

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-arming 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 hand-outs 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.

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 author-

izing 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. Unfortunately, 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 review-

ing 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 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 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 with 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 or-

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

Tancredo	Upton	Wicker
Taylor (NC)	Walden (OR)	Wilson (NM)
Terry	Walsh	Wilson (SC)
Thomas	Wamp	Wolf
Thornberry	Weldon (PA)	Young (AK)
Tiahrt	Weller	Young (FL)
Tiberi	Westmoreland	
Turner	Whitfield	

NAYS—192

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

NOT VOTING—16

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

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

NOES—200

Abercrombie	Gutknecht	Owens
Ackerman	Harman	Pallone
Akin	Hastings (FL)	Pascarell
Baca	Hayworth	Pastor
Baldwin	Hefley	Payne
Becerra	Hensarling	Pelosi
Berkley	Hinchee	Pence
Berman	Hinojosa	Poe
Berry	Holden	Price (NC)
Bishop (GA)	Holt	Rahall
Bishop (NY)	Honda	Rangel
Blumenauer	Hooley	Reyes
Boren	Hostettler	Ross
Boswell	Hoyer	Rothman
Boucher	Insee	Roybal-Allard
Boyd	Israel	Rush
Brady (PA)	Jackson (IL)	Ryan (OH)
Brown (OH)	Jackson-Lee	Ryan (WI)
Brown, Corrine	(TX)	Ryun (KS)
Butterfield	Jefferson	Sabo
Capps	Johnson, E. B.	Sánchez, Linda
Capuano	Jones (NC)	T.
Cardin	Jones (OH)	Sanchez, Loretta
Cardoza	Kanjorski	Sanders
Carnahan	Kennedy (RI)	Schakowsky
Carson	Kildee	Schiff
Chabot	Kilpatrick (MI)	Schwartz (PA)
Clay	Kind	Scott (GA)
Cleaver	King (IA)	Scott (VA)
Clyburn	Kucinich	Serrano
Conyers	Langevin	Shadegg
Cooper	Lantos	Sherman
Costa	Larson (CT)	Skelton
Costello	Lee	Slaughter
Cramer	Levin	Smith (WA)
Crowley	Lewis (GA)	Snyder
Cuellar	Lipinski	Solis
Cummings	Lofgren, Zoe	Spratt
Davis (AL)	Lowey	Stark
Davis (FL)	Lungren, Daniel	Stearns
Davis, Jo Ann	E.	Strickland
DeFazio	Lynch	Stupak
DeGette	Maloney	Tancred
Delahunt	Markey	Tanner
DeLauro	Matsui	Tauscher
Dingell	McCarthy	Taylor (MS)
Doggett	McDermott	Thompson (CA)
Doyle	McGovern	Thompson (MS)
Edwards	McKinney	Tierney
Emanuel	McNulty	Towns
Engel	Meehan	Udall (CO)
Eshoo	Meek (FL)	Udall (NM)
Etheridge	Meeks (NY)	Udall (NM)
Farr	Millender-	Van Hollen
Fattah	McDonald	Velázquez
Filner	Miller (NC)	Visclosky
Flake	Miller, George	Wasserman
Forbes	Moore (KS)	Schultz
Fox	Moore (WI)	Waters
Franks (AZ)	Moran (VA)	Watson
Garrett (NJ)	Musgrave	Watt
Gohmert	Nadler	Waxman
Gonzalez	Napolitano	Weiner
Gordon	Neal (MA)	Westmoreland
Green (WI)	Neugebauer	Wexler
Green, Al	Obey	Woolsey
Green, Gene	Oliver	Wu
Grijalva	Ortiz	Wynn
Gutierrez	Otter	

NOT VOTING—14

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

□ 1203

Messrs. PASCARELL, 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	Carter	Fortenberry
Ackerman	Case	Fossella
Aderholt	Castle	Fox
Akin	Chabot	Frank (MA)
Alexander	Chandler	Franks (AZ)
Allen	Choccola	Frelinghuysen
Baca	Clay	Gallely
Bachus	Cleaver	Garrett (NJ)
Baker	Clyburn	Gerlach
Baldwin	Coble	Gibbons
Barrett (SC)	Cole (OK)	Gilchrest
Barrow	Conaway	Gillmor
Bartlett (MD)	Conyers	Gingrey
Barton (TX)	Cooper	Gohmert
Bass	Costa	Gonzalez
Bean	Costello	Goode
Beauprez	Cramer	Goodlatte
Becerra	Crenshaw	Gordon
Berkley	Crowley	Granger
Berman	Cubin	Graves
Berry	Cuellar	Green (WI)
Biggert	Culberson	Green, Al
Bilirakis	Cummings	Green, Gene
Bishop (GA)	Davis (AL)	Grijalva
Bishop (NY)	Davis (FL)	Gutierrez
Bishop (UT)	Davis (KY)	Gutknecht
Blackburn	Davis (TN)	Hall
Blumenauer	Davis, Jo Ann	Harman
Blunt	Davis, Tom	Hart
Boehert	Deal (GA)	Hastings (FL)
Boehner	DeFazio	Hastings (WA)
Bonilla	DeGette	Hayes
Bonner	Delahunt	Hayworth
Bono	DeLauro	Hefley
Boozman	DeLay	Hensarling
Boren	Dent	Herger
Boswell	Diaz-Balart, L.	Herseth
Boucher	Diaz-Balart, M.	Higgins
Boustany	Dicks	Hinchee
Boyd	Dingell	Hinojosa
Bradley (NH)	Doggett	Hobson
Brady (PA)	Doolittle	Hoekstra
Brady (TX)	Doyle	Holden
Brown (OH)	Drake	Holt
Brown (SC)	Dreier	Honda
Brown, Corrine	Edwards	Hooley
Brown-Waite,	Ehlers	Hostettler
Ginny	Emanuel	Hoyer
Burgess	Emerson	Hulshof
Burton (IN)	Engel	Hunter
Butterfield	English (PA)	Hyde
Buyer	Eshoo	Inglis (SC)
Camp (MI)	Etheridge	Insee
Campbell (CA)	Everett	Israel
Cannon	Farr	Issa
Cantor	Fattah	Jackson (IL)
Capito	Feeney	Jackson-Lee
Capps	Ferguson	(TX)
Capuano	Filner	Jefferson
Cardin	Fitzpatrick (PA)	Jenkins
Cardoza	Flake	Jindal
Carnahan	Foley	Johnson (CT)
Carson	Forbes	Johnson (IL)

Johnson, E. B.	Miller, George	Schmidt
Johnson, Sam	Mollohan	Schwartz (PA)
Jones (NC)	Moore (KS)	Schwarz (MI)
Jones (OH)	Moore (WI)	Scott (GA)
Kanjorski	Moran (KS)	Scott (VA)
Kaptur	Moran (VA)	Sensenbrenner
Keller	Murphy	Serrano
Kelly	Musgrave	Sessions
Kennedy (MN)	Myrick	Shadegg
Kennedy (RI)	Nadler	Shaw
Kildee	Napolitano	Shays
Kilpatrick (MI)	Neal (MA)	Sherman
Kind	Neugebauer	Sherwood
King (IA)	Ney	Shimkus
King (NY)	Northup	Shuster
Kingston	Nunes	Simmons
Kirk	Nussle	Simpson
Kline	Oberstar	Skelton
Knollenberg	Obey	Slaughter
Kolbe	Oliver	Smith (NJ)
Kuhl (NY)	Ortiz	Smith (TX)
LaHood	Osborne	Smith (WA)
Langevin	Otter	Snyder
Lantos	Owens	Sodrel
Larsen (WA)	Oxley	Solis
Larson (CT)	Pallone	Souder
Latham	Pascarell	Spratt
LaTourette	Pastor	Stark
Leach	Payne	Stearns
Lee	Pearce	Strickland
Levin	Pelosi	Stupak
Lewis (CA)	Pence	Sullivan
Lewis (GA)	Peterson (PA)	Tancred
Lewis (KY)	Petri	Tanner
Linder	Pickering	Tauscher
Lipinski	Pitts	Taylor (MS)
LoBiondo	Platts	Taylor (NC)
Lofgren, Zoe	Poe	Terry
Lowey	Pombo	Thomas
Lucas	Pomeroy	Thompson (CA)
Lungren, Daniel	Porter	Thompson (MS)
E.	Price (GA)	Thornberry
Lynch	Price (NC)	Tiahrt
Mack	Pryce (OH)	Tiberi
Maloney	Putnam	Tierney
Manzullo	Radanovich	Towns
Marchant	Rahall	Turner
Markey	Ramstad	Udall (CO)
Marshall	Regula	Udall (NM)
Matheson	Rehberg	Upton
Matsui	Reichert	Van Hollen
McCarthy	Renzi	Velázquez
McCaul (TX)	Reyes	Visclosky
McCotter	Reynolds	Walden (OR)
McCrery	Rogers (AL)	Walsh
McDermott	Rogers (KY)	Wamp
McGovern	Rogers (MI)	Wasserman
McHenry	Rohrabacher	Schultz
McHugh	Ros-Lehtinen	Watson
McIntyre	Ross	Watt
McKeon	Rothman	Waxman
McKinney	Roybal-Allard	Weiner
McMorris	Royce	Weldon (FL)
McNulty	Rush	Weldon (PA)
Meehan	Ryan (OH)	Weller
Meek (FL)	Ryan (WI)	Westmoreland
Meeks (NY)	Ryun (KS)	Wexler
Melancon	Sabo	Wicker
Mica	Salazar	Wilson (NM)
Michaud	Sánchez, Linda	Wilson (SC)
Millender-	T.	Wolf
McDonald	Sanchez, Loretta	Woolsey
Miller (FL)	Sanders	Wu
Miller (MI)	Saxton	Wynn
Miller (NC)	Schakowsky	Young (AK)
Miller, Gary	Schiff	Young (FL)

NAYS—1

Paul

ANSWERED “PRESENT”—1

Kucinich

NOT VOTING—19

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

□ 1211

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