for Louisiana, which, under this bill, it is not.

And we recognize the needs of Texas. We want to help Texas. But at the same time, we do not want to hurt our own purposes. I urge adoption of the amendment.

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

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. JEFFERSON).

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

Mr. JEFFERSON. Madam 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 Louisiana (Mr. JEFFERSON) will be postponed.

AMENDMENT OFFERED BY MR. BRADY OF TEXAS

Mr. BRADY of Texas. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BRADY of Texas:

Page 72, line 25, after the colon insert the following:

Provided further, That the factors used by the Secretary in distributing funds made available under this heading shall apply the most timely and accurate data available relating to all damages from such hurricanes and total numbers of relocated evacuees based on their current addresses rather than their addresses of record at the time of the storms, and, to the extent possible, the Secretary shall obtain information from the departments of insurance and tax appraisal records of States and consult and coordinate with the Bureau of the Census of the Department of Commerce to reestimate population, income, and other statistics when determining estimates for use in connection with amounts made available under this heading:

Mr. LEWIS of California. Madam Chairman, reluctantly I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House today, the gentleman from Texas (Mr. BRADY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

□ 2115

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

Madam Chairman, I appreciate Chairman LEWIS and the hard-working members of the Appropriations Committee who are doing a difficult job trying to balance the needs of our war on terror as well as disaster recovery in the gulf coast.

This amendment seeks to do a simple thing, to require that the Secretary of Housing and Urban Development use the most accurate and timely data for making decisions on where the unmet needs are in the gulf coast for housing. What this says in effect is that the director shall apply the most timely and accurate data available relating to all damages from such hurricanes and the total number of relocated evacuees. In other words, rather than use the FEMA numbers, which are slow, often inaccurate and, in fact, do not track the evacuees from Katrina to other States, nor because Hurricane Rita occurred after Hurricane Katrina, many of the needs in Texas are still being applied for and have not yet registered. So, without this amendment, the HUD Secretary would be making important decisions on housing and repair and renovation without having a true, accurate picture of where the needs truly are.

I know that in Texas we have more than 75,000 homes that have been destroyed or damaged in Hurricane Rita, much of which are not yet in the system. The last decision that the HUD Secretary made, 98 percent of the money went to Louisiana and Mississippi, 1 percent to Texas. Yet Hurricane Rita actually landed a higher wind speed than Hurricane Katrina, wiped out much of East Texas, did billions of dollars of damage, and yet our people are still waiting for help in housing, repair and renovation. So this is simply an amendment to require accurate and timely data and should this not be allowed today.

I hope perhaps we can work with you, because I think we all want the Secretary to use the best picture of these very complicated hurricane issues.

Madam Chairman, I yield back my time.

POINT OF ORDER

Mr. LEWIS of California. Madam Chairman, let me express my appreciation to the gentleman for his cooperation.

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

The Acting CHAIRMAN (Mrs. DRAKE). Does anyone wish to be heard on the point of order? If not, the Chair will rule.

The Chair finds that this amendment includes language imparting direction. The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. BRADY OF TEXAS

Mr. BRADY of Texas. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BRADY of Texas:

Page 73, line 15, after the colon insert the following:

Provided further, That not less than $2,000,000,000 from funds made available under this heading shall be used as provided under this heading only for the long-term recovery of areas that are housing victims of Hurricane Katrina who, at the time of the onset of such hurricane, were residents of States other than the State in which such area is located:

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

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentleman from Texas (Mr. BRADY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

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

Again, I thank Chairman LEWIS for your work on disaster relief.

The point of this amendment is to recognize that the money for disaster assistance ought to go with the victims. The fact of the matter is Hurricane Katrina caused tremendous devastation. I know that Texas is now hosting over 400,000 evacuees and educating nearly 40,000 students. We know other States are also opening their hearts and communities to these Katrina evacuees.

This amendment says that $2 billion from our Community Development Block Grant funds shall be made available for the victims of Hurricane Katrina who are living outside their home State. What we want to do is make sure that they have the housing, the social services, the workforce employment services, all those needs that go with them.

This amendment simply says that, as we have spent billions of dollars responding to Hurricane Katrina, that we not forget the victims of Hurricane Katrina who are in other States and who those communities are bearing the brunt of the expenses of hosting them and, in truth, as newspaper articles and studies reported today across the Nation show, that at the pace of recovery in Louisiana, these States, like Texas, will be host to our Katrina neighbors for many months, perhaps many years. It is important that we not punish the States and communities that open their hearts to these victims, that we not send them a bill that says, thank you for your generosity; here, pay for it, raise your taxes, bear the burden; we have no interest in you.

This amendment makes sure that the dollars follow the victims, the evacuees of Hurricane Katrina, and that we not punish the generosity of the surrounding States who did so much for our Katrina evacuees.

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

Mr. BRADY of Texas. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Madam Chairman, let me just join Mr. BRADY in his analysis.

What we are talking about is people, not places, and that is that the funds be able to support the people wherever they are. And Texas is certainly not in any way rejecting the role that we have had the opportunity to play. In fact, we welcome it. But, frankly, it is quite necessary to provide the resources.

I will have a subsequent amendment on this very question; and I rise in support of Mr. BRADY's amendment so we can provide the resources where the people are until they return home, of which we are certainly supporting their desire to return home, but while they are where they are we believe these funds on education and housing are crucial.

Mr. BRADY of Texas. Madam Chairman, I yield back my time.

POINT OF ORDER

Mr. LEWIS of California. Madam Chairman, because the gentleman from Texas (Mr. BRADY) is so cooperative and such a great friend, I hate to have to exercise my procedural responsibilities here, but, Madam Chairman, I make a point of order against the amendment because it provides appropriations for an unauthorized program and, therefore, violates clause 2 of rule XXI.

Clause 2 of rule XXI states in pertinent part, an appropriation may not be in order as an amendment for an expenditure not previously authorized by law.

Madam Chairman, the amendment proposes to appropriate funds for an earmark that is not authorized. The amendment, therefore, violates clause 2 of rule XXI.

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

The amendment proposes to earmark certain funds in the bill. Under clause 2(a) of rule XXI, such an earmarking must be specifically authorized by law. The burden of establishing the authorization in law rests with the proponent of the amendment. Because this burden has not been carried, the point of order is sustained. The amendment is not in order.

AMENDMENT OFFERED BY MR. BRADY OF TEXAS

Mr. BRADY of Texas. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BRADY of Texas:

Page 76, after line 20, insert the following:

CHAPTER 9

GENERAL PROVISIONS—THIS TITLE

SEC. 2901. (a) For the recovery, rebuilding, and relief of the State of Texas from the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $2,000,000,000, to remain available until expended and to be allocated and administered by the Secretary of the Treasury and used only for the State of Texas as follows:

(1) For the costs of housing, social services, health care, and education for the residents of other States affected by the hurricanes who are temporarily residing in Texas.

(2) For the costs of recovery from damage caused by the hurricanes, including repair and construction of infrastructure and housing, debris removal, unreimbursed health care costs of evacuees, flood control and waterway repair, employment and labor services, public safety and security costs, and community and economic development activities.

(3) For such other related costs as may be necessary.

(b) The amounts otherwise provided in this Act for the following accounts are hereby reduced by the following amounts:

(1) ''Department of State—Administration of Foreign Affairs—Diplomatic and Consular Programs'' in chapter 6 of title I, by $1,380,500,000.

(2) ''Federal Emergency Management Agency—Disaster Relief'' in chapter 4 of title II, by $619,500,000.

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

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

The Acting CHAIRMAN. A point of order is reserved.

The Chair recognizes the gentleman from Texas.

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

The purpose of this amendment is to request $2 billion for Texas to help specifically 400,000 of the Hurricane Katrina evacuees who are in our communities, to assist the educational costs of the nearly 40,000 students who we are educating today, and in addition to Hurricane Katrina, help pay for the increased public safety and law enforcement costs that have emerged since being host to our Katrina neighbors.

For health care and mental health: $126 million. Services that have not been compensated again for their help.

For critical infrastructure repairs: $408 million. Because most of the Nation does not know that Hurricane Rita caused tremendous devastation, landed, as I have said before, at a higher wind speed than Hurricane Katrina, created more damage to the electrical grid than Hurricane Katrina, did more damage to the refinery capacity than Katrina, and did almost $1 billion of damage to our timber industry, which is our number one industry in most of the 22 counties directly affected by Rita.

This request, headed by our Governor, Rick Perry, of Texas, made on behalf of the entire Texas congressional delegation, also asks for $54 million for transportation, repair of our roads and bridges from Hurricane Rita, $59 million for navigation waterway repairs. That is because Hurricane Rita caused a damage to our waterways that will require dredging and a great deal of repair.

For our agriculture forestry and rural disaster assistance, $170 million,

because much of Texas that opened their hearts to Katrina are the rural communities that abut Louisiana. They were the ones who opened their shelters for the Katrina victims, opened them a second time for the evacuation of the Houston and gulf coast area, and then on the third big hit actually Hurricane Rita devastated their communities. These are small rural communities and should be commended for all that they have done. This $170 million helps them recover and rebuild their agriculture economy.

For social services, $125 million, mainly for the folks from Katrina but also for some of our dislocated Rita folks.

And then $186 million for community redevelopment, because our recovery is complicated by our Katrina guests. As you know, we have moved them out of hotels into the available housing units; and because Texas had over 75,000 homes damaged or destroyed by Rita, we both no longer have houses for our own families and no housing for the work recovery crews to allow us to get back on our feet.

This also requests $400 million to help pay for our schools who are educating our Katrina neighbors.

Again, we are thrilled to have them. We know if the situation were reversed their hearts and homes would be open to us, but we also know that should that occur that there would be a heavy burden on those other States. We want to make sure that our communities, many of them small, many of them without big budgets, who have done exactly the right thing, exactly the right thing with Katrina and are struggling to recover from their own hurricane, to make sure they are not left behind.

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

Mr. BRADY of Texas. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Madam Chairman, I thank Mr. BRADY very much.

Let me just share with my colleagues, you have heard it before, but within hours of when we got the call to open the Astrodome in Houston for the survivors, the Astrodome was opened with full medical care, volunteers and local resources. We would do it over and over again, because we know our neighbors would do it for us. But, at the same time, as we have integrated our Katrina survivors into our community, waiting to return home, we have opened schools. We have added a new mental health unit to the existing mental health facilities in Harris County; and, in fact, we know that right after that, as Mr. BRADY has indicated, Hurricane Rita came through and devastated a large part of East Texas.

So the combination of East Texas devastation and the impact in Houston and Dallas and other cities around the State, these dollars specifically would go to help the impacted States like Texas in helping to educate, provide health care and other resources.

So I support the gentleman's amendment. Again, his words are accurate. We would do it over and over again, but we have already done the necessary facilities and staffing without asking. We are simply asking now to help us as we continue the burden that we willingly accept.

□ 2130

POINT OF ORDER

Mr. LEWIS of California. Madam Chairman, I make a point of order against the amendment because it provides an appropriation for an unauthorized program, and thereby violates clause 2 of rule XXI. Clause 2 of rule XXI states in pertinent part:

''An appropriation may not be in order as an amendment for an expenditure not previously authorized by law.''

Madam Chairman, the amendment proposes to appropriate funds for an earmark that is not authorized. The amendment, therefore, violates clause 2 of rule XXI.

The Acting CHAIRMAN (Mrs. DRAKE). Does any Member wish to be heard on the point of order? If not, the Chair will rule.

Mr. BRADY of Texas. Madam Chairman, I concede the point of order at this time.

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

AMENDMENT OFFERED BY MR. BRADY OF TEXAS

Mr. BRADY of Texas. Madam Chairman, I ask unanimous consent to offer out of order Brady of Texas amendment No. 1, which would normally come at the end of the bill.

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

The Acting CHAIRMAN. Is there objection to considering the amendment at this point?

There was no objection.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BRADY of Texas:

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

SEC. ____. Of the funds appropriated under this Act under the heading ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT–COMMUNITY PLANNING AND DEVELOPMENT–Community Development Fund'', $400,000,000 shall not be available for expenditure until $400,000,000 is made available to carry out section 107 of title IV, division B of Public Law 109–148.

The Acting CHAIRMAN. A point of order has been reserved by the gentleman from Michigan.

Pursuant to the order of the House of today, the gentleman from Texas (Mr. BRADY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

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

While I recognize the difficulty in making in order these amendments because of the way the bill has been written, and rightly so, the purpose of this amendment is to recognize that we ought not stick our schools with the bill for educating our Katrina students.

Again, we have 47 States that are now educating students who fled Hurricane Katrina. Our State, our communities are educating almost 40,000 of them. These schools were the first ones to open their doors both as shelters, and then to try to provide some normalcy for these families who had nothing to go back to. The schools and the teachers, if you could have been there in Texas or in the other States to see what these schools did to embrace these families, you would know the importance that education has played in bringing some structure to these families from Louisiana and Mississippi.

Unfortunately, in our earlier funding, while we recognized the need to reimburse these schools, the number of students, almost 158,000 of them, this body was not able to provide the minimum funding for them. It looks like for this school year, we will come in somewhere less than $4,000, around $4,000, yet the minimal expense is $6,000 as authorized by Congress.

What this amendment does is, basically it does not cut money from any area, but simply reserves $400 million from Community Development Block Grant, it reserves that in abeyance until $400 million is provided to all the States that are housing our Katrina students.

I will tell you again, every State has done a remarkable job. I am very proud of Texas, very proud of southeast Texas and east Texas and these schools and what they have done. I just think it is wrong when they have very little money as it is to require them to perhaps raise taxes or take money from other vital programs in order to do the right thing for our Louisiana and Mississippi neighbors. We ought not treat schools and communities, I think, with such disdain.

This amendment is designed to raise the profile of our schools, to say thank you for the work that you are doing, and to attempt to provide some minimal reimbursement across the country for these schools for the work they are doing for our Katrina students.

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

Mr. BRADY of Texas. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. I want to congratulate the gentleman for the approach he has taken. This is an amendment that covers schools across the Nation. I want to remind my colleagues that the Katrina survivors were evacuated to 44 States. Mr. BRADY is right. We share contiguous districts, with school districts that have willingly taken in students.

But as I said in the earlier debate, we have opened schools actually. We actually have new schools that welcomed children, Katrina survivors. We provided enhanced resources, counselors

to assist as well, and we do it willingly. What we are saying is that we are already suffering as it relates to public education in America. This instance provides added support for a particularly fragile situation and a necessary situation, and I support the gentleman's amendment.

Mr. BRADY of Texas. Again, I appreciate the work this Appropriations Committee has done to help provide reimbursement for schools. We are hoping to get for this school year that full funding to help them.

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

POINT OF ORDER

Mr. LEWIS of California. Madam Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriations bill, and therefore violates clause 2 of rule XXI. The rule states in pertinent part:

''An amendment to a general appropriations bill shall not be in order if changing existing law.''

This amendment states a legislative condition, and I am asking for a ruling of the Chair.

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

If not, the Chair will rule.

Mr. BRADY of Texas. Madam Chairman, while I may not agree, I concede the point of order.

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

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

I would simply like to make one observation. Scheduling of legislation is done by the majority party. I have, I think it is fair to say, given procedural cooperation every step of the way to see to it that before the House leaves for yet another recess, that we will finish this supplemental appropriation bill.

I am Irish, and French, and a few other things. And like a number of other people, I was invited to the Irish Embassy tonight because this is close to Saint Patrick's Day. I turned that invitation down because I knew that we would be here tonight having to work on this bill. And even though my own party had an event tonight, we have agreed to stay here and continue to work on this bill, and we are staying considerably later than we had first agreed to, but we are trying to finish these amendments so that Members can get out of here at a reasonable time tomorrow, hopefully late tomorrow afternoon instead of into the evening. That is why we are staying here late tonight.

Now I discover that there is one amendment that could have been offered tonight, but we are told that we can't offer it because the member of the Appropriations Committee on the majority side who wants to handle it is, guess where? At the Irish Embassy.

Well, I would simply suggest that I don't mind somebody else enjoying themselves, but I do suggest that if Members of the minority are expected to be here, if members of the Appropriations Committee on the minority side are expected to be here, I do think it is too much to ask that the party setting the schedule expect the same thing of Members on its side.

Mr. LEWIS of California. Madam Chairman, will the gentleman yield?

Mr. OBEY. I would be happy to yield to the gentleman from California. Well, no, I wouldn't be happy to, but I will.

Mr. LEWIS of California. I must say that the gentleman came over to this side to chat with me about this circumstance a while ago, and as I was listening, people keep buzzing other things in my ear. I thought he was making jest about the gentleman from Michigan, but he was talking about another gentleman who thinks he is more Irish than we are who may be elsewhere.

In the meantime, I told the gentleman that my mother's name is O'Farrell, and I am as disconcerted as he is. So I must say to the gentleman that I truly am sorry that you and I are not there together.

Mr. OBEY. Well, I am truly sorry we can't make as much progress on this bill tonight as I had hoped we would be able to make, but I find some of the reasons for that to be quite interesting.

And, Madam Chairman, I am going to ask unanimous consent that we might move to another amendment by Mr. MELANCON at the end of the bill.

Mr. LEWIS of California. If the gentleman will yield, I am happy to do that, but also, if you wanted to take up the other amendment, I would be glad to stand in for the other gentleman who is not here.

Mr. OBEY. We will wait until he is here.

AMENDMENT OFFERED BY MR. MELANCON

Mr. MELANCON. Madam Chairman, I ask unanimous consent to offer an amendment out of order.

The Acting CHAIRMAN. Is there objection to offering the amendment at this point?

There was no objection.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MELANCON:

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

TITLE IV—LOUISIANA HURRICANES AGRICULTURAL DISASTER RELIEF

SEC. 4001. SHORT TITLE.

This title may be cited as the ''Louisiana Hurricanes Agricultural Disaster Relief Act of 2006''.

SEC. 4002. APPLICATION TO LOUISIANA PARISHES DESIGNATED AS DISASTER AREAS DUE TO HURRICANE KATRINA, HURRICANE RITA, OR RELATED CONDITIONS.

In this title, the term ''disaster parish'' means a parish in the State of Louisiana, all or a portion of which is included in the geographic area covered by a natural disaster declaration—

(1) made by the Secretary of Agriculture under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)) due to Hurricane Katrina, Hurricane Rita, or related conditions; or

(2) made by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) due to Hurricane Katrina, Hurricane Rita, or related conditions.

SEC. 4003. CROP DISASTER ASSISTANCE.

(a) EMERGENCY FINANCIAL ASSISTANCE.—Notwithstanding section 508(b)(7) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(7)), the Secretary of Agriculture shall use $25,000,000 of the funds of the Commodity Credit Corporation to make emergency financial assistance authorized under this section available to producers on a farm in a disaster parish (other than producers of sugar cane) that have incurred qualifying crop or quality losses for the 2005 crop of an insurable commodity or noninsurable commodity due to Hurricane Katrina, Hurricane Rita, or a related condition. In the case strawberries, assistance under this section shall be available for the 2005 and 2006 crops for damages to such crops due to Hurricane Katrina, Hurricane Rita, or a related condition.

(b) ADMINISTRATION.—The Secretary of Agriculture shall make assistance available under this section in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat. 1549A–55), including using the same loss thresholds for the quantity and quality losses as were used in administering that section.

(c) INELIGIBILITY FOR ASSISTANCE.—Except as provided in subsection (d), the producers on a farm shall not be eligible for assistance under this section with respect to losses to an insurable commodity or noninsurable commodity if the producers on the farm—

(1) in the case of an insurable commodity, did not obtain a policy or plan of insurance for the insurable commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring the losses;

(2) in the case of a noninsurable commodity, did not file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) for the crop incurring the losses;

(3) had adjusted gross incomes, as defined by section 1001D of the Food Security Act of 1985, of greater than $2,500,000 in 2004; or

(4) were not in compliance with highly erodible land conservation and wetland conservation provisions.

(d) CONTRACT WAIVER.—The Secretary of Agriculture may waive subsection (c) with respect to the producers on a farm if the producers enter into a contract with the Secretary under which the producers agree—

(1) in the case of all insurable commodities produced on the farm for each of the next two crop years—

(A) to obtain additional coverage for those commodities under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

(B) in the event of violation of the contract, to repay to the Secretary any payment received under this section; and

(2) in the case of all noninsurable commodities produced on the farm for each of the next two crop or calendar years, as applicable—

(A) to file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for those commodities

under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); and

(B) in the event of violation of the contract, to repay to the Secretary any payment received under this section.

(e) PAYMENT LIMITATIONS.—

(1) LIMIT ON AMOUNT OF ASSISTANCE.—Assistance provided under this section to a producer for losses to a crop, together with the amounts specified in paragraph (2) applicable to the same crop, may not exceed 95 percent of what the value of the crop would have been in the absence of the losses, as estimated by the Secretary of Agriculture.

(2) OTHER PAYMENTS.—In applying the limitation in paragraph (1), the Secretary shall include the following:

(A) Any crop insurance payment made under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or payment under section 196 of the Federal Agricultural Improvement and Reform Act of 1996 (7 U.S.C. 7333) that the producer receives for losses to the same crop.

(B) The value of the crop that was not lost (if any), as estimated by the Secretary.

(f) DEFINITIONS.—In this section:

(1) ADDITIONAL COVERAGE.—The term ''additional coverage'' has the meaning given the term in section 502(b)(1) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)(1)).

(2) INSURABLE COMMODITY.—The term ''insurable commodity'' means an agricultural commodity (excluding livestock) for which the producers on a farm are eligible to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(3) NONINSURABLE COMMODITY.—The term ''noninsurable commodity'' means an eligible crop for which the producers on a farm are eligible to obtain assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

SEC. 4004. SUPPLEMENTAL DIRECT PAYMENTS FOR COVERED COMMODITIES.

(a) PAYMENTS REQUIRED.—The Secretary of Agriculture shall make payments to producers on a farm eligible for direct payments for the 2005 crop of a covered commodity under section 1103 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7913) if—

(1) the farm is located in a disaster county; or

(2) the producers on the farm have incurred qualifying crop losses with respect to the 2005 crop of a covered commodity due to damaging weather or related condition, as determined by the Secretary, using the same loss thresholds for the quantity and quality losses as were used in administering section 815 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat. 1549, 1549A–55).

(b) AMOUNT.—The amount of the payment made to the producers on a farm under this section shall be equal to 100 percent of the amount of the direct payment the producers on the farm are eligible to receive for the 2005 crop under section 1103 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7913).

(c) CROP INSURANCE.—As a condition of the receipt of a payment under this section, the producers on the farm shall enter into a contract with the Secretary of Agriculture under which the producers on the farm agree—

(1) in the case of the covered commodity and all other insurable commodities produced on the farm for each of the next two crop years—

(A) to obtain at least catastrophic risk protection coverage for those commodities under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

(B) in the event of violation of the contract, to repay to the Secretary any payment received under this section; and

(2) in the case of all eligible noninsurable commodities produced on the farm for each of the next two crop or calendar years, as applicable—

(A) to file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for those commodities under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); and

(B) in the event of violation of the contract, to repay to the Secretary any payment received under this section.

(d) ADMINISTRATION.—For purposes of sections 1001 through 1001F of the Food Security Act of 1985 (7 U.S.C. 1308 et seq.), payments received under this section shall be considered direct payments made to a person under subtitle A of title I of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911 et seq.).

(e) RELATION TO OTHER ASSISTANCE.—A person that elects to receive payments under this section for a covered commodity is not eligible for crop disaster assistance under section 4003 for the same commodity.

(f) TIME FOR PAYMENT.—The Secretary shall make payments under this section as soon as practicable after the date of enactment of this Act.

SEC. 4005. SUGARCANE DISASTER ASSISTANCE.

(a) COMPENSATION FOR LOSSES.—In the case of first processors of sugarcane that operate in a disaster parish, or obtain sugarcane from a disaster parish, and that are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)), the Secretary of Agriculture shall use the funds, facilities, and authorities of the Commodity Credit Corporation to make assistance available to such first processors, in the form of monetary payments or commodities in the inventory of the Commodity Credit Corporation derived from carrying out that section, to compensate producers and first processors for crop and other losses due to Hurricane Katrina, Hurricane Rita, or related conditions.

(b) ADMINISTRATION.—Assistance under subsection (a) shall be—

(1) shared by an affected first processor with affected producers that provide commodities to the processor in a manner that reflects contracts entered into between the processor and the producers, except with respect to a portion of the amount of total assistance described under subsection (c) necessary to compensate affected producers for individual losses experienced by such producers, including losses due to saltwater intrusion, flooding, wind damage, or increased planting, replanting or harvesting costs, which shall be transferred by the first processor to the affected producers without regard to contractual share arrangements; and

(2) made available under such terms and conditions as the Secretary of Agriculture determines are necessary to carry out subsection (a).

(c) AMOUNT OF ASSISTANCE.—To carry out subsection (a), the Secretary of Agriculture shall—

(1) convey to first processors described in subsection (a) 689,441 tons of commodities in the inventory of the Commodity Credit Corporation derived from carrying out section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a));

(2) make monetary payments to the first processor in an aggregate amount equal to the domestic market value of the quantity of commodities specified in paragraph (1); or

(3) take any combination of actions described in paragraphs (1) and (2) using commodities or monetary payments.

(d) LOSS DETERMINATION.—In carrying out subsection (a), the Secretary of Agriculture shall use the same base year to determine crop loss that was elected by a producer to determine crop loss in carrying out the Hurricane Assistance Program authorized under section 207 of the Agricultural Assistance Act of 2003 (title II of division N of Public Law 108–7; 16 U.S.C. 3801 note).

(e) MARKETING RECOVERY ASSISTANCE.—Effective for the 2005 crop of a commodity eligible for a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)) or until such time that the Secretary determines that the transportation, handling, and refining sectors are sufficiently recovered to allow for an orderly marketing of a crop of such commodity, the Secretary shall—

(1) not charge interest on a loan made under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a));

(2) use such sums as are necessary of the funds of the Commodity Credit Corporation to pay storage, including any handling and associated costs, with respect to such commodity; and

(3) use such sums as are necessary of the funds of the Commodity Credit Corporation to compensate first processors for costs associated with transporting such commodity via tractor trailer to refineries located at New Orleans, Louisiana, or via ocean-going vessel to refineries located at Savannah, Georgia, Baltimore, Maryland, or Yonkers, New York.

(f) LIMITATION.—The Secretary of Agriculture shall provide assistance under subsections (a) and (e) only in a State described in section 359f(c)(1)(A) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ff(c)(1)(A)).

SEC. 4006. COMPENSATION FOR INFRASTRUCTURE LOSSES.

(a) INFRASTRUCTURE LOSSES.—Out of any funds in the Treasury not otherwise appropriated, there is appropriated to the Secretary of Agriculture, $40,000,000 to compensate agricultural producers on a farm operating in a disaster parish for costs incurred to repair or replace barns and other structures, equipment, and fencing that—

(1) was used to produce an agricultural commodity; and

(2) was damaged or destroyed by Hurricane Katrina, Hurricane Rita, or related conditions or in responding to the aftermath of the hurricanes.

(b) TIMING OF ASSISTANCE.—The Secretary of Agriculture may provide assistance authorized under this section in the form of—

(1) reimbursement for eligible repair or replacement costs previously incurred by producers; or

(2) cash or in-kind assistance in advance of the producer undertaking the needed repair or replacement work.

(c) PAYMENT LIMITATIONS.—Assistance provided under this section to a producer for a repair or replacement project, together with amounts received for the same project from insurance proceeds, section or other sources, may not exceed 95 percent of the costs incurred to repair or replace the damaged or destroyed structures, equipment, or fencing, as estimated by the Secretary of Agriculture.

SEC. 4007. ASSISTANCE TO DAIRY AND LIVESTOCK PRODUCERS.

(a) DAIRY CATTLE LOSSES.—The Secretary of Agriculture shall use $250,000 of funds of the Commodity Credit Corporation to make

payments for dairy cattle losses of dairy producers in disaster parishes due to Hurricane Katrina, Hurricane Rita, or related conditions. To the maximum extent practicable, the Secretary shall make assistance available under this subsection in the same manner as provided under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat. 1549A–51). A disaster parish so declared by the President as a result of Hurricane Katrina or Hurricane Rita in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) that does not qualify for assistance under this section shall be eligible for assistance in the same manner as provided in section 203 of the Agricultural Assistance Act of 2003 (title II of division N of Public Law 108–7; 16 U.S.C. 3801 note).

(b) INDEMNITY PROGRAM FOR OTHER LIVESTOCK LOSSES.—The Secretary of Agriculture shall use $11,000,000 of the funds of the Commodity Credit Corporation to carry out a livestock indemnity program to make payments to producers on farms in disaster parishes that have incurred livestock losses, not covered by subsection (a), due to Hurricane Katrina, Hurricane Rita, or related conditions. To the maximum extent practicable, the Secretary shall use the criteria established under the program referred to under the heading ''livestock indemnity program'' in chapter 1 of title I of the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31; 113 Stat. 59), except that the Secretary shall use a payment rate of $1,000 per head of cattle and shall not impose any limitation on the maximum amount of payments that a producer may receive under this subsection.

(c) DAIRY PRODUCTION LOSSES.—The Secretary of Agriculture shall use $5,000,000 of funds of the Commodity Credit Corporation to compensate dairy producers operating in disaster parishes for dairy production losses and dairy spoilage losses incurred in the aftermath of Hurricane Katrina or Hurricane Rita.

(d) LIVESTOCK COMPENSATION PROGRAM.—The Secretary of Agriculture shall use $5,000,000 of the funds of the Commodity Credit Corporation to carry out a livestock compensation program to make payments for livestock-related losses, not covered by subsection (b), in disaster parishes due to Hurricane Katrina, Hurricane Rita, or related conditions. To the maximum extent practicable, the Secretary shall use the criteria established under the program referred to in section 203(a) of the Agricultural Assistance Act of 2003 (title II of division N of Public Law 108–7; 16 U.S.C. 3801 note), except that the Secretary shall not impose any limitation on the maximum amount of payments that a producer may receive under this subsection.

(e) EMERGENCY ANIMAL HEALTH AND FORAGE COSTS.—The Secretary of Agriculture shall use $4,375,000 of funds of the Commodity Credit Corporation to compensate dairy producers operating in disaster parishes for emergency dairy cattle health costs and increased forage costs due to a 30- to 90-day delay in planning in the aftermath of Hurricane Katrina or Hurricane Rita.

SEC. 4008. ANIMALS COVERED UNDER LIVESTOCK ASSISTANCE PROGRAMS.

(a) INCLUSION OF HORSES UNDER ASSISTANCE PROGRAMS.—In carrying out a livestock assistance, compensation, or feed program, the Secretary of Agriculture shall include horses within the definition of livestock covered by the program.

(b) EMERGENCY LIVESTOCK FEED ASSISTANCE.—Section 602(2) of the Agricultural Act of 1949 (7 U.S.C. 1471(2)) is amended—

(1) by inserting ''horses,'' after ''bison,''; and

(2) by striking ''equine animals used for food or in the production of food''.

(c) LIVESTOCK ASSISTANCE PROGRAM.—Section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat. 1549A–51), is amended by inserting ''(including losses to elk, reindeer, bison, and horses)'' after ''livestock losses''.

(d) LIVESTOCK PRODUCER ASSISTANCE.—Section 10104(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1472(a)) is amended by striking ''and bison'' and inserting ''bison, and horses''.

(e) LIVESTOCK ASSISTANCE PROGRAMS.—Section 203(d)(2) of the Agricultural Assistance Act of 2003 (Public Law 108–7; 117 Stat. 541) is amended by striking ''and bison'' and inserting ''bison, and horses''.

(f) APPLICABILITY.—This section and the amendments made by this section apply to losses resulting from a disaster that occurs on or after August 28, 2005. This section and the amendments made by this section do not apply to losses resulting from a disaster that occurred before that date.

SEC. 4009. ASSISTANCE FOR DOMESTIC AQUICULTURE PRODUCERS.

The Secretary of Agriculture shall use $45,000,000 of funds of the Commodity Credit Corporation to carry out a program to make payments to producers for the loss of crawfish, turtles, and other aquacultural commodities in disaster parishes.

SEC. 4010. EMERGENCY CITRUS DISASTER, NURSERY CROP AND CHRISTMAS TREE DISASTER, AND STRAWBERRY, HORTICULTURAL CROPS, FALL FRUITS AND VEGETABLES DISASTER PROGRAMS.

(a) PROGRAMS REQUIRED.—The Secretary of Agriculture shall transfer to the fund established by section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), $45,000,000 of funds of the Commodity Credit Corporation to carry out a Citrus Disaster Program, Nursery Crop and Christmas Tree Disaster Program, and Strawberry, Horticultural Crops, Fall Fruits and Vegetables Program in disaster parishes due to Hurricane Katrina, Hurricane Rita, or related conditions.

(b) ADMINISTRATION.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the disaster programs required by subsection (a) shall be carried out by the Secretary of Agriculture in the same manner as the special disaster relief programs carried out for producers who suffered from crop damage and tree losses, and who had to perform related cleanup, in certain areas of Florida due to Hurricanes Charley, Frances and Jeanne during August and September 2004. Because of the complete destruction of the business records of many producers, the Secretary shall use the best available information in determining eligibility, determining losses, and calculating payment amounts under the programs.

(2) SPECIAL ACREAGE COMPENSATION AMOUNT FOR CITRUS LOSSES.—Because of the complete loss of the Louisiana citrus crop due to Hurricane Katrina and Hurricane Rita, the Secretary shall use only Tier 1 of the Florida Citrus Disaster Program in administering the Citrus Disaster Program required by subsection (a), and the per acre compensation for crop loss and associated tree damage in eligible groves of citrus shall be $9,023 rather than $1,500.

(3) SPECIAL LOSS THRESHOLD AND PAYMENT RATE FOR HORTICULTURAL CROPS.—In the case of the Strawberry, Horticultural Crops, Fall Fruits and Vegetables Program required by subsection (a), the Secretary shall cover losses greater than 35 percent, rather than 50 percent, and use a single payment rate of $2,500 per acre for planted fruits and vegetables.

(4) SPECIAL PAYMENT RATE FOR SEVERE NURSERY CROP LOSSES.—In the case of nursery crop losses of greater than 25 percent under the Nursery Crop and Christmas Tree Disaster Program required by subsection (a), the Secretary shall pay 75 percent of the actual dollar amount loss, rather than 25 percent.

(5) PAYMENT LIMITATIONS.—The Secretary shall not impose any limitation on the maximum amount of payments that a producer may receive under a program required by subsection (a).

(c) RELATION TO OTHER ASSISTANCE.—Persons that receive payments from section 32 of the Act of August 24, 1935, pursuant to a disaster program required by subsection (a) are not eligible for payments for qualifying crop or quality losses under the general crop disaster assistance authority of section 4003.

SEC. 4011. CONSERVATION PROGRAMS.

(a) TEMPORARY SODBUSTER AND SWAMPBUSTER WAIVER.—Subtitles B and C of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.) shall not apply in a disaster parish during the two-year period beginning on the date of enactment of this Act.

(b) DEBRIS REMOVAL.—The Secretary of Agriculture may use the Natural Resources Conservation Service to conduct debris-removal activities on non-Federal forest land, with the permission of the owner of the land, in a disaster parish to reduce the risk of future catastrophic wildfires that would adversely affect watersheds and rural communities.

(c) ADDITIONAL EMERGENCY WATERSHED PROTECTION PROGRAM FUNDS.—The Secretary of Agriculture shall use an additional $269,000,000 of the funds of the Commodity Credit Corporation for the Emergency Watershed Protection Program to provide additional funds for the repair of damages to waterways and watersheds in disaster parishes resulting from Hurricane Katrina or Hurricane Rita.

(d) ADMINISTRATIVE EXPENSES.—Amounts made available under subsections (c) and (d) shall be available to cover the salaries and expenses of additional staff of the Department of Agriculture hired or detailed to carry out this section.

SEC. 4012. TREE ASSISTANCE PROGRAM.

(a) INCLUSION OF TIMBER, CHRISTMAS TREE, AND PECAN CROPS.—In administering the tree assistance program established under sections 10201 through 10204 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8201 et seq.), the Secretary of Agriculture shall provide $37,000,000 to forest land owners who produce periodic crops of timber, Christmas trees, or pecans for commercial purposes and who have suffered tree losses in disaster parishes due to Hurricane Katrina, Hurricane Rita, or related conditions

(b) COST-SHARING WAIVERS.—

(1) TREE ASSISTANCE PROGRAM.—The cost-sharing requirements of section 10203(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8203(1)) shall not apply to the operation of the tree assistance program in disaster parishes in response to Hurricane Katrina, Hurricane Rita, or related conditions.

(2) COOPERATIVE FORESTRY ASSISTANCE ACT.—The cost-sharing requirements of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101) shall not apply in disaster parishes during the two-year period beginning on the date of enactment of this Act.

(c) RELATION TO OTHER ASSISTANCE.—Persons that receive payments from section 32 of the Act of August 24, 1935 (7 U.S.C. 612c),

pursuant to the Citrus Disaster Program required by section 4009 are not eligible for payments under the tree assistance program.

(d) ADDITIONAL STATE AND PRIVATE FORESTRY PROGRAM FUNDS.—The Secretary of Agriculture shall use an additional $42,000,000 of the funds of the Commodity Credit Corporation to support State and Private Forestry programs of the Department of Agriculture to provide additional funds for the restoration and rehabilitation of forest lands destroyed or damaged by Hurricane Katrina or Hurricane Rita in disaster parishes.

SEC. 4013. ADDITIONAL FUNDS FOR COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE.

The Secretary of Agriculture shall use an additional $34,193,591 of the funds of the Commodity Credit Corporation to support the research and education activities of the Cooperative State Research, Education, and Extension Service in disaster parishes. Of such amount, $9,060,000 shall be made available to the Louisiana Agricultural Experiment Station, $10,133,591 shall be made available to the Louisiana Cooperative Extension Service, and $15,000,000 shall be made available to the Louisiana State University Agricultural Center to carry out the Hurricane Forestry Damage Research Initiative.

SEC. 4014. WATER AND WASTE DISPOSAL LOAN AND GRANT PROGRAMS.

In the case of water or waste disposal grants or direct or guaranteed loans under paragraph (1), (2), or (24) of section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) made in an area designated a major disaster area by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), section 343(a)(13)(B) of that Act and section 149(b) of the Internal Code of 1986 shall not apply.

SEC. 4015. COMMUNITY FACILITIES LOAN AND GRANT PROGRAMS.

(a) IN GENERAL.—In the case of community facility direct and guaranteed loans under section 306(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(1)) and community facility grants under paragraph (19), (20), or (21) of section 306(a) of that Act made in an area designated a major disaster area by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), sections 306(a)(21)(A)(iv) and 343(a)(13)(C) of that Act and section 149(b) of the Internal Code of 1986 shall not apply.

(b) RESTRUCTURING.—A borrower receiving a guaranteed loan or grant described in subsection (a) as of the date of enactment of this Act may restructure the loan at new rates and terms regardless of the status of the loan.

(c) REDUCTION OF GUARANTEE FEE.—Notwithstanding any provision of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) (including associated regulations), the Secretary of Agriculture may waive all or part of any fee associated with a guaranteed loan described in subsection (a).

SEC. 4016. RURAL COMMUNITY ADVANCEMENT FUNDS.

(a) IN GENERAL.—Subject to subsection (b), in addition to any other amounts made available by law, the Secretary of Agriculture shall use—

(1) $120,000,000 to make water and waste disposal direct loans under section 306(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(1));

(2) $60,000,000 to make water and waste disposal grants under section 306(a)(2) of that Act (7 U.S.C. 1926(a)(2));

(3) $10,000,000 to make water and waste disposal guaranteed loans under section 306(a)(24) of that Act (7 U.S.C. 1926(a)(24));

(4) $20,000,000 to make emergency community water assistance grants under section 306A of that Act (7 U.S.C. 1926a);

(5) $120,000,000 to make community facilities direct loans under section 306(a)(1) of that Act (7 U.S.C. 1926(a)(1));

(6) $60,000,000 to make community facilities grants under paragraph (19), (20), or (21) of section 306(a) of that Act (7 U.S.C. 1926(a)); and

(7) $20,000,000 to make community facilities guaranteed loans under section 306(a)(1) of that Act (7 U.S.C. 1926(a)).

(b) REQUIREMENT.—Loans and grants funded under this section shall be available for projects in communities in the State of Louisiana in areas that have been designated as major disaster areas by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

SEC. 4017. FISHERIES DISASTER ASSISTANCE.

The following amounts are appropriated for the National Oceanic and Atmospheric Administration, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2006:

(1) FISHERIES DISASTER ASSISTANCE.—In addition to amounts appropriated or otherwise made available for such purpose, $248,000,000, to remain available until expended, for a direct, lump-sum grant to the Louisiana Department of Wildlife and Fisheries for direct grants to Louisiana harvesters and vessel owners to provide replacement of the dockside values for all fishery resources in fisheries impacted by Hurricane Katrina and Hurricane Rita. The Secretary of Commerce shall make such amount available to the Louisiana Department of Wildlife and Fisheries not more than 30 days after the date of enactment of this Act and may not expend more than 2 percent of such amount for administration, technical assistance, and operation related to such grant.

(2) MENHADEN FISHERIES RECOVERY.—In addition to amounts appropriated or otherwise made available for such purpose, $14,000,000, to remain available until expended, for a direct, lump-sum grant to the Louisiana Department of Wildlife and Fisheries for direct grants to Louisiana harvesters and vessel owners to provide replacement for the dockside values for the menhaden fisheries impacted by Hurricane Katrina and Hurricane Rita.

(3) LOUISIANA OYSTER RECOVERY.—In addition to amounts appropriated or otherwise made available for such purpose, $30,000,000, to remain available until expended, for a direct, lump-sum grant to the Louisiana Oyster Task Force and the Louisiana Department of Wildlife and Fisheries for the complete rehabilitation of public oyster reefs under the jurisdiction of Louisiana that were impacted by Hurricane Katrina and Hurricane Rita. Of such amount, $1,000,000 shall be made available for oyster hatcheries in Louisiana, and $8,000,000 shall be made available for oyster lease resurveying and oyster lease boundaries and for oyster lease equipment and facilities.

(4) FISHERIES INFRASTRUCTURE RECOVERY.—In addition to amounts appropriated or otherwise made available for such purpose, $268,000,000, to remain available until expended, for the establishment of strategically located emergency fisheries infrastructure facilities to provide the dockside infrastructure required for the delivery of fish products to market in all fisheries impacted by Hurricane Katrina and Hurricane Rita.

(5) LOUISIANA MARINE RESEARCH RECOVERY.—In addition to amounts appropriated or otherwise made available for such purpose, $14,000,000, to remain available until expended, for a direct, lump-sum grant to the Louisiana Department of Wildlife and Fisheries for the replacement of coastal and marine research facilities impacted by Hurricane Katrina and Hurricane Rita.

(6) SEAFOOD MARKETING.—In addition to amounts appropriated or otherwise made available for such purpose, $35,000,000, including $1,500,000 for the Louisiana Oyster Task Force, to remain available until expended, for a direct, lump-sum grant to the Louisiana Seafood Promotion and Marketing Board to rebuild markets for seafood products in fisheries impacted in Hurricane Katrina and Hurricane Rita.

(7) LOUISIANA LICENSE RENEWAL.—In addition to amounts appropriated or otherwise made available for such purpose, $16,500,000, to remain available until expended, for a direct, lump-sum grant to the Louisiana Department of Wildlife and Fisheries to provide license renewal fees for commercial or recreational fishing license holders and to provide oyster lease rent or renewal fees.

(8) FISHERIES HABITAT.—In addition to amounts appropriated or otherwise made available for such purpose, $10,000,000, to remain available until expended, to restore and rehabilitate marsh, nursery habitat for fish, shrimp, and crabs in Louisiana.

(9) SEVERE WEATHER FORECASTING AND WARNING.—In addition to amounts appropriated or otherwise made available for such purpose, $4,000,000, to remain available until expended, for the National Weather Service to ensure continued weather forecasting services in areas that could be impacted by hurricanes and other severe coastal weather events, including floods. Such funds should be made available to the South Regional Weather Center for hurricane forecasting and data delivery during an emergency.

(10) LOUISIANA STATE UNIVERSITY HURRICANE CENTER.—In addition to amounts appropriated or otherwise made available for such purpose, $5,000,000, to remain available until expended, to implement an emergency response decision support system and expert guidance that is capable of rapid deployment to support emergency response and recovery activities, including scalable hurricane response capabilities, in-place resources and readiness, integrated modeling and information delivery systems, pre-defined inventories of domain experts and resources, and an infrastructure that may be adopted in all regions of the Eastern United States that are impacted hurricanes and the Caribbean region. Such system shall be integrated with Federal and State response planning and shall be developed in cooperation with universities in Louisiana.

SEC. 4018. WAIVER OF FEDERAL FISHERIES LAWS AND REGULATIONS.

The Secretary of Commerce shall waive the provisions of any Federal law or regulation that requires the protection of endangered or otherwise protected species in the immediate waters impacted by Hurricane Katrina and Hurricane Rita. Such waiver shall be effective for a 1-year period beginning on a date determined by the Secretary, in consultation with the head of the Louisiana Department of Wildlife and Fisheries.

SEC. 4019. EXEMPTION OF MOLLUSCAN SHELLFISH CULTURE ACTIVITIES.

Section 9 of the National Aquaculture Act of 1980 (16 U.S.C. 2808) is amended by adding at the end the following:

''(c) EXEMPTION FOR MOLLUSCAN SHELLFISH CULTURE ACTIVITIES.—Molluscan shellfish culture activities are not prohibited by or otherwise subject to regulation under—

''(1) section 10 of the Act of March 3, 1899 (chapter 425; 33 U.S.C. 403), popularly known as the Rivers and Harbors Appropriations Act of 1899; and

''(2) section 301(a), 402, or 404 of the Federal Water Pollution Control Act (33 U.S.C. 1311(a), 1342, 1344).''.

SEC. 4020. REGULATIONS.

(a) IN GENERAL.—The Secretary of Agriculture may promulgate such regulations as are necessary to implement this title and the amendments made by this title.

(b) PROCEDURE.—The promulgation of the regulations and administration of this title and the amendments made by this title shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'').

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary of Agriculture shall use the authority provided under section 808 of title 5, United States Code.

SEC. 4021. EMERGENCY DESIGNATION.

Amounts provided pursuant to this title or amendments made by this title are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

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

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentleman from Louisiana (Mr. MELANCON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. MELANCON. Madam Chairman, I rise today with an amendment that deals with an area that was completely left out during the disaster assistance to date, and that is agriculture and fisheries. The gentleman from Texas talked about Texas and the damage to its agriculture, to its forestries, to its fisheries, to its housing stock. He mentioned 70,000 homes devastated or damaged in Texas. Katrina left 268,000 homes devastated or damaged in Louisiana.

I am not trying to make a comparison, I am just trying to make the point that the devastation in Louisiana was beyond description, beyond what anyone could comprehend without physically being on the ground and seeing what has happened in Louisiana, Mississippi, Texas, and Alabama.

But we have got another problem in Louisiana. We have over $2 billion worth of forestry, fisheries and agriculture that have been destroyed and damaged. The infrastructure is gone. These numbers are based on estimates of damage from the LSU Ag Center, and I have a list of those crops and such, if any of the Members would wish to review it.

While many in Congress and the administration continue to put out figures where assistance has been provided, we have had roughly $87 billion that has been appropriated. Of that $87 billion, I dare to venture that 50 percent, or maybe even less, has hit the area, at least in Louisiana. And that $87 billion that continues to be touted as spent on damage for the hurricanes, Rita and Katrina, somewhere between Washington and Louisiana, Mississippi, Alabama, Texas and, for that matter, Florida, with Wilma, the money has not reached the people that everyone believes it was intended to reach. There are a lot of contractors making a lot of money, and there is a lot of people that have had contracts with companies that had not even started that are getting contracts.

So no direct assistance has been provided to agriculture, forestry, fisheries in Louisiana and, to my knowledge, other than oysters getting some funding, they have been shortchanged.

The bankers at Christmas were asking the farmers in Louisiana what might the Congress do and the administration do to help them. For, you see, these farmers were meeting with their bankers, who were telling them that they can't loan them the money unless they know that they are going to have some help from their government. So with that, we will be folding up rural Louisiana, the agriculture community, the fisheries community, and the forestry community, those items that drive the economies in south Louisiana.

I had asked for a waiver yesterday. And, Mr. Chairman, as you are aware, I didn't receive it. But I felt compelled to come to the floor, as I did earlier. I believe that this Congress does not comprehend the extensive enormity of the disaster, as I keep hearing from Members.

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I would like to again invite every Member of this Congress that has not put a foot in Louisiana or Mississippi to come to see, to understand, to talk to the people that have been devastated.

They are in Texas, too. They are in Alabama and Florida. But the devastation that we have experienced is crippling to our State.

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

The Acting CHAIRMAN (Mrs. DRAKE). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 73, line 10, after the dollar amount insert ''(increased by $800,000,000)''.

Mr. LEWIS of California. Madam Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

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

I rise to discuss the amendment that I hope my colleagues will give adequate consideration. The amendment is a simple one. It simply intends to add $800 million to the amount of moneys to be utilized for the repair and construction and rehabilitation of rental properties in the impacted areas.

I am hoping that as my colleagues listen to some of the, if you will, concerns that we have regarding housing assistance in the region and the flexibility we are asking for they would see the legitimacy of increasing the $1 billion to $1.8 billion. Rental housing impacts people, and people are what are left in the gulf region, not structures, not apartment buildings, but people. People who are without trailers and, in many instances, without rental properties.

Many people would like to get into and repair their homes, but the easier property to repair and reconstruct would be the rental properties controlled by HUD. The impacted areas cover Mississippi, Louisiana and Texas. For those of us who have been in the region, we know that the region can be declared a war zone. The damage is expansive.

I have walked along the streets of HUD projects, housing developments in disrepair, empty, needing repair so people could return. This is so in East Texas, Port Arthur, Beaumont and areas where Hurricane Rita traveled, and it certainly has risen its face in the Gulf region and in Mississippi.

I want to say to my colleagues that I appreciate the generosity and the, if you will, insight of the ranking member and chairman of the full committee and of the subcommittee dealing with housing and the $4.2 billion and the ceiling, if you will, or the floor of $1 billion. But this amendment goes to the expansiveness of the devastation and the need for rental assistance and reconstruction.

Frankly, I think it is important to note that the $1.8 billion is not too much and does not disallow flexibility of the remaining dollars.

I would hope if it was not necessary to use $1.8 billion, this particular dollar amount would not need to be utilized, and that is because the language says ''not less than.'' I hope that my colleagues would support this amendment.

Madam Chairman, I reserve the balance of my time.

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

Madam Speaker, the gulf States are free to use any of the CDBG funds for

low-income housing. They can use all of the $4.2 billion, or even all of the $11.5 billion that we provided last year. What we are trying to do is provide the maximum amount of flexibility, flexibility just as we did for New York City after 9/11 but still preserve the low-income housing. This is all very, very important for the Governors.

In my view, we have already struck a good balance between flexibility and housing, while still allowing other development activities such as water and sewer construction business, development of transportation planning and debris removal, which is a big, big thing, as you know. We have allowed those things to go on.

I thank the gentlewoman for her interest, but I ask for a ''no'' vote.

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

Ms. JACKSON-LEE of Texas. Madam Chairman, I yield myself the balance of my time.

Madam Speaker, I appreciate the spirit in which the gentleman has offered his rebuttal. I realize these dollars go specifically to reconstruction repair, but might I just use an anecdotal story to show that housing reconstruction repair and rental assistance is really a large chunk of the need in the gulf coast because people do not have housing.

Frankly, just as anecdotal story, for the City of Houston, even in apartments that we have been able to utilize, isn't it interesting that we cannot even get moneys paid to landowners, apartment owners, for the renters who are on the premises who are Hurricane Katrina survivors.

It is a slightly different issue, but it shows the magnitude of the housing need. The 200,000 individuals that are in the Houston area are mostly in rental property, and much of it would be subject at some point to repair and reconstruction. The point of this increase is to highlight the need for rental housing in the devastated areas and to somehow seek some flexibility to be able to use dollars for rental assistance.

I would ask Mr. KNOLLENBERG and certainly the chairman of the committee to recognize that this should be the beginning of our work and not the end. Frankly, my plea is to provide rental assistance dollars, because we are getting inadequate response from FEMA.

My amendment was offered to provide the increase because rental housing overall is needed, but the specific need obviously is rental assistance and its payments.

Madam Chairman, I seek to withdraw the amendment; and I look forward to further opportunity to ensure that the City of Houston and other cities similarly situated would allow for us to be able to get rental assistance and payment for those 200,000 who are living in rental properties through our city and throughout East Texas and other areas.

Madam Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 74, lines 3 through 8, strike ''the Secretary may waive the requirement that activities benefit persons of low and moderate income, except that'' and ''unless the Secretary otherwise makes a finding of compelling need''.

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

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

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

Madam Chairman, let me suggest that I respect the good intentions of this waiver language. I understand that it addresses the question of flexibility, but, frankly, I believe that it should be the other way around. That, in fact, if the Secretary believes that there needs to be more dollars to be utilized for other income levels other than low and moderate, then the Secretary needs to make a compelling need request.

These moneys were designated for low and moderate income. That is the bulk of the impact in the gulf coast region where the dollars are needed. My fear is, with the ability to waive utilization of these funds for low and moderate income, we will find these funds being utilized for economic development projects, putting in various extraneous matters that do not address the question of human needs.

This amendment simply says, let us get ourselves focused, let us get back on the point, let us realize that the devastating impact is impacting mostly people who have lost everything and fall into the category of low and moderate. Therefore, I feel there would be little reason to have to seek a waiver in the first place because the need is pointed. It points to a certain income, and those were the most devastated.

We realize there are other issues dealing with insurance where those individuals who had insurance are now in conflict with insurance companies who are denying them their insurance recovery. That is one issue. But people who have lost everything mostly have fallen into the category of low and moderate income. These dollars should be directed toward that body of people and not directed elsewhere, therefore, taking away important dollars for helping to rebuild the gulf coast.

Just walk down in the area, travel through the areas of Mississippi and Louisiana, visit some of the eastern parts of Texas, and you will find that the language that exists that deals with low and moderate income is the appropriate language that will serve the housing and other infrastructure needs of those who have been devastated along the gulf coast. To allow waiver opportunity for the Secretary to change that formula and to begin to use it for many, many other aspects will take it away from the rebuilding and reconstruction of that area. I ask my colleagues to support my amendment.

Madam Chairman, I reserve the balance of my time.

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

Madam Chairman, our intent was to provide funds with the maximum flexibility to help all the people in the affected gulf coast region. This is really again an issue for the Governors of the affected States. The Secretary does not implement these plans. The Governors create the plans, and they also spend the money. Our language does not allow the Secretary to provide a blanket waiver of the low and moderate income provision. He must give notice of the waiver and explain why he granted such a waiver.

□ 2200

I would urge a ''no'' vote on this amendment. I recognize the gentlewoman is very much an advocate of emphasizing and focusing on the low income, and I appreciate that. But what we need to do is to let the States use these funds in the way that will best rebuild the devastated areas.

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

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

We can see that we are having enormously genteel dialogue here, Madam Chairman. Again, I respect the argument of the flexibility being offered by way of the States. I guess I speak very passionately from what I have seen day-to-day in our local communities, our cities, and the impact that they have experienced in not getting the dollars that are necessary to provide the engine to their local economy as they play host, willingly, of course, to thousands of survivors, including those who are impacted by Rita. I believe those dollars should be focused on low and moderate income and frankly, when necessary, then the waiver should be from the ground up, rather than top down. And so I would ask my colleagues to support this amendment.

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

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

The amendment was rejected.

Ms. JACKSON-LEE of Texas. Madam Chairman, I would like to ask for the yeas and nays.

The Acting CHAIRMAN. The gentlewoman's request is not timely.

AMENDMENT OFFERED BY MR. TAYLOR OF MISSISSIPPI

Mr. TAYLOR of Mississippi. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TAYLOR of Mississippi:

Page 65, line 10, after the dollar amount, insert the following: ''(increased by $15,890,000)''.

Page 65, line 24, after the dollar amount, insert the following: ''(increased by $40,000,000)''.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Mississippi (Mr. TAYLOR) and the gentleman from California (Mr. LEWIS) each will control 5 minutes.

The Chair recognizes the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Madam Chairman, may I ask the Clerk to read the amendment? It is a very short amendment.

The Acting CHAIRMAN. Without objection, the amendment shall be read.

There was no objection.

The Clerk read the amendment.

Mr. TAYLOR of Mississippi. Madam Chairman, the President of the United States came to Bay St. Louis, Mississippi about a month ago. He stood on the floor of the gymnasium at Saint Stanislas High School and made a solemn pledge to the people of Mississippi that he would repair every Federal installation to pre-Katrina standards. In this supplemental request that he sent to Congress, the President seeks to fulfill a part of that pledge by rebuilding the commissaries at Keesler Air Force Base, and at the Navy Construction Battalion in Gulfport, Mississippi. The funds he requested would get them back to their pre-Katrina standards.

It is my understanding that in committee, there were some concerns expressed that because these are normally MWR funds, that there was not a precedent for appropriated funds being used to repair MWR facilities. I have provided to both the majority and the minority a lengthy list of precedents where appropriated funds have been used on military installations to repair MWR facilities.

I also understand that there were concerns about the authorization for this. Again, on the publications that I have given to both the majority and the minority, we point out Title 10 USC, 2854, it authorizes appropriated funds to ''repair, restore or replace'' facilities damaged or destroyed by acts of God, natural disasters, fire or terrorism, even MWR facilities normally constructed with non appropriated funds which was incorporated in DOD policy, DOD 1015.10.

Madam Chairman, since, again, this is the President's request, it is for facilities that were clearly destroyed by an act of God at the end of August of 2005, that we have fulfilled the requirements of the committee to show that again, there was precedent for this, it is authorized, it is the President's request and, quite frankly, the people who shop at that commissary, up to 20,000 young airmen, tens of thousands of military retirees who paid their dues in Korea, in Vietnam. Some of our World War II veterans still shop there, Gulf War veterans shop there, and it is only trying to do for them what was promised to them. They have made due with a very, very small commissary that the base has funded with one of these small appropriations since the storm. We are trying to put the base back like it was. The base was spared in the BRAC rounds. It is actually going to grow a bit as a result of BRAC. And so for any number of good reasons, we are put trying to put this back, the appropriations sought by the President back in this bill.

Madam Chairman, I reserve the balance of my time.

Mr. LEWIS of California. Madam Chairman, the Air Force and the Navy together requested $55.9 million for base exchange projects at Keesler Air Force base, and the Naval Construction Battalion Center Gulfport in Mississippi. The request for Keesler was $40 million. The request for two projects at Gulfport, $15.9 million. The committee has not included funding for these facilities. Base exchanges, including construction, are typically resourced through non appropriated funds. The exchanges use their sales revenue to fund their operations as well as their capital costs.

Congress provided $3.8 million to construct a temporary exchange at Keesler in December in the December supplemental. But now we are being asked to build a permanent facility at over 10 times that cost.

The committee is concerned about setting a precedent for using military construction funds for exchanges. We have been told that the Army and Air Force Exchange Service has a $251 million capital budget for Fiscal Year 2006, and the Navy Exchange has a capital budget of $68 million. We believe that they should first look to their capital budgets to prioritize and fund these projects.

The committee is also concerned about the exchanges policy of self insuring these facilities. This means that when a disaster happens, like Hurricane Katrina, a fire and so forth, the taxpayers will be forced to foot the bill. That is why we had directed the Department of Defense to take a hard look at the possibility of privately insuring these facilities. We don't tell AAFES or NEX what to do with their non appropriated funds. But we are concerned about them passing on these risks and costs to taxpayers. The committee will continue to take a look at this issue as we go into conference with the Senate. But at this point, I must oppose the gentleman's amendment. I very much appreciate the gentleman's cooperation and would appreciate his further cooperation.

I yield back the balance of my time.

Mr. TAYLOR of Mississippi. Madam Chairman, again, I appreciate, number one, both the majority and the minority giving me the opportunity to bring this amendment up tonight. To the point that the chairman raised, I have served on the authorizing committee for about 16 years now. In the span of that 16 years, I don't ever recall a request from our colleagues on appropriation to pass language to either force or encourage the commissaries to be self-insured. And I think I am pretty keen on this issue and I am pretty confident in saying we have never received a request from your committee to do that. So now that the President is willing to make this commissary whole, that obviously the need is there, that it was indeed an act of God, that it is authorized, I find it strange that at this time Keesler Air Force base and AAFES would be punished for not fulfilling a request that they never got.

On the other hand, I think we could fulfill requirements of the President's request, fulfill what is best for AAFES, fulfill what is best for the airmen, for the retirees and the active duty personnel. The people who flew the missions into the hurricane shop at this commissary. People who fly missions in Iraq shop at this commissary. It is a part of their compensation that was promised. It is a part of the compensation that has been denied.

Anyone who has visited Mississippi gulf coast knows that the shopping opportunities in the private sector have been greatly diminished as a result of the storm. So you can't say just go out in town, because in the case of Waveland, Mississippi, in the case of Bay St. Louis Mississippi, Long Beach, Mississippi, Pass Christian, Mississippi, those stores are no longer there. So for all of those reasons, I would encourage my colleagues to put back the money that the President has asked for.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi (Mr. TAYLOR).

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

Mr. TAYLOR of Mississippi. Madam 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 Mississippi (Mr. TAYLOR) will be postponed.

□ 2215

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Madam Chairman, I ask unanimous consent to

now call up the election amendment regarding gulf coast elections.

The Acting CHAIRMAN (Mrs. DRAKE). Is there objection to the request of the gentlewoman from Texas?

There was no objection.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

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

SEC. 3013. None of the funds made available by this Act may be used to prohibit registered and legal, but displaced, residents of the Gulf Coast region from the right to legally vote in any officially designated election of the Gulf Coast region.

Mr. WOLF. In the interest of time, if this is the one with regard to the election, we accept the amendment.

Ms. JACKSON-LEE of Texas. Madam Chairman, if I may have a moment of explanation, I thank the gentleman for his acceptance.

The Acting CHAIRMAN (Mrs. DRAKE). Pursuant to the order of the House today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Madam Chairman, I thank the distinguished Chair. I thank also the chairman of the subcommittee, Mr. WOLF, for his generosity.

Let me just be brief, but also be very pointed. We have a number of difficulties in the gulf region, for many of us who serve on the Homeland Security Committee had the opportunity to travel on several occasions to the region, most recently, with Speaker HASTERT and Leader PELOSI, and heard a number of concerns. One of the major concerns, of course, was the pending election in New Orleans, Louisiana, on April 22, dealing with a number of challenges to ensure, one vote, one person.

This amendment simply argues against any Federal dollars being used to prohibit the legal voting of any displaced persons. I hope in the course of this amendment passing through, that we will find at least support in the Department of Justice to assist with the number of issues deal with absentee balloting, dealing with satellite voting, dealing with making sure that the precincts are in place and also making sure that many of the thousands of individuals living in Houston, Texas, who claim Louisiana as a residence and New Orleans as their residence, are facilitated in their right to vote.

I would hope that no dollars be utilized by the State, by the local authorities and FEMA to thwart or prohibit anyone from voting on that day or any days after in Alabama, Mississippi, Texas and Louisiana and other impacted States.

With that, let me ask my colleagues to support this amendment to ensure one person, one vote, and to ensure the utilization of the Voter Rights Act in protecting the rights of individuals to vote.

Madam Chairman, I reserve the balance of my time.

Mr. WOLF. We have no objection and support the amendment.

Ms. JACKSON-LEE of Texas. Madam Chairman, I thank my colleague and I ask my colleagues to support the amendment.

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Madam Chairman, I offer an amendment and ask unanimous consent that it be considered out of order.

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

There was no objection.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

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

SEC. ____.

None of the funds made available in this Act may be used to prohibit the approval of disaster loans under section 7(b) of the Small Business Act (15 U.S.C. 636(b)) at a rate of at least 70 percent.

Mr. LEWIS of California. Madam Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Madam Chairman, I thank the Chairwoman very much. This is an amendment that really, I would ask my colleagues in another time and another day, to waive the point of order. But I rise to make the point on the amendment. I really believe that this Congress should join together and admonish the Small Business Administration and make it work for the people it was intended to work for.

A lot of the people who are impacted by the hurricane are now living in Houston, Texas. Of course, the actions of the SBA not only impact them, but impact my constituents. We are finding that there has been an almost 80 percent rejection rate of those individuals requesting a small business disaster loan.

I stood and listened to a gentleman by the name of Alvin, who before the hurricane had a business in his home. He was doing what he thought well and beginning to have a very effective small business. He obviously lost everything, including his home and his equipment for his business. He now comes and lives in Houston, comes to Houston and lives there in Houston. In order to get on his feet, he applied for a small business loan and was denied.

In a report we have determined just recently, that will be released today, that business and home loan approval rates average about 60 percent after Hurricane Andrew devastated much of South Florida in 1992, the trend continued through the rest of this administration and into the present administration, or the first George Bush administration, and into the Clinton administration. But, however, we have seen these numbers go decidedly down, in terms of the ability for individuals to have small business loans.

In Louisiana, for example, nearly three in five applicants could not meet credit standards, the SBA said. Another one in four said they couldn't replay the loans. One in ten didn't make enough money. The question is, what are these small business loans for if other than to allow small business persons to get on their feet and to be able to establish their business and to repay the loans back.

Over and over again, individuals have applied for the loans and been denied. The SBA has drawn the ire of many lawmakers last month when it announced it was almost out of disaster loan money. Lawmakers gave the green light to the SBA to spend $100 million in early February. Late in the month, the Senate approved additional monies. But, frankly, the moneys are not getting to large numbers of small business owners. So this amendment simply asks that the approval rate during this time not be lower than 70 percent; that small business owners have the right to be able to be reviewed in a fashion that acknowledges that they have lost all that they have had, and that this loan gives them the opportunity to regenerate their business, become independent, and pay the loan back.

It is silly in the interpretation of the various SBA statutes to insist that someone show themselves creditworthy when they have lost everything. So the amendment really points out to the failures of the SBA at this time, and I think it is appropriate that Congress makes notice of this and asks for a consideration of the many people who have applied and who have been denied. That is the only way we are going to allow people to get on their feet.

Madam Chairman, let me just say that this amendment is to make a very pointed statement on this floor: The SBA is not working as relates to disaster loans and the people that it most needs to help. I would hope we would have intense oversight to begin to insist that the loan process works fairly to restore people to their feet.

Madam Chairman, as of February, months the Small Business Administration had issued $4.12 billion in disaster assistance loans to homeowners and businesses in declared disaster areas, processing 214,000 applications.

It has approved approximately $1 billion in loans to businesses surviving the destructive attacks by hurricanes in 2005.

In my district of Houston: 55 disaster home loans approved for $727,000; 27 disaster business loans approved for $1,750,800; 17 disaster economic injury loans approved for $750,100; and 99 total disaster loans approved for $3,227,900.

If one just looks at the agency's performance on the surface it would appear that agency is performing well. However, upon closer inspection, citing Louisiana as a case study, reports indicate that of the roughly 185,000 applications made on behalf of homeowners, a shocking 60,000 were denied. The SBA is distributing a large amount of aid, but that aid is not reaching all of those in serious need. This is evident by the House Minority Small Business Committee's statement that 80 percent of overall disaster loans have been denied.

My amendment requires of the Small Business Agency that no funds prohibit the approval of disaster loans at a rate of at least 70 percent. The destruction caused by the hurricanes occurred on an unprecedented scale, and the SBA should be approving disaster loans with unprecedented efficiency. SBA disaster loans offer people who have lost everything a chance to rebuild their life. It gives the survivors of Rita, Katrina and Wilma the hope that one day they can be contributing members of society.

Madam Chairman, I ask unanimous consent to withdraw my amendment, and continue to work on this matter to ensure that small business loans go to small business persons for them to be able to rebuild their lives throughout the gulf region, including the State of Texas.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. CONAWAY

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CONAWAY:

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

SEC. ____. None of the funds made available by section 3010 for fiscal year 2006 for the Low-Income Home Energy Assistance Program may be used while there continues in effect a Federal prohibition on the exploration, leasing, development, or production of oil or natural gas in the Arctic National Wildlife Refuge or the Outer Continental Shelf.

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

The Acting CHAIRMAN. A point of order is reserved. Pursuant to the order of the House of today, the gentleman from Texas (Mr. CONAWAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CONAWAY. Madam Chairman, I rise tonight to support an amendment that would address what I believe is a hypocrisy that permeates a very important area of national policy. Section 3010 of this bill will pull funding for LIHEAP, the Low Income Home Energy Assistance Program, from fiscal 2007 into fiscal 2006. The idea is that certain low income folks need help with high fuel prices, high home heating fuel bills or just home heating bills in general.

The reason we have high bills is a lack of supply of crude oil and natural gas. While we have this lack of supply, it is because we have not drilled in certain areas, which I believe will provide prolific reserves that would address the energy costs.

None of us like these high energy prices we are experiencing. There are no short-term solutions. But the most immediate impact we can have open prices is to drill in areas where we have reserves. These areas include the Arctic National Wildlife Reserve, as well as the outer continental shelf.

There have been many attempts, throughout my short time I have been here, to open up these areas to drilling. The drilling contractors, the operators today so, can do so in an environmentally sensitive way and a responsible way, and it is hypocritical of us to, on the one hand, ask the taxpayers of this country to underwrite the high energy bills, and then, on the other hand, restrict supply that, in fact, drives up those costs.

So my amendment would say that none of the LIHEAP money would be available as long as we maintain restrictions on drilling in ANWR as well as the outer continental shelf.

Another point, as to the safety of the drilling in these areas, if you look at the experience we had as a result of Hurricane Katrina, you cannot imagine, you cannot formulate a worse natural disaster in the Gulf of Mexico as it relates to the producing and drilling platforms than we had in the gulf that was Hurricane Katrina. You just cannot imagine anything worse than that.

As a result of the great engineering, the hard work of many men and women throughout this industry, there was not one oil spill, one natural gas spill as a result of Hurricane Katrina sweeping through there and destroying the surface equipment. All of the sub-surface protections that are put in place to protect against that eventuality did in fact work. I think the idea that we can't do so, we can't drill offshore safely and responsibly has, in my mind, not played out.

So I encourage my colleagues to support this amendment to address what I believe is a hypocritical position in national policy.

Madam Chairman, I reserve the balance of my time.

POINT OF ORDER

Mr. LEWIS of California. Madam Chairman, let me say how much I appreciate the cooperation of Mr. CONAWAY this evening. He has been helpful at every end of our business. But in the meantime, I have this responsibility that causes me to make a point of order against the amendment, because it proposes to change existing law and constitutes legislation on appropriations bill and, therefore, violates clause 2 of rule XXI. The rule states in pertinent part an amendment to a general appropriations bill shall not be in order if it changes existing law.

In this case, this amendment imposes additional duties.

So, Madam Chairman, I ask for a ruling.

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

If not, the Chair will rule. The Chair finds that this amendment includes language requiring a new determination of the Federal official who oversees the LIHEAP program. The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

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

□ 2230

Mr. CONAWAY. Madam Chairman, while I respectfully disagree, I accept the ruling of the Chair.

Mr. LEWIS of California. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CONAWAY) having assumed the chair, Mrs. DRAKE, Acting 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. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken tomorrow.

MAKING AVAILABLE FUNDS FOR THE LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM

Mr. BARTON of Texas. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2320) to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes.

The Clerk read as follows:

S. 2320

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

SECTION 1. FUNDS FOR LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM.

Section 9001 of the Deficit Reduction Act of 2005 is amended—

(1) in subsection (a)—

(A) by striking ''for a 1-time only obligation and expenditure'';

(B) in paragraph (1), by striking ''$250,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006''; and

(C) in paragraph (2), by striking ''$750,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006'';

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

''(b) LIMITATION.—None of the funds made available under this section may be used for the planning and administering described in section 2605(b)(9) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(b)(9)).''; and

(4) in subsection (c) (as redesignated by paragraph (2)), by striking ''September 30, 2007'' and inserting ''September 30, 2006''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BARTON) and the gentleman from Texas (Mr. GENE GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BARTON of Texas. Mr. Speaker, I would ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

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

There was no objection.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to speak in favor of S. 2320, legislation regarding the low-income home energy assistance program that we call by the acronym of LIHEAP.

I believe that this is a good bill that will help all Americans, both in warm weather States and in cold weather States, but it will be particularly helpful to those in the warm weather States like Texas and places where summers can be difficult as the winters are in the Northern States.

The Deficit Reduction Act of 2005 which this House passed, the other body passed and the President signed recently, included $1 billion for LIHEAP for fiscal year 2007. The moneys were offset by savings elsewhere in the titles written by the Energy and Commerce Committee, which I have the privilege to chair.

The bill before us today spends the funds this year and splits the funds equally between regular and contingency funds. Mr. Speaker, I support this approach because the increase in regular funds in the bill would allow significantly more LIHEAP funds to flow to the warm weather States to help with cooling costs this summer.

This has happened only once before in the 1980s. For Texans, which is the State that I come from, this will mean an additional $38 million this year, almost doubling Texas's LIHEAP funds.

Overall, the funding increases in the bill before us will help both the warm weather States and the cold weather States in the winter. Warm weather States in the summer and the cold weather States in the winter. This is a good solution for all States, both warm and cool; and I hope that we will support the bill.

We do have an unusual parliamentary procedure, Madam Speaker, that I think we need to bring before the body. The bill before us has already passed the Senate. If we pass it with no amendments, it will go to the President for his signature.

The supplemental bill, which we have been debating until several minutes ago, also has some LIHEAP funding that is under a different formula mechanism, as I understand it. It is quite possible, if not probable, that that bill is also going to pass.

If it does, we then have a situation which is somewhat murky, but, as best we can tell, whichever bill gets to the President last for his signature will be the bill that dictates the formula funding for this fiscal year. I put that into the RECORD simply because I think all Members of the Chamber need to know that.

Madam Speaker, I reserve the balance of my time.

Mr. GENE GREEN of Texas. Madam Speaker, I yield myself such time as I may consume.

I would like to thank my colleague from Texas for calling up S. 2320, and I agree with what he said. I this it is interesting, though, the parliamentary procedure that the chairman of our Energy and Commerce Committee talked about, because I would assume that if this bill passes with the two-thirds requisite votes tomorrow and goes to the President, that the section in the supplemental bill would be stripped out in the conference committee, because that bill still goes to the Senate into a conference committee. So I guess parliamentarily that would be the solution in our situation.

Madam Speaker and Members, low-income Americans have been struggling to pay for heating bills during the winter; and, thankfully, this winter has not been as cold as expected and heating bills have not increased as greatly as feared. However, natural gas prices that drive electric prices have quadrupled over the past several years. The States' public utilities commissions, PUCs, are passing those costs on to our constituents.

Low-income Americans also struggle to pay cooling bills. When the 90 and 100 degrees heat rolls around this year, the situation is going to become very critical very quickly.

Air conditioners run on electricity, and a lot of electricity comes from natural gas. The need for relief is going to be intense throughout 2006, the end of this winter, this summer, and the start of next winter due to the incredible energy prices our country is experiencing.

The LIHEAP program has been controversial because the formula can pit different regions of the country against each other. For the first $2 billion appropriated under this program, Northern States do very well, and relatively little funding goes to the South. Above this $2 billion trigger, however, the formula becomes much fairer, for Congress has never crossed this trigger by any large amount, that is until tonight.

The Senate compromise legislation provides an extra $500 million to the LIHEAP formula over and above the $2 billion Congress has already provided. This is incredibly important for regional equity.

This legislation has provided $500 million in contingency funding which can be used for emergencies such as blizzards, heat waves, hurricanes; and this funding is required to be allocated in 2006.

Today marks the first day we have a real chance to cross that $2 billion trigger and provide a measure of equity for the warm States. Importantly, today also marks the best chance to increase LIHEAP for 2006 for cold States as well by providing 2006 contingency funding.

If we pass this legislation today, the LIHEAP allocations for 2006 will become much more equitable between regions. It is important we pass this legislation today. It will directly go to the President's desk and provide immediate extra assistance for the Northern and the Southern States this year.

The administration supports this bill, and I would like to introduce this letter from Secretary Leavitt into the RECORD.

THE SECRETARY OF HEALTH AND HUMAN SERVICES,
Washington DC, March 8, 2006.

Hon. OLYMPIA J. SNOWE,
U.S. Senate, Washington, DC.

DEAR SENATOR SNOWE: I am pleased to respond to your request for my view on your LIHEAP amendment (which is attached).

This is a positive step to provide additional aid for those in need of energy assistance this year. HHS supports Senator Snowe's amendment to utilize '07 funds this year to help those affected by increased home energy costs. HHS supports providing at least $500 million of the total as contingency funds.

Sincerely,

MICHAEL O. LEAVITT.

Madam Speaker, CBO certified this bill with no budgetary effect, and I want to introduce their letter into the RECORD.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 6, 2006.

Hon. OLYMPIA J. SNOWE,
U.S. Senate,
Washington, DC.

DEAR SENATOR: As requested by your staff, the Congressional Budget Office has prepared the enclosed cost estimate for S. 2320, a bill to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Kapuscinski.

Sincerely,

DONALD B. MARRON,
Acting Director.

Enclosure.

S. 2320—A bill to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes

Summary: S. 2273 would amend section 9001 of the Deficit Reduction Act of 2005 by making the $1.0 billion appropriated for the Low-Income Home Energy Assistance Program (LIHEAP) available in 2006 rather than 2007. The bill would increase direct spending in 2006 by $750 million, but have no net budgetary effect over the 2006–2009 period as a whole.

S. 2273 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would benefit state and tribal governments by making federal funds available a year early.

Estimated cost to the Federal Government: The estimated budgetary impact of S. 2273 is shown in the following table. The costs of this legislation fall within budget function 600 (income security).

Basis of Estimate: Under current law, CBO expects that the entire $1.0 billion in LIHEAP funding appropriated for 2007 would be obligated in 2007 and spent over a three-year period, resulting in outlays of $750 million in 2007, $230 million in 2008, and $20 million in 2009. Enacting S. 2320 would accelerate the spending of these same amounts to the 2006–2008 period.

	By fiscal year, in millions of dollars—					
	2006	2007	2008	2009	2010	2011
DIRECT SPENDING						
Spending under current law:						
Budget authority	0	1,000	0	0	0	0
Estimated outlays	0	750	230	20	0	0
Proposed changes:						
Budget Authority	1,000	−1,000	0	0	0	0
Estimated outlays	750	−520	−210	−20	0	0
Spending under S. 2320:						
Budget authority	1,000	0	0	0	0	0
Estimated outlays	750	230	20	0	0	0

Intergovernmental and private-sector impact: S. 2273 contains no intergovernmental or private-sector mandates as defined in UMRA and would benefit state and tribal governments by making federal funds available a year early.

Estimate prepared by: Federal Costs: Matthew Kapuscinski (226–2820); Impact on State, Local, and Tribal Governments: Leo Lex (226–2885) and Impact on the Private Sector: Craig Cammarata (226–2947).

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

Madam Speaker, the language in the House supplemental would not provide equity. It would provide $750 million in contingency funding for 2006, which is no guarantee of funding at all, not for the North or the South. The House supplemental will not pass the critical trigger, $2 billion trigger, which is very important for the equity among the regions.

The Senate North-South compromise would guarantee the largest amount of LIHEAP funding for Southern and Western States ever, while providing immediate assistance for the Northern States.

This bill would double Texas LIHEAP funding from $40 million to $80 million, allowing us to serve 80,000 families instead of the 40,000 we currently serve. Since our State ended its energy assistance program because of budget problems, this support is sorely needed.

Other Southern and Western States, that is, Alabama, Arizona, Arkansas, California, Florida, Georgia, Kentucky, Louisiana, Maryland, the Carolinas, Oklahoma, Utah and Virginia, will also likely receive the largest LIHEAP allocations ever.

With the $500 million in contingency funding, the Northern States will not be left out in the cold either, either in the end of this winter, during any heat wave this summer or during the next winter, November and December. We have bipartisan support, both Northern and Southern support, and we have the endorsement of the American Gas Association, which I will insert into the RECORD, Madam Speaker.

Madam Speaker, I strongly urge my colleagues to vote yes on the bill.

Madam Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Madam Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. REGULA).

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

Mr. REGULA. Madam Speaker, my colleagues, this is a classic example of robbing Peter to pay Paul. What we are going to do is propose to move money from the 2007 bill to spend in 2006.

Now that sounds very seductive and sounds like an easy way to deal with having more money available in this fiscal year. But let me point out to my colleagues that what this will do is take a billion dollars ultimately out of the 2007 bill that has to be made up.

We will have one of two choices in the labor HHS 2007 bill: Get the money out of education, or get the money out of medical research, NIH, CDC. There is no other source. Because this billion dollars that was provided by the budget reconciliation to address LIHEAP spending for 2007 would no longer be available, because what this proposes to do is to move it into 2006.

Well, obviously to make up that billion in the 2007 bill we will have to get it somewhere. Now if it would be an increased allocation, which seems unlikely, because the President's budget already has Labor HHS Education money substantially under last year, and, therefore, to make another billion available will just exacerbate the problem.

While this has a very seductive appeal, that, well, we are going to have this extra money for 2006, we are forgetting that there is a 2007 year coming up; and, therefore, by passing this kind of legislation, we are simply making it very difficult to meet the other needs in the 2007 budget.

Madam Speaker, I would urge my Members to vote against this simply because it is not responsible budgeting to say to the Labor HHS that you have to go get a billion dollars out of other very important programs such as education and medical research.

But inevitably that is where it has to come from, because this will leave a billion-dollar hole in the 2007 budget.

In the budget reconciliation, they attempted to ensure that the billion would be there for 2007. But what this legislation does is simply say we are going to move it into 2006 and figure out where to get it for 2007.

Well, there is no easy way to figure it out, because already 2007, in putting together the 2007 budget we are having a tough time having the resources to do the other important functions. I think it would not be responsible stewardship of our money, of our resources for the public, to take this money and leave a billion dollars unfunded for LIHEAP in 2007.

Mr. GENE GREEN of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I want to thank our colleague and chair of our appropriations subcommittee. I understand where he is coming from. But I also know, Madam Speaker, that we have not passed a budget for 2007 and that is still to be considered.

I understand that the concern about moving money into this year. But it is also going to be very difficult for me to talk to the 40,000 plus Texas families if we do not pass this bill. By the way, this summer, I am sorry it did not fit within our legislative rules, and it is causing more problems, and we are not going to give you any heat assistance when it gets to be 100 degrees in Texas and across the South, and, frankly, even the Northern States, Illinois, Maryland and other places, New York has problems with heat in the summer.

So I would hope that next year or later this year we will probably see another supplemental. If we see a year like we have seen now for both the cold assistance for the Northern States and what we see in the South that we need help, then I would hope in the future that we would see a supplemental that would restore that money. I would be glad to support that at that time.

Madam Speaker, I also understand Chairman REGULA and the Appropriations Committee, a lot of us want them

to be able to have the funding for medical research and education. Those programs are near and dear to our heart. I hope we will still be able to do that.

But I also know there are some other ways that we can deal with that since we have not adopted a budget and we will probably have another supplemental, because they get pretty regular around here. I hope that we can add to it without having to rob Peter to pay Paul.

Madam Speaker, I reserve the balance of my time.

□ 2245

Mr. BARTON of Texas. Madam Speaker, I yield 3 minutes to the gentleman from New Hampshire (Mr. BRADLEY).

Mr. BRADLEY of New Hampshire. Thank you very much, Mr. Chairman. And I would like to thank you for your leadership in bringing this bill from Senator SNOWE to the floor. I thank Mr. GREEN for his bipartisan support, and I thank the leadership of the House for allowing this vote.

I am from New Hampshire, one of the cold weather States, and even though the weather has been somewhat warmer than might be expected in most winters, we have seen at times a spike in the price of home heating oil by nearly 65 percent in some instances. It has abated somewhat, but nevertheless prices of home heating oil this winter are significantly higher.

We all know how successful the LIHEAP, the Low Income Heating Assistance Program, has been. It is effectively monitored by State and local interests, but it is funded at the Federal level. My State has seen about a 12 percent increase in applications this winter because of that spike in prices. My State has allocated all of the dollars it has received so far to trying to process the applications that it has and it is committed; and without this funding, the State of New Hampshire and other cold weather States are going to have to dip into their own State funds to help fund a Federal program in 2006.

My State, before the emergency funding was released by the President, was nearly $3 million short, that is about 15 percent under last year and at a time when there is record demand and record high prices. That is why this bill is so important, Madam Speaker, why we need to bring it up, have this vote tonight, get it to the President's desk. This bill is balanced well because the interests of warm weather States and cold weather States because of the 50–50 split and because of the emergency funding and the formula funding.

So I am hopeful that my colleagues on both sides of the aisle will see fit to move forward with this. This bill is fully offset by the Budget Deficit Reconciliation Act, which is important for our Nation's budget deficit, obviously, but it is also important for States, both in the southern part of the country and the northern part of the country, to pass this bill tonight and to make sure it gets to the President's desk as soon as possible so States like mine can get more money into the pipeline while it is still important.

Mr. BARTON of Texas. Madam Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Madam Speaker, I thank the gentleman for yielding. A couple of other things I would point out. In reality, we will have to find $1.4 billion when you work out the numbers to match the level provided for 2006. That is in the 2007 bill. So I reiterate, that means $1.4 billion will have to come out of education or medical research, because I just do not see any enhanced allocation to do that.

Now, in adopting the supplemental, we recognize the potential emergency, and we provided language in there. This is an amendment that I offered in the supplemental in the full committee that allows the shift of $750 million as needed to address any shortfall in 2006, but we do not mandate that it be done.

Under the Snowe approach, this would force the expenditure, and if the funds were not used, they would lapse. And I think that it is just not good management to require, as this bill does, the movement of this money from 2007 to 2006, and therefore, run the risk that it might lapse. When we tried to address the problem in the supplemental by saying that the money could be used up to $750 million if needed, and I think that is a much better solution.

It is a more responsible solution to manage of potential problem without impinging heavily on the 2007 money and forcing the committee to make that up to the amount of $1.4 billion out of other very important programs. I would urge my colleagues to reject this.

Mr. BARTON of Texas. Madam Speaker, I yield myself the balance of my time.

I have nothing but the utmost support for Mr. REGULA and the appropriators. All the Members, the rank and file Members, the full committee chairman, the subcommittee chairman, but I want to disagree with his premises slightly.

In most cases, a program like LIHEAP is funded from general revenue, and what Mr. REGULA said is absolutely true, absolutely true. In this case, the budget reconciliation package for the fiscal year 2007 or the budget reconciliation package that we just passed, the Energy and Commerce Committee, on a bipartisan basis, worked to offset by saving in other areas of our jurisdiction so that we could plus-up LIHEAP by $1 billion. So the LIHEAP money that is before us today in the bill that is coming over from the other body has been paid for.

Now, it is true as the gentleman from Ohio said that that money was supposed to be spent in fiscal year 2007, but it is also true that we need additional funds for 2006. And we are going to need additional funds, in all likelihood, in the warm weather States this summer, because of the expected heat. We have already had a record heat wave in Texas 2 weeks ago. It was 95 degrees. I will pledge to Mr. REGULA and Mr. LEWIS and Mr. OBEY and all the folks, the appropriators, that if we get the will of our leadership, I am willing to engage in another reconciliation package to find offsets for next year. I think that is only fair so that we help our appropriators.

But we have a bill before us that if we affirmatively pass it like the other body has, it is going to go to the President's desk. It is going to be signed. There will be additional funds to help both the cold weather and the warm weather States. And I would hope that we would, while we have nothing but respect for Mr. REGULA, that we would oppose his motion to oppose this bill. Pass it. Send it to the President so that we could get his signature and allocate these funds to the most needy of Americans in both the warm weather and cold weather States.

I ask for a yea vote.

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

Mr. GENE GREEN of Texas. Madam Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mrs. DRAKE). The gentleman from Texas has 13 minutes remaining.

Mr. GENE GREEN of Texas. Madam Speaker, I yield myself such time as I may consume.

Following the chairman of our full committee and, again, I understand the Chair of our appropriations subcommittee's concern, but this bill has a great deal of bipartisan support.

We heard from our colleague from New Hampshire, who is experiencing high utility bills and has already run out of their funding for their poor in New Hampshire. But a lot of us are looking forward to what may be happening not only this winter, but also this summer. So I am proud to have Congressman PICKERING of Mississippi and Congressman LATOURETTE, who is also supporting this legislation.

When we vote on this tomorrow, we will see a lot of Members from across the aisle who are supporting this legislation; and again, like my chairman of our full committee and also the ranking member of the committee, John Dingell is supporting this legislation. We need to do something now to help and we will work whatever we can to help with the allocation from the Appropriations Subcommittee on Health and Human Services or, again, another supplemental next year or later this year that will be able to deal with it.

Madam Speaker, I urge my colleagues to vote aye.

Mr. DINGELL. Madam Speaker, I rise in support of this legislation, which moves funds appropriated to the Low Income Home Energy Assistance Program, or LIHEAP, from Fiscal Year 2007 to Fiscal Year 2006. This legislation passed the Senate last week, so its passage in this Chamber will send the bill on to the President.

The legislation would move $1 billion in funding to this fiscal year. Half of the funds would be allocated to the States pursuant to the statutory formula. The other half, however, would be considered contingent funding, and subject to the discretion of the Administration.

It is important that all of these funds reach those in need. The recently passed Energy Policy Act of 2005 authorized $5 billion for this fiscal year. But even if all of the funds in this bill are sent to those in need, the total funding for the program will only total a little over $3 billion. In other words, we are still going to be $2 billion below the program authorization.

People in the Midwest and Northeast are in desperate need of these funds. According to the National Energy Assistance Directors' Association, since the winter of 2001–2002, yearly natural gas bills have soared from $465 to $1000, while annual heating oil bills have gone from $465 to $1000.

In my home state of Michigan, these national trends have translated to an average energy cost increase of nearly 37 percent. As a result, the state has anticipated a 6 percent increase in LIHEAP applications. Without additional funding, our state could experience as much as a $60 million shortfall in LIHEAP money. This bill, while falling far short of providing the money necessary or authorized by EPACT, provide at least a few million dollars more to help my state address this projected shortfall.

Of course, much of the new funds will also go to warmer climates, where families will be facing unprecedented cooling bills this summer, so this is not just a regional bill.

It is unfortunate that funding for LIHEAP has remained constant over the years while heating costs have soared. Even with these new funds, many families will have a hard time paying their heating bills this winter.

Many of us would like to see LIHEAP funded at its authorized level of $5 billion, but certainly this bill will be of immediate assistance and I urge its passage.

Mr. GENE GREEN of Texas. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BARTON) that the House suspend the rules and pass the Senate bill, S. 2320.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

MOTION TO INSTRUCT CONFEREES ON H.R. 4297, TAX RELIEF EXTENSION RECONCILIATION ACT OF 2005

Mr. TANNER. Madam Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Tanner of Tennessee moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4297 be instructed, to the maximum extent possible within the scope of conference, to insist on a conference report which will neither increase the Federal budget deficit nor increase the amount of the debt subject to the public debt limit.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Tennessee (Mr. TANNER) and the gentleman from Wisconsin (Mr. RYAN) each will control 30 minutes.

The Chair recognizes the gentleman from Tennessee.

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

Madam Speaker, this motion is very, very straightforward. It is a motion asking our conferees to basically apply what is known as PAYGO rules to the tax reconciliation bill that is coming over from the Senate.

Just today, this morning, in The Washington Post, we are reminded that President Bush said in March of 2001, ''Future generations should not be forced to pay back money that we have borrowed. We owe this kind of responsibility to our children and grandchildren.''

Madam Speaker, since that time this Congress and this administration have borrowed about $1.5 trillion in hard money in new debts. I have been talking about this and writing about it for the last 3½ years. We are facing a debt ceiling again and we will be forced to raise the debt ceiling for the fourth time in the last 5 years since that statement was made by our President about borrowing money that loads the debt limits of all of us, including our children and grandchildren.

This new debt limit will raise how much money this country has borrowed in additional new debt $3 trillion. I wish I was making some of this up. But you can go to the Treasury Department's Web site at www.PublicDebtTreasury.gov and see for yourselves. This is real. This is happening. It is happening now. And if the budget that has been proposed is adopted, we will go to $11 trillion dollars.

Now, Madam Speaker, I have got some more things to say about this but last year, this is almost unbelievable but it is happening and I wish the American public would focus on it because if they do they will be I believe not only shocked but outraged at what the financial mismanagement of this country has done to the financial balance sheet. Last year the Federal deficit for 2005 was $319 billion. If you break that down it means we here in public life in the name of every citizen in this country borrowed $26 billion a month, $886 million a day, $36 million an hour, $615,000 a minute, and $10,200 a second.

□ 2300

Contrast that with what our President said back in March of 2001, as quoted in the Post this morning, when he said, ''Future generations shouldn't be forced to pay back money that we have borrowed. We owe this kind of responsibility to our children and grandchildren.''

I could not agree with that statement more, but the facts absolutely belie what that sentiment that was expressed back in 2001 was meant to convey.

Now, if that was not bad enough, last year almost 90 percent of the money that we had to borrow to operate the government of this country came from overseas, came from foreigners who do not see the world as we see it.

We are doing in this government, on behalf of the people of the United States, something that none of us who were taught, like I was as a young man, three things to live by. One is live within your means, two is pay your debts, and three is invest in the future, whether it is your own retirement, your kid's college or whatever.

This government, under this leadership, is doing none of those. We are not living within our means, we are not paying our debts, and we are certainly not investing in the future.

The more that we borrow, the more we degrade the tax base in this country. We are now paying at 4 percent, since that statement was made in 2001, we are now paying more than $55 billion a year in additional interest checks, almost 80 percent of which is not even staying in this country. This is not only outrageous, it is the most irresponsible financial conduct of the fiscal affairs of this country that any political leadership in the history of this country has engaged in such a short period of time. That is without question.

So what is actually happening here is a weakening of our collective ability, as expressed through the Federal Government, to do two things, to keep this country strong, safe and, most importantly, secure. Strong safe and secure, what do you mean when you say that?

First of all, there is no country in the history of recorded civilization that without the ability to invest in infrastructure and human capital remained safe, strong and secure. Infrastructure, that is what the government must do to give private enterprise the ability to congregate around clean water, sewer systems, highways, bridges, roads, all of the things that go into the infrastructure of a Nation. We are not being able to keep up with not only new infrastructure that is needed but to repair the infrastructure we have got. If you do not think that is important, go to any country on the planet earth that has no infrastructure and see how many people are doing very well. Nobody is because there is no infrastructure for private capital to invest and to create jobs, to create the economy we all want.

Human capital, what do I mean by investing in human capital to keep our country strong, safe and secure? I

mean education and health care. There is no country in recorded civilized history that has had an unhealthy, uneducated population that was safe, strong and secure. It is not possible. It will never happen, and the more we degrade the tax base, the more we are less able to make sure that the future is invested in, as I said earlier.

One of the things that is not hard to figure, it is common sense, and that is, we had in March of 2001, when the President said we owe it to our children and grandchildren to pay our debts, basically, we had $55 billion out of the tax base. Without raising a dime in taxes, we had $55 billion to do these investments that we do not have today because we have engaged in such frivolity when it comes to spending habits, when it comes to all of the things that go into sound financial practices, we are doing none of them.

So I am at a loss to see how anyone could say when you are going to do this tax reconciliation bill, you simply do it in a way by cutting wherever else one needs to to be of a lower priority to make sure that we do not dig this hole deeper.

The chairman of the Federal Reserve today said, ''I am quite concerned about the intermediate-to-long-term Federal budget outlook. By holding down the growth of national saving and real capital accumulation, the prospective increase in the budget deficit will place at risk future living standards of our country.'' These are not my words. These are the words of the new chairman of the Fed.

There is no question every reputable economist knows that the more we engage in deficit spending the more the tax base is degraded, the less able the country is to meet the challenges to keep us strong, safe and secure.

We voted earlier today about the Dubai ports deal, and that was a matter of national security. We are going to turn around tonight, if we do not adopt this motion to instruct and the conferees do not adhere to it, we are going to turn around and continue to mortgage this country to anybody on the planet earth that will let us have money on the cheap. I believe it is a national security issue, as I have said many times on this floor. At some point our creditors, particularly the Chinese and perhaps the OPEC countries, the Caribbean banking center, at some point they are going to get tired of taking our paper, and I believe this Dubai thing is one of the first signs of it. They are going to stop buying our debt, and they are going to want to buy equity, and they will have the ability to do it because of the profligacy of this Congress and this administration in refusing, absolutely refusing, deliberately refusing to balance the books.

Let me say one other thing. The GAO reports that 16 of 23 Federal agencies cannot produce an audit. You know why? Because there is no check here. You have got a compliant Congress, a friendly administration, money's leaving Washington through a fire hose, and Congress is not even asking the administration what are you doing with the money. If they did ask, they could not tell you.

There are four agencies of the Federal Government where the IG, Inspector General, says on the front page of the audit, we disclaim any knowledge as to whether or not what we are telling you is true. We cannot balance the books. We cannot even tell how much money is being spent for anything.

Do you think Congress is investigating any of that? No, not one hearing with an Inspector General drug up here and say what did you do with the money.

The Blue Dogs have a 12-point plan because the budget process around here is so broken. I will not go into all 12 of them. Some of them are less important than the others, but there are two that are particularly important. One is accountability. Accountability, what did you do with the money? If you cannot tell us, you are not going to get it next year.

Every businessperson in this country knows what I am talking about. When they go to their comptroller and say here is a $10,000 expenditure, what is it; if the comptroller said, I cannot tell you, he would not be there and that company would not be in business. That is what is happening here. Why would you not put up with that in your private business, and yet the people of this country not only tolerate it but, in some cases, encourage the behavior of this irresponsible government as it relates to keeping up with the money we are already taking away from the taxpayers involuntarily in the form of taxation and not even asking what happened to it? Replete, replete with instances of total incompetency.

FEMA, Hurricane Katrina, $10 million to rehab a military barracks and house six people. This is insane, and that is what is going on here.

So all we are asking in this motion is whatever you do on the tax bill, for goodness sake, do not continue to borrow money to cut taxes. That is a sure ticket to financial ruin, and not only that, it is not a tax cut. It is a tax increase because next year we will begin to pay interest on that, and that will add to the $55 billion. I tell you, it is a road to financial ruin what we are on.

Madam Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. SCOTT), my dear friend.

Mr. SCOTT of Georgia. Madam Speaker, I thank very much my distinguished friend from Tennessee. It is a pleasure and, quite frankly, an honor to be on the floor with you tonight to talk about this extraordinary problem and crisis that this country is faced with.

Without question, you are absolutely right. We cannot have national security if we do not have financial security, and we do not have financial security today. Now, let me just tell you and I hope the American people are paying attention to us tonight because we are here to state some important truths and facts about the financial health of this country, and our financial health is not well.

This President, this administration and this Republican-controlled Congress is heading us straight down the path of financial ruin and financial disaster.

Let me just give you one very salient point. Under this President, this Republican-controlled Congress, we have borrowed more money from foreign governments and from foreign interests than all of the preceding 42 Presidents in the history of the United States. Hear me again. If that does not wake you up and let you know that we are headed for disaster, this President, this Republican-controlled Congress has borrowed more money from foreign governments and foreign financial institutions than all of the preceding past 42 Presidents.

That means that since 1789, the very beginning of this country, to the year 2000, 211 years, through the Revolutionary War, through the foundation of the country, through the Spanish-American War, through the Civil War, through the Mexican War, through World War I, through a depression, through World War II, the Vietnam War, through the Korean War, through all of the upheavals, the economic downturns of this great country, through all of that, yet this President in the last 5 years has borrowed more money from foreign governments than all of our previous Presidents in this history. That is phenomenal. That lets you know that we are in serious, serious trouble.

As I have said time and time again, no greater founding father was there than Alexander Hamilton who founded the financial system of our country, and it was Alexander Hamilton who said, Woe be it unto this country if we fall under the heel of our finances being controlled by foreign interests. Alexander Hamilton himself was a foreigner, as were many of the Founding Fathers of this country. They understood that, and here we are today beholden on our financial security.

Here are the facts. In the last 211 years, from 1789 to 2000, under 42 Presidents, this country borrowed $1.01 trillion. In the last 5 years, under this Republican President and this Republican-led Congress, we have borrowed $1.05 trillion. That is not healthy. That is not the way you have got to go to have a solid country, and now we are here saying we are going to raise the debt ceiling so that we can borrow more. We are dealing with a budget that is ratcheted with devastating cuts time after time.

As the gentleman from Tennessee pointed out, just look at how this Nation is aching and hurting from the mismanagement of Katrina. Families still devastated, an entire important coastline of this country devastated.

□ 2315

And we cannot even deal with that. And some of the very programs, community block grants, being cut. Aid to our veterans, talk about national security, being cut by $2.1 billion. Help to our farmers, to help them with the drought, to help them with the devastation of Katrina, cut, all for the purpose of making unwise tax cuts to the top 10 percent of the wealthy in this country permanent at a time of such great uncertainty.

And then to borrow the rest of the money for the tax cuts from, guess where, from China, from Japan, from India and from OPEC. Now, let me tell you how serious this is, ladies and gentlemen. The U.S. is becoming too increasingly dependent on foreign lenders for our debt. We are handing over this country on a platter to foreign countries. The Dubai Ports deal was just the beginning, just the tip of the iceberg.

And I just want to say how proud I am to say I am a United States Congressman. Because finally this Congress stood up to this administration, both Democrats and Republicans, and said no, no more, and turned down that Dubai Ports deal. Can you imagine? How unwise, to turn our port security over. Even the thought of it.

And that is what disturbs me so much when we talk about security. When you talk about national security and financial security, that is the number one issue on the minds of America today. Two things: Can this government keep us safe as a country? Can they keep us alive? Can they keep our lives safe, and then can they keep our money safe? Well, you can't keep our money safe; you certainly can't keep our lives safe. And that is the particular situation we are in today.

Let me just tell you how serious this issue is. Foreign lenders hold a total of $2.174 trillion of our public debt. And quite honestly, in the last 10 years, they hold 90 percent of it. In other words, every dime that we are using for our government right now we are borrowing it from China and India. Japan, for example, now owns $682.8 billion of our debt. China owns $250 billion of our debt. England, the United Kingdom, owns $223 billion. The Caribbean Banking Center owns $115.3 billion. Taiwan, $71.3 billion. OPEC countries, OPEC, already in the Middle East we are so dependent on oil that they are holding us hostage on that now, but some of these same companies are holding our debt.

America, wake up. We have got to begin to step forward and take responsibility for our financial house. I am here to tell you there is nothing more important than keeping our money straight. Lord knows, if the American people across this country, if they ran their little families, if they ran their businesses the way we are running this government, it would be bankrupt.

So I am delighted to be here tonight to join with my distinguished colleague, Mr. TANNER, to talk about this issue. Because I believe that it is the number one issue facing the survival of this country. And let me just say this. If you look through the history books, JOHN, the history books are cluttered with the wreckage of so many great civilizations. And on the wretched bones of those great civilizations are written those pathetic words: Too late. They moved too late to save themselves.

Let us not move too late in this country. The American people are expecting us not to move too late, and we must not. And one of the first steps is to follow your lead and get some sanity. Let us instruct the conference committee to not increase the debt and let us not raise the debt ceiling limit.

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

Mr. RYAN of Wisconsin. Madam Speaker, I rise in opposition to the motion to instruct. May I inquire as to how much time is left?

The SPEAKER pro tempore (Mrs. DRAKE). The gentleman from Tennessee has 6½ minutes remaining, and the gentleman from Wisconsin has 30 minutes.

Mr. RYAN of Wisconsin. Madam Speaker, I yield myself such time as I may consume.

I appreciate a lot of what the two gentlemen have said, the gentleman from Georgia and the gentleman from Tennessee. A lot of it I agree with. And the Blue Dogs traditionally here in Congress have been joining with a lot of us fiscal conservatives on this side of the aisle to work for some of these budget reforms, and I hope in the future, in this session, that we could see a merger on budget process reforms to improve the quality of our budgets that we have here.

Tonight, we are talking about this motion to instruct. This motion to instruct I think is misguided in a few ways. Number one, I think it is hitting the wrong target. If the problem is with the budget that we pass and the results of those budgets, then the target ought to be the budget resolution. The budget resolution has already passed.

I think it is very noteworthy to point out the fact that last year's budget resolution, and we are negotiating this year's now, but last year's budget resolution, for the first time since modern budgeting, actually reduced domestic spending. It reduced nonsecurity discretionary spending. So we actually passed one of the most frugal budgets ever passed since we created the 1974 Budget Act here in Congress.

So we are on a path of being very frugal with the taxpayers' dollars. But what this motion to instruct is about is the tax bill. More importantly, this discusses cutting taxes. And the claim in this motion to instruct or the inference in this motion to instruct is that we shouldn't be cutting taxes; that we should take pressure off of cutting taxes. It is very important to point out that this tax bill really doesn't cut taxes, it simply stops taxes from being increased. It stops tax cuts from going away.

What we did in 2003, and it is important to remember, we came in to a recession in this country. We had the Enron scandal, the dot com bubble burst, the recession hit, 9/11. We got hit really hard as an American economy. The American people got hit hard. What is so wonderful about the story that has occurred since 2003 is the resiliency of the American people, the American entrepreneurs, the families, the farmers, the businesses, and of the American economy.

But there is one thing that happened in 2003 to get that going, to get our economy back on track, to get our budgets going in the right direction, and that was the tax cuts. Now, this chart shows where we were as an economy prior to the tax cuts that occurred in 2003.

Now, if you take a look at the left side of this chart, the average economic growth rate in America, the 10 quarters before, going back to 2001, the 10 quarters before the tax cuts was 1.3 percent. This is where the recession was. We had very anemic growth. We were losing hundreds of thousands of jobs in America every month during this recession.

So what did Congress do to respond to this? Congress did cut taxes and cut taxes across the board. We cut taxes on families, cut taxes on businesses, cut taxes on savings for seniors, cut taxes on capital formation which creates jobs, like capital gains and dividends and business expensing. But what happened after those tax cuts? Since the enactment of these tax cuts, the unemployment rate fell from 6.3 percent in June of 2003, the high, to 4.8 percent. Since the enactment of these tax cuts, we have gained nearly 5 million net new jobs in America. What this shows you is the average growth rate of our economy for the 10 quarters since the tax cuts has been 3.9 percent.

So take a look at what happened in America. We had the recession, the dot com bubble, the 9/11 terrorist attack, and we went into a recession and our economy was sputtering. We were growing at an average of 1.3 percent and losing hundreds of thousands of jobs. When we cut taxes on the American people, on the American economy, we had a huge rebound right away. Right away the economy kicked into gear, produced jobs and has grown at an average rate of 3.9 percent, faster than the national average for the history of our economy. Five million new jobs were created.

Now, one of the other things that occurred was during that time, because of the dot com bubble, because of the Enron scandal, the stock market really fell. And who really got hit by that were seniors and savers. There are so many seniors that I have talked with in my district, in the first Congressional District of Wisconsin, who literally saw their savings portfolio, in

that period of 2001 to 2003, cut in half; wiped away by 60 percent.

One of the things we were so worried about was the fact that senior citizens and their pension plans and their 401(k)'s and their IRAs had so much less value in their savings that they had much less to live on. So we went immediately to act, and what we did was we reduced tax rates on capital, tax rates on the things that stocks matter, which is capital gains and dividends.

What happened after that? Since the enactment of these 2003 tax cuts, the Dow Jones Industrial Average increased by 27 percent and now is back to where it was before the crash of the market. So we were able to build back that growth in savings for most of the seniors who rely on that, for the pension funds, for the 401(k)'s, so people could get their retirement savings back.

Those are some of the fundamental tax cuts that are in this tax bill. See, if we do nothing, taxes go up. If this motion to instruct would see its way through, taxes would go up. The effect of this motion to instruct is to say, do not prevent these tax increases. And if you do want to prevent these tax increases, you will have to raise taxes somewhere else to prevent these other tax increases. I think that is bad economic policy.

Now, where we need to improve is on spending. We need to bring the deficit down, and that is where the three of us are going to agree. That is where the gentleman from Georgia and the gentleman from Tennessee and I will clearly agree. Our deficit is too high. Our debt is far too high and we have to get it going in the other direction.

But, what has happened since 5 million net new jobs were created since 2003? What happened since the economy grew at such a faster rate? What actually happened was revenues increased. So when we cut tax rates, you would have thought that revenues would have gone down. In fact, the budget estimators here in Congress and in the administration said, we know that if you cut taxes, we think revenues will go down. Even though that may happen, it is important to get us out of the recession.

So back then we used this estimating measuring stick and our estimates predicted that revenues would go down if we cut taxes. We still cut taxes because we wanted to get people back to work. But what happened was the opposite occurred. Revenues went up. Revenues from capital gains taxes went up, even though the rate was lower. Revenues from marginal income tax rates went up, even though the rate was lower. Revenues from corporations surged by 47 percent last year alone, even at lower tax rates.

What happened was, just last year alone our tax revenues went up 15 percent. The year before they went up. So as a consequence of that, the budget deficit went down by 23 percent in 2004 and went down by 25 percent in 2005 from their projections. So the budget deficit projections actually went down because revenues went up, because people went back to work. They went from collecting unemployment to having a job and paying taxes.

That is good economic policy. It is good budget policy. And to reverse that by raising taxes would be bad economic policy but also bad budget policy. Where we need to focus is on the spending side of the ledger.

If you want to put it into perspective, the size of these tax cuts, and I want to rephrase that again, the tax cuts are simply preventing tax increases, the size of these tax cuts are $70 billion out of a 5-year budget that will spend $14 trillion. Next year's tax cuts, or to put it another way, to prevent tax increases from occurring next year amounts to $11 billion out of a budget that will spend $2.7 trillion.

Let me just read a list of some of the tax policies that would go away if this were to see its way through.

□ 2330

AMT relief for personal tax credits; State and local sales tax deduction. That is a huge issue in States like Tennessee and Texas and others. Research and development tax credit, a big job producer. Above-the-line deduction for higher education expenses; work opportunity tax credit; the welfare-to-work tax credit; savings accounts; enhanced 179 expensing for small businesses that allows small businesses to write off investments in their plant and equipment so they can create new jobs. Brownfield expensing to clean up environmental catastrophe areas; capital gains and dividends, the very tax cuts that have actually increased economic growth, produced jobs and increased tax revenues to the Federal Government.

So, at the end of the day, I think we are going to have a difference of philosophy when we talk about this. We may agree on the need to reduce spending. I hope we have agreement. But what we do not agree on this side of the aisle is the wrong thing to do to the American taxpayer today is to raise their taxes.

The problem here is not that Washington taxes too much; the problem here is that Washington spends too much. That is what we should focus on. The pressure should be on spending, not on raising taxes. I am sorry, but the effect of this motion to instruct would be to do just that.

Madam Speaker, I reserve the balance of my time.

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

We do agree on some things, but part of what we heard is Lewis Carroll: What is up is down and what is down is up. This is Alice in Wonderland.

When he says the budget deficits are going in the right direction because they are less than the projection, they are the largest budget deficits in the history of the United States.

Let me read something. He talks about spending. The Republicans have had total control of the Federal Government here for the last 5 years. This is from the CATO Institute. President Bush has presided over the largest overall increase in inflation-adjusted Federal spending since the late 1960s. Even after excluding spending on defense and homeland security, President Bush is still the biggest spending President in over 30 years. His 2006 budget does not cut enough spending to change his place in history, either. Total government spending grew by 33 percent during Bush's first term. The Federal budget as the share of economy grew from 18.5 percent of GDP on Clinton's last day in office to 20.3 percent by the end of President Bush's first term. The Republican Congress has enthusiastically assisted the budget bloat. Inflation-adjusted spending on the combined budgets of the 101 largest programs they vowed to eliminate in 1995 has grown by 27 percent, and yet somehow they say spending is a problem.

They have total control. The Democrats have not spent any money in this House in over 10 years. We cannot. We do not have enough votes.

This motion says nothing about raising taxes. It says offset whatever tax revenue reduction you are going to make by spending cuts. That is what has not happened. In fact, it has gotten worse.

When President Bush came to town in 2001, in July of that year this country embarked on President Bush's economic plan for the country. Based on a series of assumptions over the next 10 years that would yield a $5 trillion surplus. Well, 2 months later, we had 9/11. Instead of readjusting the economic game plan because every assumption that was made in July of 2001 was suddenly not valid months later in September of 2001, instead of adjusting, what has happened, a compliant Congress and a friendly administration have simply borrowed the difference. We are doing something that people have tried to do since the dawn of civilization and that is borrow themselves rich. It is impossible.

When you cut taxes with borrowed money, you are actually raising taxes. We have raised taxes $55 billion a year every year from now on under this economic game plan because it is interest that we have to pay, and we have to pay it off the top. It is not unlike a credit card. You run your credit card up, you can live pretty good for a little while. But when you have to pay that monthly interest and your monthly payment is only covering the interest, suddenly you cannot invest in anything using that credit card because the service charges are eating you alive. That is exactly what is happening with this government.

All this motion to instruct says, whatever you do with the tax reconciliation bill, do not add to the Federal deficit and do not pile more money on

the debt of our citizens. It is that simple. If they cannot figure it out, maybe they should not be running the place.

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

Mr. RYAN of Wisconsin. Madam Speaker, I yield 1 minute to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Madam Speaker, first, I want to respond to something my distinguished colleague from the other side said. Now you talk about smoke and mirrors. For him to say on our side that we are talking about raising taxes is so disingenuous. Nobody is talking about raising taxes. We are talking about fiscal responsibility and pay-as-you-go responsibilities.

We are saying that we do not want to cut vital services to the American people and then go borrow more money that we have to pay interest on. That, in effect, when you put it altogether, if anybody is talking about raising taxes, it is the Republicans. Somebody has to pay for this. You know who is going to pay for it, our grandchildren and our children based on their proposals.

No, sir, you are not going to be able to depend on Democrats this night that we are talking about raising taxes. Democrats are talking about keeping our taxes low and bringing fiscal responsibility back to this House.

You talk about responsibility. When Democrats were in control, when President Clinton was there, he left a several trillion dollar surplus. In just 5 years, this President and this Republican-led Congress has squandered that surplus. So when you talk about who is more responsible for the taxpayers' money, it is Democrats, not Republicans. And the American people are not going to be fooled by this smoke and mirrors of consistently trying to paint the Democrats as being for raising taxes and they for not. The Republicans are for raising taxes and raising the debt ceiling.

Madam Speaker, I want to show this chart. It is not as big as your chart, but the Republicans have increased the debt limit by $3 trillion. I have been here 4 years, and this is the fourth time that the Republicans have asked to raise the debt ceiling so they can borrow more money.

In June, 2002, they asked to raise the debt ceiling by $452 billion. In May, 2003, they asked to raise the debt ceiling by $984 billion. In November of 2004, they raised the debt ceiling by $800 billion, all of which we are borrowing against, against the best national security interests of this country, against the best financial security interests of this country.

Mr. RYAN of Wisconsin. Madam Speaker, I yield myself such time as I may consume.

I hope the gentleman appreciates the fact that I yielded him a minute to beat me up some more.

Mr. SCOTT of Georgia. Madam Speaker, will the gentleman yield?

Mr. RYAN of Wisconsin. I yield to the gentleman from Georgia.

Mr. SCOTT of Georgia. Madam Speaker, let me assure the gentleman it was not beating him up. He is a great gentleman, but it is some of the policies that have been emanating from the gentleman's leadership.

Mr. RYAN of Wisconsin. Reclaiming my time, a couple of points.

Number one, as a percentage of this economy, this is not the largest deficit we have had in history, which is the statistic that matters. But you know what? This deficit is too big because it is a deficit, period.

Number two, if you do not pass this tax bill, taxes automatically go up. That means they are increased. Here is what this tax bill does: It prevents these tax cuts from going away. Said another way, it keeps taxes where they are so they do not automatically increase because the law requires that taxes go up next year, the year after, and the year after that.

So the concern we have is that because we lowered taxes, got economic growth going again, created new jobs, it actually increased revenues to the Federal Government and lowered our deficit projections. The concern we have is let us focus on spending, not taking more money out of the pocketbooks of our constituents. Let us not take a bigger bite of the paychecks of the workers of America by taking more of their tax dollars. Let us prevent these tax increases from hitting the American people and let us focus on the real problem, spending.

So if you try to defeat this tax bill, you are basically saying we want taxes to increase. Or if you want to offset it, you are saying to prevent tax increases we need to increase taxes. That does not make a lot of sense.

So the point is we have probably a fundamental disagreement. We believe that we should not raise taxes on people. We believe that the more money a person has in their paycheck, the more money a person has in their pocketbook and wallet and their business, the more successful they are going to be, the more freedom they have, the more prosperous they will be and the better our economy will be. And its impact on our budget deficits is a beneficial one, usually, because it means there are more revenues coming to the government.

Nevertheless, we should not look at it as an opportunity to spend. We should look at this good economic news we have right now, the fact that the economy is growing, people are going back to work and paying taxes, we should look at this as a moment to make sure we do not spend as much money so we can reduce the deficit and pay down our debt. That is what it is all about at the end of the day.

Madam Speaker, I appreciate the dialogue and the debate. I urge a no vote on this motion to instruct.

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

The SPEAKER pro tempore (Mrs. DRAKE). 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 Tennessee (Mr. TANNER).

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

Mr. TANNER. Madam 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 motion will be postponed.

LIBERATION OF IRAQ

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

Mr. POE. Madam Speaker, 3 years ago this month, the fight for liberation of Iraq began in the hot desert lands of the Middle East. On March 19, 2003, American soldiers embarked on the war against tyranny, treachery and terrorism. Since then, thousands of brave, passionate Americans have fought for freedom for the Iraqi people.

As the song says, all have given some, and some have given all in this battle for liberty and justice. The Americans went to Iraq as freedom fighters and have established a democracy in that place that has never known true freedom.

Those young Americans are all volunteers, and more Americans are joining the military each day to continue this battle.

When I was in Iraq, I visited with those Americans, and they told me they are winning this war on terror, and I agree with them. This is the finest military ever assembled in history, and we owe them our support and our resolve. I paraphrase what President Kennedy said, We will support any friend, oppose any foe, pay any price to secure the defense of liberty.

Some things are just worth fighting for, and freedom is one of those things. God bless these Americans, and that's just the way it is.

CONGRATULATING THE PLANO, TEXAS, BOYS BASKETBALL TEAM

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include therein extraneous material.)

Mr. SAM JOHNSON of Texas. Madam Speaker, I rise today to congratulate the Plano Senior High School boys basketball team.

Under the leadership of Coach Inman, they made history on March 11 as the first Plano school team to capture a State basketball championship. The Wildcats, you know, come-from-behind

victory over the defending State champs, Kingwood, on Saturday in overtime will go down as one of the most exciting basketball games in Texas high school history.

They won 60–58 to clinch the coveted State title. I say, Congratulations, Wildcats. Y'all embody the school motto: A Tradition of Excellence.

God bless you and God bless America. Boys, we are proud of you. Plano is proud of you. America is proud of you. And I salute you.

Madam Speaker, at this point, I will insert the names of the players into the RECORD.

Coach Tom Inman:

2005–2006 PIANO VARSITY ROSTER

No.	Player	Position	Height	Class
00	Anton Korolev	Post	7–0	Junior
1	Chris Hsiao	Point	5–9	Senior
2	Nathan Christian	Wing	6–4	Sophomore
3	Anteus Mann	Wing	5–11	Junior
4	Eric Zastoupil	Post	6–8	Senior
5	Tyler Roof	Wing	6–1	Senior
10	Landon Skinner	Point	6–2	Junior
15	Rex Burkhead	Wing	5–10	Freshman
21	John Roberson	Point	5–11	Junior
22	Robert Jackson	Wing	6–2	Senior
23	Michael Daniel	Point	5–10	Sophomore
24	Joseph Fulce	Wing	6–7	Senior
25	Raahul Ramakrishnan	Post	6–4	Junior
32	Lawrence Mann	Post	6–5	Senior
34	Cody Jones	Post	6–7	Senior

Principal Dr. Doyle Dean

□ 2345

SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. DRAKE). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

AMNESTY WORKER PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Madam Speaker, with the overwhelming problem of illegals in this country, some in this Congress want to make it worse. They think that an amnesty worker program is the answer to this problem, and tomorrow the Senate Judiciary Committee will be meeting to consider an amnesty worker program as a solution to the problem. I could not disagree more.

A program granting amnesty for millions of lawless illegals that are already breaking the law by being here defies common sense. We heard that illegals will take jobs Americans won't take. Well, there is absolutely no proof of this assertion. Also, this statement is an insult to the American worker. The jobs illegals sometimes get are below minimum wage, thus driving down the value of American workers. This program is another way of outsourcing American jobs but by bringing the foreigners to our country rather than shipping the jobs to their country.

Under proposals here in Congress, there is no limit to the number of workers allowed to enter; and they would be allowed to bring with them their families. And did I mention that they are expected to leave then after 6 years? We already know that 60 percent of the people who legally came into the United States never left after their visas expired. What makes us think this time will be different?

With an amnesty worker program come the worker's family members who will need the use of our public school systems, health care, public housing and other social services. Where is this money going to come from, Madam Speaker? Well, it is going to come from the American taxpayer. The taxpayer always pays. That is the responsibility, for some reason, for American taxpayers to pay for those people who are from foreign countries illegally in the United States.

And it is also likely the United States will lose even more money because the remittances that these guest workers send home to their families and their home country is growing every day. According to a survey by the InterAmerican Development Bank, Mexican and Latin American immigrants living in the United States already send $30 billion a year in remittances back to their native country.

It is also estimated that 20 percent of the cost of health care and 20 percent of the cost of education comes from those who are illegally in the United States and not contributing to pay for the cost.

Making these so-called workers legal will not change the cost to the American taxpayer.

And after 6 years, what plans do we have to make sure that these individuals will leave? We are taking their word for the fact that when their time is up they will quietly pack up and go back home. This defies common sense.

This same sort of situation occurred back in 1986 when 3 million illegals were given blanket amnesty on the condition there would be a ban on hiring other illegal immigrants. This so-called ban was essentially ignored by employers, and we have no reason to expect a different result this time.

Furthermore, the amnesty work program would be managed by the United States Citizenship and Immigration Services, the CIS. Well, the United States Government Accounting Office released a report this week charging these bureaucrats with a failed organizational infrastructure and massive mismanagement and corruption.

The report shows that the CIS doesn't have a handle on fraud, doesn't do enough to deter it and won't have a fraud management system in place until 2011. The GAO report also found that most of the fraud is a result of a backlog of applications which placed additional pressure on the CIS to produce or process applications faster, making an increased risk of incorrect decisions, including approval of potentially fraudulent applications.

Because of this pressure, multiple offenders are able to game the system, because neither the CIS nor the Immigration and Customs Enforcement regularly penalize those illegals caught committing fraud.

The GAO also found that, of the 94 terrorists known to operate in the United States between the 1990s and 2004, including the September 11 hijackers, two-thirds committed immigration fraud. And now we want bureaucrats to run an amnesty worker program when they are already not capable of the running the programs that they have.

We must remember that an amnesty worker program will not stop illegal immigration. We already have three guest worker programs in place, and we are still dealing with illegal immigration on a daily basis. In 1986, the Immigration Reform and Control Act legalized 3 million aliens in an attempt to control and reform immigration woes. A lot of good that did. Now, 20 years later, those 3 million have grown to almost 12 million.

The consequences of an amnesty worker program could be chaotic, and there is clear risk to our homeland security. The GAO report is yet another reason added to the long list of why amnesty worker program would be a disaster for the United States. So, Madam Speaker, we cannot outsource American jobs by bringing more illegals into the United States under the banner of amnesty. That's just the way it is.

HONORING TOM OGBURN, JR.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Madam Speaker, I rise today to honor Mr. Tom Ogburn, Jr., Executive Professor of Management and Director of the Family Business Center at the Wake Forest University Babcock Graduate School of Management. Mr. Ogburn has dedicated his life to serving his community of Winston-Salem, North Carolina, and the students of Wake Forest MBA; and that is why I honor him today.

Tom began his long and distinguished career in the Marketing Research Department of R.J. Reynolds Tobacco Company and eventually became the Director of Global Research and the Marketing Director of the international company. He then spent 8 years as RJR's Vice President of Public Issues. He is also a successful entrepreneur and a gifted professional sculptor.

In 1998, Tom joined the faculty of Wake Forest University and shortly thereafter became the Faculty Advisor of the Wake Forest MBA Case Competition, now known as the Wake Forest MBA Marketing Summit. Always quick to come up with exceptional creative ideas and never willing to settle for less than excellence, Tom challenged students to transform the event from a regional competition with a limited budget into the premiere nationally recognized event it is today. He has helped students form partnerships with an impressive list of corporate sponsors including Yahoo, Wachovia Wealth Management, EchoStar, Coca-Cola, GlaxoSmithKline, Lowe's and Heineken. He has also built and sustained relationships with some of the Nation's most outstanding marketing leaders.

Tom and his wife, Anita, have been married since 1966; and both are natives of Winston-Salem. She is currently the Executive Director of the city's Ronald McDonald House. The Ogburns have two sons, Tate and Allen, both graduates of Wake Forest MBA, and one granddaughter, Virginia.

February 9, 10 and 11 mark the 16th annual Wake Forest MBA Marketing Summit on the campus of Wake Forest University in Winston-Salem, North Carolina. Hundreds of MBA students, faculty members and marketing executives gathered at the summit; and I am proud that such an exceptional event took place in my district. This event would not be possible without the dedication and commitment of Mr. Tom Ogburn, Jr.

I ask my colleagues to join me in congratulating Tom for his outstanding contributions to his community and to the students of Wake Forest MBA.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DREIER) is recognized for 5 minutes.

(Mr. DREIER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

(Mr. BURGESS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear here after in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. SHIMKUS) is recognized for 5 minutes.

(Mr. SHIMKUS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KUHL) is recognized for 5 minutes.

(Mr. KUHL of New York addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ANDREWS (at the request of Ms. PELOSI) on account of family matters.

Mr. BOREN (at the request of Ms. PELOSI) for today after 4:20 p.m. and the balance of the week on account of a funeral in the District.

Mrs. DAVIS of California for today (at the request of Ms. PELOSI) on account of illness.

Mr. HASTINGS of Florida (at the request of Ms. PELOSI) after 2:00 p.m. today and for the balance of the week on account of official business.

Ms. MCCOLLUM of Minnesota (at the request of Ms. PELOSI) for today on account of visiting Minnesota National Guard troops at Camp Shelby, Mississippi, who are about to be deployed to Iraq.

Mr. PETERSON of Minnesota (at the request of Ms. PELOSI) for today on account of visiting Minnesota National Guard troops at Camp Shelby, Mississippi, who are about to be deployed to Iraq.

Mr. NORWOOD (at the request of Mr. BOEHNER) for today on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. FOXX) to revise and extend their remarks and include extraneous material:)

Mr. MCHENRY, for 5 minutes, today and March 16.

Ms. FOXX, for 5 minutes, today and March 16.

Mr. SHIMKUS, for 5 minutes, today.

Mr. KUHL of New York, for 5 minutes, today.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1184. An act to waive the passport fees for a relative of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member.

S. 2064. An act to designate the facility of the United States Postal Service located at 122 South Bill Street in Francesville, Indiana, as the Malcolm Melville ''Mac'' Lawrence Post Office.

S. 2363. An act to extend the educational flexibility program under section 4 of the Education Flexibility Partnership Act of 1999.

ADJOURNMENT

Mr. POE. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 53 minutes p.m.), the House adjourned until tomorrow, Thursday, March 16, 2006 at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6696. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Flumiclorac Pentyl; Pesticide Tolerance [EPA-HQ-OPP-2005-0311; FRL-7764-1] received March 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6697. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Pesticides; Emergency Exemption Process Revisions [EPA-HQ-OPP-2004-0038; FRL-7749-3] (RIN: 2070-AD36) received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6698. A letter from the Principal Deputy Associate Administrator, Environmental

Protection Agency, transmitting the Agency's final rule — Sorbitol Octanoate; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2005-0515; FRL-7757-2] received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6699. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Simplified Acquisition Procedures [DFARS Case 2003-D075] received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6700. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Contracting by Negotiation [DFARS Case 2003-D077] received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6701. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; DoD Pilot Mentor-Protege Program [DFARS Case 2004-D028] received January 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6702. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Specialized Service Contracting [DFARS Case 2003-D041] received January 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6703. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Acquisition of Utility Services [DFARS Case 2003-D069] received January 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6704. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Utility Rates Established by Regulatory Bodies [DFARS Case 2003-D096] received January 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6705. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Amendment of Prohibited Transaction Exemption 84-24 (PTE 84-24) For Certain Transactions Involving Insurance Agents and Brokers, Pension Consultants, Insurance Companies, Investment Companies and Investment Company Principal Underwriters [Exemption Application D-11069] received February 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6706. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Amendment to Prohibited Transaction Exemption (PTE) 75-1, Exemptions From Prohibitions Respecting Certain Classes of Transactions Involving Employee Benefit Plans and Certain Broker-Dealers, Reporting Dealers and Banks [Application No. D-11184] received February 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6707. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans Alabama: State Implementation Plan Revision [EPA-R04-OAR-2005-AL-0002-200528a; FRL-8042-9] received March 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6708. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Incorporation By Reference of Approval State Hazardous Waste Management Program [EPA-R08-RCRA-2006-0048; FRL-8035-5] received March 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6709. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — South Dakota: Final Authorization of State Hazardous Waste Management Program Revision and Incorporation By Reference of Approved State Hazardous Waste Management Program [EPA-R08-RCRA-2006-0047; FRL-8035-4] received March 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6710. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Jersey Consumer Products Rule; [Region 2 Docket No. EPA-R02-OAR-2004-NJ-0004, FRL-8020-6] received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6711. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico, Visibility [NM-4-1-5208a; FRL-8025-5] received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6712. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Disapproval of Air Quality Implementation Plans; Montana; Maintenance of Air Pollution Control Equipment For Existing Aluminum Plants [EPA-R08-OAR-2006-0017; FRL-8026-1] received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6713. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Standards of Performance for Stationary Gas Turbines [EPA-OAR-2002-0053; FRL-8025-9] (RIN: 2060-AK35) received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6714. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30465; Amdt. No. 3141] received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6715. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Eagle, CO [Docket No. FAA-2005-22845; Airspace Docket No. 05-ANM-14] received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6716. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment and Revision of Area Navigation (RNAV) Routes; Western United States [Docket No. FAA-2005-20322; Airspace Docket No. 05-ANM-1] (RIN: 2120-AA66) received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6717. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class D and Class E Airspace; Salina Municipal Airport, KS; Correction [Docket No. FAA-2005-21873; Airspace Docket No. 05-ACE-27] received February 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6718. A letter from the Director, NIST, Department of Commerce, transmitting the Department's final rule — Small Grants Programs and Precision Measurement Grants Program; Availability of Funds [Docket No. 051202321-5335-02] received January 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

6719. A letter from the Chief, Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Extension of Import Restrictions Imposed on Archaeological Material Originating in Italy and Representing the Pre-Clasical, Classical, and Imperial Roman Periods [USCBP-2006-0016] (RIN: 1505-AB63) received March 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6720. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — Medicare and Medicaid Programs; Requirements for Long Term Care Facilities; Nursing Services; Posting of Nurse Staffing Information [CMS-3121-F] (RIN: 0938-AM55) received February 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1176. A bill to provide immunity for nonprofit athletic organizations in lawsuits arising from claims of ordinary negligence relating to the passage, adoption, or failure to adopt rules of play for athletic competitions and practices (Rept. 109–393). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1871. A bill to provide liability protection to nonprofit volunteer pilot organizations flying for public benefit and to the pilots and staff of such organizations; with an amendment (Rept. 109–394). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. CANTOR (for himself and Mr. POMEROY):

H.R. 4960. A bill to amend the Internal Revenue Code of 1986 to allow 5-year amortization of goodwill and other section 197 intangibles that are acquired from a small business; to the Committee on Ways and Means.

By Ms. HART (for herself and Mr. MANZULLO):

H.R. 4961. A bill to amend the Internal Revenue Code of 1986 to provide that the deduction for the health insurance costs of self-employed individuals be allowed in determining self-employment tax; to the Committee on Ways and Means.

By Mr. BOEHLERT:

H.R. 4962. A bill to designate the facility of the United States Postal Service located at 100 Pitcher Street in Utica, New York, as the ''Captain George A. Wood Post Office Building''; to the Committee on Government Reform.

By Mr. DUNCAN (for himself, Mr. JONES of North Carolina, Mr. WICKER, Mr. PICKERING, Mr. BONNER, Mr. GUTKNECHT, Mr. BACHUS, Ms. VELÁZQUEZ, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, Mr. GRIJALVA, Mr. HONDA, Mr. MEEKS of New York, Mr. OBERSTAR, Ms. SOLIS, Mr. LARSON of Connecticut, and Mr. UDALL of New Mexico):

H.R. 4963. A bill to recognize the right of the Commonwealth of Puerto Rico to call a constitutional convention through which the people of Puerto Rico would exercise their right to self-determination, and to establish a mechanism for congressional consideration of such decision; to the Committee on Resources.

By Mr. FLAKE (for himself, Mr. COOPER, Mr. GUTKNECHT, Mr. WAXMAN, Mr. BASS, Ms. NORTON, Mr. SOUDER, Mr. FORD, Mr. WESTMORELAND, Ms. LORETTA SANCHEZ of California, Mr. PLATTS, Mr. FRANK of Massachusetts, Mr. MARCHANT, Mr. UDALL of Colorado, Mr. PENCE, Mr. HENSARLING, Mr. MILLER of Florida, Mr. SAM JOHNSON of Texas, Mr. JONES of North Carolina, and Mr. POE):

H.R. 4964. A bill to prohibit Federal agencies from obligating funds for earmarks included only in congressional reports, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOHMERT:

H.R. 4965. A bill to amend title II of the Social Security Act to provide that a duty of the Board of Trustees of the Social Security Trust funds is to hold them in trust for the beneficiaries and to ensure that the assets of such trust funds are not diverted, and to authorize investment of such trust funds in securities that are not limited to obligations of the United States or obligations guaranteed as to principal and interest by the United States; to the Committee on Ways and Means.

By Mr. HASTINGS of Florida (for himself, Ms. HARMAN, Mr. REYES, Mr. BOSWELL, Mr. CRAMER, Ms. ESHOO, Mr. HOLT, Mr. RUPPERSBERGER, and Mr. TIERNEY):

H.R. 4966. A bill to require the President to include a line item regarding the Privacy and Civil Liberties Oversight Board in the budget submitted pursuant to title 31, United States Code, and for other purposes; to the Committee on the Budget, and in addition to the Committees on Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of Iowa:

H.R. 4967. A bill to amend the Ethics in Government Act of 1978 and the Rules of the House of Representatives to strengthen financial disclosures and to require precertification of privately-funded travel, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCKINNEY:

H.R. 4968. A bill to provide for the expeditious disclosure of records relevant to the life and death of Tupac Amaru Shakur; to the Committee on Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 4969. A bill to amend title 5, United States Code, to eliminate the discriminatory treatment of the District of Columbia under the provisions of law commonly referred to as the ''Hatch Act''; to the Committee on Government Reform.

By Mr. OTTER (for himself, Mr. SIMPSON, Mr. HASTINGS of Washington, and Mr. FLAKE):

H.R. 4970. A bill to ensure general aviation aircraft access to Federal land and to the airspace over Federal land; to the Committee on Resources, and in addition to the Committees on Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VAN HOLLEN:

H.R. 4971. A bill to amend title 5, United States Code, to exempt certain individuals under the Civil Service Retirement System from the requirement to pay interest on the repayment of amounts received as refunds of retirement contributions as a condition of receiving credit under such System for the service covered by the refund; to the Committee on Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASTLE:

H. Con. Res. 358. Concurrent resolution amending the Rules of the House of Representatives and the Standing Rules of the Senate to require the full payment and disclosure of charter flights provided to Members of Congress; to the Committee on Rules.

By Mr. FLAKE (for himself, Mr. DANIEL E. LUNGREN of California, and Ms. BORDALLO):

H. Res. 728. A resolution amending the Rules of the House of Representatives to require preapproval of privately-funded travel and the inclusion of such travel information on the public website of the Office of the Clerk of the House of Representatives, and for other purposes; to the Committee on Rules.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 40: Mr. FILNER.
H.R. 65: Mr. KIRK.
H.R. 115: Mr. GEORGE MILLER of California and Mr. KENNEDY of Rhode Island.
H.R. 282: Ms. LEE and Mr. ROYCE.
H.R. 303: Mr. ROSS.
H.R. 378: Mr. KUCINICH.
H.R. 414: Mr. ROTHMAN and Mr. PRICE of North Carolina.
H.R. 500: Mr. OXLEY, Mr. BARTON of Texas, Mr. OSBORNE, and Mr. CAMPBELL of California.
H.R. 521: Mr. BAIRD.
H.R. 583: Mr. PRICE of North Carolina.
H.R. 586: Mr. REHBERG.
H.R. 665: Mr. VAN HOLLEN.
H.R. 670: Mr. ROTHMAN.
H.R. 857: Mr. BACA.
H.R. 898: Ms. WOOLSEY.
H.R. 944: Mr. ROTHMAN.
H.R. 951: Mr. GERLACH, Mr. PETERSON of Minnesota, Mr. MCGOVERN, Mr. MORAN of Virginia, Mr. KUCINICH, Mr. FATTAH, Ms. JACKSON-LEE of Texas, and Mr. WYNN.
H.R. 960: Mrs. DRAKE.
H.R. 987: Mr. BERMAN, Mr. MCGOVERN, Ms. WASSERMAN SCHULTZ, Mr. SANDERS, Mrs. DAVIS of California, Ms. SOLIS, Mr. BRADY of Pennsylvania, Ms. MCKINNEY, Mr. WATT, Mr. BISHOP of Georgia, Mr. BOUCHER, Mr. HONDA, Mr. JACKSON of Illinois, Mr. MEEK of Florida, Mrs. CAPPS, Mr. SCHIFF, Mr. JEFFERSON, Ms. SCHAKOWSKY, Mr. REYES, and Mr. BISHOP of Utah.
H.R. 995: Mr. MANZULLO.
H.R. 1002: Ms. HERSETH.
H.R. 1016: Mr. DAVIS of Tennessee.
H.R. 1105: Mr. CASE.
H.R. 1200: Mr. JEFFERSON.
H.R. 1426: Mr. JONES of North Carolina and Mrs. KELLY.
H.R. 1431: Mrs. NAPOLITANO and Ms. WATERS.
H.R. 1504: Mrs. DRAKE, Mr. ALLEN, and Mr. PRICE of North Carolina.
H.R. 1671: Mr. CAMP of Michigan.
H.R. 1707: Mr. REYES.
H.R. 1708: Mr. SCHIFF, Mr. PLATTS, and Mr. LEWIS of Kentucky.
H.R. 1871: Mr. HAYES.
H.R. 2047: Mr. GONZALEZ.
H.R. 2177: Mr. MEEHAN and Mr. BECERRA.
H.R. 2206: Mr. OBERSTAR, Mr. MARKEY, Mr. MCINTYRE, Mr. LUCAS, and Mr. FARR.
H.R. 2332: Mr. PETRI.
H.R. 2356: Mr. BLUMENAUER.
H.R. 2369: Mr. FORTUÑO, Mr. MOORE of Kansas, and Mrs. CUBIN.
H.R. 2534: Mr. FOLEY.
H.R. 2553: Mr. MOORE of Kansas and Mr. DOYLE.
H.R. 2561: Mr. LATHAM.
H.R. 2635: Mr. MOORE of Kansas.
H.R. 2671: Mr. BOUCHER, Ms. CARSON, and Mr. STRICKLAND.
H.R. 2683: Mr. ALLEN, Mr. DINGELL, Mr. FATTAH, Mr. PAYNE, Mr. BERRY, Mr. GUTIERREZ, and Mr. LARSON of Connecticut.
H.R. 2684: Mr. ENGLISH of Pennsylvania.
H.R. 2943: Ms. ZOE LOFGREN of California and Mr. HOLDEN.
H.R. 2963: Mr. ISRAEL.
H.R. 3005: Mr. LARSON of Connecticut.
H.R. 3061: Mr. LEWIS of Kentucky and Mrs. MILLER of Michigan.
H.R. 3127: Mr. LINCOLN DIAZ-BALART of Florida, Ms. WATERS, and Ms. BALDWIN.
H.R. 3146: Ms. NORTON.
H.R. 3177: Mr. GERLACH and Mr. GREEN of Wisconsin.
H.R. 3194: Ms. LINDA T. SÁNCHEZ of California, Mr. GONZALEZ, and Ms. BERKLEY.
H.R. 3255: Mr. BOYD.
H.R. 3478: Mr. SCHWARZ of Michigan, Mr. CAMPBELL of California, Mr. COLE of Oklahoma, Mrs. LOWEY, and Mr. PUTNAM.
H.R. 3492: Mr. ALLEN and Ms. WATSON.
H.R. 3576: Mr. GRIJALVA.
H.R. 3644: Mr. MCGOVERN, Mr. OWENS, Mr. DOYLE, and Mr. MOLLOHAN.
H.R. 3658: Mr. CUMMINGS, Mr. TOWNS, Mr. MARIO DIAZ-BALART of Florida, and Mr. JEFFERSON.
H.R. 3778: Mr. BLUMENAUER, Mr. KUCINICH, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 4092: Mr. HYDE and Mr. SMITH of New Jersey.

H.R. 4147: Mr. FORTUÑO.
H.R. 4157: Mr. HASTINGS of Washington, Mr. PORTER, Mr. KUHL of New York, and Mr. LEACH.
H.R. 4315: Ms. LINDA T. SÁNCHEZ of California.
H.R. 4341: Ms. FOXX.
H.R. 4357: Mr. OSBORNE.
H.R. 4411: Ms. BORDALLO and Mr. BARRETT of South Carolina.
H.R. 4452: Mr. INSLEE, Mr. LYNCH, Mr. WEXLER, Mr. GENE GREEN of Texas, Ms. NORTON, Mr. FORD, Ms. WOOLSEY, and Mr. AL GREEN of Texas.
H.R. 4460: Mr. PETRI.
H.R. 4547: Mr. BOOZMAN.
H.R. 4569: Mr. COBLE.
H.R. 4621: Mr. WELLER, Mr. LEWIS of Kentucky, and Mr. FOSSELLA.
H.R. 4629: Mr. GEORGE MILLER of California.
H.R. 4662: Mr. PLATTS.
H.R. 4668: Ms. WASSERMAN SCHULTZ.
H.R. 4695: Mr. ROSS, Mr. ROTHMAN, and Mr. MURTHA.
H.R. 4704: Mr. GENE GREEN of Texas, Mr. LYNCH, Mrs. JO ANN DAVIS of Virginia, Mr. EMANUEL, and Mr. RAHALL.
H.R. 4737: Mr. PALLONE and Mr. GORDON.
H.R. 4747: Ms. BERKLEY, Mr. AL GREEN of Texas, Mr. CONYERS, Ms. WASSERMAN SCHULTZ, and Ms. BORDALLO.
H.R. 4755: Ms. GINNY BROWN-WAITE of Florida, Mr. ALLEN, Mr. BILIRAKIS, Mr. BROWN of Ohio, Mr. HOLT, Mr. GONZALEZ, and Mr. MCGOVERN.
H.R. 4761: Mr. NUNES, Mr. GOODLATTE, Mr. CRAMER, Mr. DAVIS of Alabama, Ms. GRANGER, and Mr. SESSIONS.
H.R. 4774: Mr. LEWIS of Kentucky.
H.R. 4777: Mr. FEENEY.
H.R. 4781: Mr. EVANS.
H.R. 4794: Ms. MCKINNEY and Ms. HERSETH.
H.R. 4796: Mr. BOOZMAN.
H.R. 4807: Mr. CONYERS.
H.R. 4808: Mr. UPTON.
H.R. 4814: Mrs. JO ANN DAVIS of Virginia, Mr. KUHL of New York, and Mr. MCCOTTER.
H.R. 4821: Mr. ROTHMAN.
H.R. 4824: Mr. HOLDEN.
H.R. 4830: Mr. PUTNAM and Mr. FOLEY.
H.R. 4833: Mrs. JO ANN DAVIS of Virginia.
H.R. 4838: Mr. MILLER of Florida and Mr. KELLER.
H.R. 4864: Mr. MARSHALL.
H.R. 4882: Mr. WELDON of Pennsylvania.
H.R. 4902: Mr. HALL, Mr. SESSIONS, Mr. MURTHA, Mr. ROSS, Mr. ALEXANDER, Mr. YOUNG of Alaska, Mr. COBLE, Ms. PRYCE of Ohio, Mr. DELAHUNT, Mr. TAYLOR of Mississippi, Mr. GRIJALVA, Mr. MURPHY, and Mr. PETERSON of Pennsylvania.
H.R. 4903: Mr. KILDEE and Mr. DEFAZIO.
H.R. 4922: Mr. SHUSTER.
H.R. 4949: Mr. ENGLISH of Pennsylvania, Mr. BACHUS, Mrs. WILSON of New Mexico, Mr. BOREN, Mr. RANGEL, Mr. HOLDEN, Mr. RAHALL, Mrs. JO ANN DAVIS of Virginia, Mr. ORTIZ, Mr. ROSS, Mr. CARDOZA, Mr. REYES, Mr. GONZALEZ, Mr. BROWN of Ohio, Mr. SANDERS, Mrs. TAUSCHER, and Mr. GUTIERREZ.
H. Con. Res. 197: Mr. GUTIERREZ.
H. Con. Res. 247: Mr. CLAY.
H. Con. Res. 282: Ms. WOOLSEY, Ms. CORRINE BROWN of Florida, and Mr. GUTIERREZ.
H. Con. Res. 320: Mrs. MYRICK.
H. Con. Res. 348: Mr. PAUL, Mr. JONES of North Carolina, Mr. ABERCROMBIE, Mr. RANGEL, and Ms. MATSUI.
H. Con. Res. 353: Ms. MCKINNEY and Ms. WASSERMAN SCHULTZ.
H. Res. 116: Mr. SMITH of Washington and Mr. JONES of North Carolina.
H. Res. 295: Ms. MCKINNEY and Mr. OLVER.
H. Res. 498: Ms. MCCOLLUM of Minnesota.
H. Res. 672: Ms. MCKINNEY.
H. Res. 693: Mr. JEFFERSON and Mr. SANDERS.
H. Res. 720: Mr. CONYERS, Mr. MCDERMOTT, and Ms. MCCOLLUM of Minnesota.
H. Res. 724: Ms. WATERS.
H. Res. 727: Mr. TOWNS and Ms. MCKINNEY.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4939

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 13: Page 73, line 10, after the dollar amount insert ''(increased by $800,000,000)''.

H.R. 4939

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 14: Page 74, lines 3 through 8, strike ''the Secretary may waive the requirement that activities benefit persons of low and moderate income, except that'' and ''unless the Secretary otherwise makes a finding of compelling need''.

H.R. 4939

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 15: Page 74, strike ''the Secretary'' in line 3 and all that follows through ''need'' in line 8 and insert ''notwithstanding the preceding proviso, the Secretary may not waive any requirement that activities benefit persons of low and moderate income ''.

H.R. 4939

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 16: At the end of the bill, and before the short title, insert the following:

SEC. 3013. None of the funds appropriated in this Act, or any prior Act making appropriations related to the necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, may be obligated by the Department of Justice to prohibit registered and legal, but displaced, residents of the Gulf Coast region from the right to legally vote in any officially designated election of the Gulf Coast region.

H.R. 4939

OFFERED BY: MR. CONAWAY

AMENDMENT NO. 17: Page 81, beginning on line 21, strike section 3010 (relating to LIHEAP).

H.R. 4939

OFFERED BY: MR. CONAWAY

AMENDMENT NO. 18: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by section 3010 for fiscal year 2006 for the Low-Income Home Energy Assistance Program may be used while there continues in effect a Federal prohibition on the exploration, leasing, development, or production of oil or natural gas in the Arctic National Wildlife Refuge or the Outer Continental Shelf.

H.R. 4939

OFFERED BY: MR. WESTMORELAND

AMENDMENT NO. 19: Page 79, beginning on line 10, strike section 3006.

H.R. 4939

OFFERED BY: MR. WESTMORELAND

AMENDMENT NO. 20: Page 35, line 21, strike ''That'' and all that follows through the comma on line 24.

H.R. 4939

OFFERED BY: MR. GINGREY

AMENDMENT NO. 21: Page 62, beginning on line 1, strike lines 1 through 11 (relating to National Park Service Historic Preservation Fund).

H.R. 4939

OFFERED BY: MR. HALL

AMENDMENT NO. 22: At the end of title II, insert the following:

CHAPTER 9

GENERAL PROVISIONS—THIS TITLE

SEC. 2901. In order to provide child care subsidies to the children of parents who are working or enrolled in workforce activities, in a manner that does not put the child care needs of temporary residents ahead of families already on waiting lists for services funded by the Child Care and Development Fund, in any redistribution of unobligated Federal matching funds as authorized by section 418 of the Social Security Act, the Secretary of Health and Human Services shall give priority to States currently serving a significant number of children in families adversely affected by Hurricane Katrina.

H.R. 4939

OFFERED BY: MRS. FOXX

AMENDMENT NO. 23: Strike line 6 through page 38, line 4 (relating to International Broadcasting Operations and Broadcasting Capital Improvements).

H.R. 4939

OFFERED BY: MR. FLAKE

AMENDMENT NO. 24: Page 79, beginning on line 22, strike section 3007.

H.R. 4939

OFFERED BY: MRS. MUSGRAVE

AMENDMENT NO. 25: In chapter 4 of title II, in the item relating to ''Federal Emergency Management Agency-Preparedness, Mitigation, Response, and Recovery'', after the dollar amount on Page 58, line 18, insert the following: ''(reduced by $5 million)''.

H.R. 4939

OFFERED BY: MS. KAPTUR

AMENDMENT NO. 26: On page 84, after line 17, insert the following:

TITLE IV—ESTABLISHMENT OF A ''TRUMAN'' INVESTIGATIVE COMMITTEE TO PROTECT AGAINST WASTE, FRAUD, AND ABUSE RELATED TO CONTRACTS FOR THE GLOBAL WAR ON TERRORISM AND HURRICANES KATRINA AND RITA REBUILDING EFFORTS

SEC. 401. There is hereby created a select committee on the model of the Truman Committee to investigate the awarding and carrying out of contracts to conduct military operations and relief and reconstruction activities related to the global war on terrorism (including all activities in Afghanistan and Iraq), and Hurricane Katrina recovery, relief, and reconstruction efforts (hereinafter referred to in this title as the ''select committee'').

SEC. 402. (a) The select committee is to be composed of 19 Members of the House, one of whom shall be designated as chairman from the majority party and one of whom shall be designated ranking member from the minority party. The chairmen and ranking minority members of the following committees will serve on the select committee:

(1) Committee on Armed Services.
(2) Committee on Government Reform.
(3) Committee on Homeland Security.
(4) Committee on International Relations.

The chairmen and ranking minority members of the following subcommittees of the Committee on Appropriations will serve on the select committee:

(1) Subcommittee on Defense.
(2) Subcommittee on Foreign Operations, Export Financing, and Related Programs.
(3) Subcommittee on Homeland Security.

In addition, the Speaker shall appoint 5 members of the select committee, of which 2 members shall be appointed upon the recommendation of the minority leader. Any

vacancy occurring in the membership of the select committee shall be filled in the same manner in which the original appointment was made.

(b) The select committee shall conduct an ongoing study and investigation of the awarding and carrying out of contracts by the Government for military operations and relief and reconstruction activities related to the global war on terrorism (including all activities in Afghanistan and Iraq), and Hurricane Katrina recovery, relief, and reconstruction efforts and make such recommendations to the House as the select committee deems appropriate regarding the following matters:

(1) Bidding, contracting, and auditing standards in the issuance of Government contracts.

(2) Oversight procedures.

(3) Forms of payment and safeguards against money laundering.

(4) Accountability of contractors and Government officials involved in procurement.

(5) Penalties for violations of law and abuses in the awarding and carrying out of Government contracts.

(6) Subcontracting under large, comprehensive contracts.

(7) Inclusion and utilization of small businesses, through subcontracts or otherwise.

(8) Such other matters as the select committee deems appropriate.

SEC. 403. (a) QUORUM.—One-third of the members of the select committee shall constitute a quorum for the transaction of business except for the reporting of the results of its study and investigation (with its recommendations) or the authorization of subpoenas, which shall require a majority of the committee to be actually present, except that the select committee may designate a lesser number, but not less than two, as a quorum for the purpose of holding hearings to take testimony and receive evidence.

(b) POWERS.—For the purpose of carrying out this title, the select committee may sit and act during the present Congress at any time and place within the United States or elsewhere, whether the House is in session, has recessed, or has adjourned and hold such hearings as it considers necessary and to require, by subpoena or otherwise, the attendance and testimony of such witnesses, the furnishing of information by interrogatory, and the production of such books, records, correspondence, memoranda, papers, documents, and other things and information of any kind as it deems necessary, including relevant classified materials.

(c) ISSUANCE OF SUBPOENAS.—A subpoena may be authorized and issued by the select committee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present. Authorized subpoenas shall be signed by the chairman or by any member designated by the select committee, and may be served by any person designated by the chairman or such member. Subpoenas shall be issued under the seal of the House and attested by the Clerk. The select committee may request investigations, reports, and other assistance from any agency of the executive, legislative, and judicial branches of the Government.

(d) MEETINGS.—The chairman, or in his absence a member designated by the chairman, shall preside at all meetings and hearings of the select committee. All meetings and hearings of the select committee shall be conducted in open session, unless a majority of members of the select committee voting, there being in attendance the requisite number required for the purpose of hearings to take testimony, vote to close a meeting or hearing.

(e) APPLICABILITIES OF RULES OF THE HOUSE.—The Rules of the House of Representatives applicable to standing committees shall govern the select committee where not inconsistent with this title.

(f) WRITTEN COMMITTEE RULES.—The select committee shall adopt additional written rules, which shall be public, to govern its procedures, which shall not be inconsistent with this title or the Rules of the House of Representatives.

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OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 27: Page 73, line 15, after the colon insert the following:

Provided further, That not less than $2,000,000,000 from funds made available under this heading shall be used as provided under this heading only for the long-term recovery of areas that are housing victims of Hurricane Katrina who, at the time of the onset of such hurricane, were residents of States other than the State in which such area is located:

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OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 28: Page 35, line 20, after the dollar amount, insert the following: ''(reduced by $1,380,500,000)''.

Page 72, line 18, after the dollar amount, insert the following: ''(increased by $1,380,500,000)''.

Page 73, line 15, after the colon insert the following:

Provided further, That not less than $1,380,500,000 from funds made available under this heading shall be used as provided under this heading only for the long-term recovery of areas that are housing victims of Hurricane Katrina who, at the time of the onset of such hurricane, were residents of States other than the State in which such area is located:

H.R. 4939

OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 29: Page 35, line 20, after the dollar amount, insert the following: ''(reduced by $1,380,500,000)''.

Page 72, line 18, after the dollar amount, insert the following: ''(increased by $1,380,500,000)''.

H.R. 4939

OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 30: Page 76, after line 20, insert the following:

CHAPTER 9

GENERAL PROVISIONS—THIS TITLE

SEC. 2901. (a) For the recovery, rebuilding, and relief of the State of Texas from the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $2,000,000,000, to remain available until expended and to be allocated and administered by the Secretary of the Treasury and used only for the State of Texas as follows:

(1) For the costs of housing, social services, health care, and education for the residents of other States affected by the hurricanes who are temporarily residing in Texas.

(2) For the costs of recovery from damage caused by the hurricanes, including repair and construction of infrastructure and housing, debris removal, unreimbursed health care costs of evacuees, flood control and waterway repair, employment and labor services, public safety and security costs, and community and economic development activities.

(3) For such other related costs as may be necessary.

(b) The amounts otherwise provided in this Act for the following accounts are hereby reduced by the following amounts:

(1) ''Department of State—Administration of Foreign Affairs—Diplomatic and Consular Programs'' in chapter 6 of title I, by $1,380,500,000.

(2) ''Federal Emergency Management Agency—Disaster Relief'' in chapter 4 of title II, by $619,500,000.

H.R. 4939

OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 31: Page 72, line 25, after the colon insert the following:

Provided further, That the factors used by the Secretary in distributing funds made available under this heading shall apply the most timely and accurate data available relating to all damages from such hurricanes and total numbers of relocated evacuees based on their current addresses rather than their addresses of record at the time of the storms, and, to the extent possible, the Secretary shall obtain information from the departments of insurance and tax appraisal records of States and consult and coordinate with the Bureau of the Census of the Department of Commerce to reestimate population, income, and other statistics when determining estimates for use in connection with amounts made available under this heading:

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OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 32: Page 65, after line 2, insert the following:

''CHAPTER 5A

''DEPARTMENT OF EDUCATION

''For assisting in meeting the educational needs of individuals affected by hurricanes in the Gulf of Mexico in calendar year 2005, $400,000,000, to remain available through September 30, 2007, to be available to carry out section 107 of title IV, division B of Public Law 109–148: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.''.

H.R. 4939

OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 33: Page 35, line 20, after the dollar amount, insert the following: ''(reduced by $400,000,000)''.

Page 65, after line 2, insert the following:

''CHAPTER 5A

''DEPARTMENT OF EDUCATION

''For assisting in meeting the educational needs of individuals affected by hurricanes in the Gulf of Mexico in calendar year 2005, $400,000,000, to remain available through September 30, 2007, to be available to carry out section 107 of title IV, division B of Public Law 109–148.''

H.R. 4939

OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 34: At the end of the bill (before the short title), insert the following:

SEC. ____. Of the funds appropriated under this Act under the heading ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—COMMUNITY PLANNING AND DEVELOPMENT—Community Development Fund'', $400,000,000 shall not be available for expenditure until $400,000,000 is made available to carry out section 107 of title IV, division B of Public Law 109–148.

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OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 35: Page 72, line 22, strike ''the most''.

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OFFERED BY: MR. BRADY OF TEXAS

AMENDMENT NO. 36: Page 27, strike line 24 and all that follows through line 5 on page 28.

Page 35, line 20, after the dollar amount, insert the following: ''(reduced by $5,000,000)''.

Page 36, strike line 14 and all that follows through line 21.

H.R. 4939

OFFERED BY: MR. KENNEDY OF MINNESOTA

AMENDMENT NO. 37: At the end of the bill (before the short title), insert the following new section:

SEC. __. None of the funds provided in this Act may be used to allow entry onto the grounds of any Department of Defense installation or cemetery or Department of Veterans Affairs cemetery for the purpose of a demonstration in connection with a funeral or memorial service or ceremony for a deceased member of the Armed Forces.