Camp (MI)
Cannon
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chandler
Chocola
Clay
Cleaver
Clyburn
Cole (OK)
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Ford
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gonzalez
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hyde
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kline
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Platts
Poe
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Serrano
Shaw
Shays
Sherman
Sherwood
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—14

Boren
Davis (CA)
Davis (IL)
Duncan
Evans
Hastings (FL)
Istook
Knollenberg
Peterson (PA)
Pickering
Scott (VA)
Sensenbrenner
Strickland
Sweeney

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Fifteen seconds remain in this vote.

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. KNOLLENBERG: Mr. Chairman, on March 16, 2006, I was unavoidably absent and missed rollcall votes 55–59. For the record, had I been present, I would have voted: No. 55—"yea"; No. 56—"nay"; No. 57—"nay"; No. 58—"nay"; 59—"nay."

The Acting CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. DANIEL E. LUNGREN of California) assumed the Chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

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

The Committee resumed its sitting.

Mr. LEWIS of California. Mr. Chairman, I rise to strike the last word.

Mr. Chairman, I yield to the gentleman from Arizona (Mr. KOLBE) for the purpose of a colloquy.

Mr. KOLBE. Mr. Chairman, I appreciate the chairman of the full committee for yielding to me for purposes of this colloquy. I would like to engage in a colloquy with the gentleman from California (Mr. ROYCE).

I yield to the gentleman from California.

Mr. ROYCE. Mr. Chairman, this goes to the issue of $50 million in economic support funds for Liberia. What I wanted to say, on this issue, is that the United States has been very generous with Liberia. We have committed nearly $1.5 billion, and that includes the funding for U.N. peacekeeping, and of course President Bush deployed U.S. Marines in Liberia to end the fighting there. My concern is that the former Liberian President, Charles Taylor, frankly, is first among warlords. He faces a 17-count indictment by the U.S. backed Special Court for his crimes against humanity, and yet he is living in cushy exile in Nigeria.

This is a problem on several counts. Taylor must face justice for the killing and maiming that he engineered. Bringing him to the Special Court will end the cycle of impunity that destabilizes West Africa, and most pressing to today's business, Taylor remains a threat to the progress that the U.S. has done so much to achieve. It is probable that left in exile, Taylor will return to Liberia, as he has pledged to do, and knock over all that we have helped build up, throwing that region back into chaos.

Congress passed a resolution calling for Taylor to be sent to the Special Court. Yesterday, Liberia's new President addressed this Congress. She had an inspiring message. But what many human rights and civil society groups were hoping to hear was a loud and clear call for Taylor to be turned over to the court now before it is too late. While Taylor is in Nigeria, Nigeria's president has said he would honor an extradition request made by Liberia's new president. We are waiting for that request.

This bill would tack on an added $50 million in emergency spending for Liberia. I am worried about the message this sends about our seriousness of purpose regarding Charles Taylor. We continue our generosity, yet the Liberian president continues to defy the wishes of many Liberians by not acting to bring Charles Taylor to justice.

So, Mr. Chairman, I considered offering an amendment to strike or condition this $50 million. What I seek instead is to hear from you on this issue.

Mr. KOLBE. I thank the gentleman for his comments, and I particularly thank him for his longstanding effort on behalf of West African nations and the people of West Africa, and certainly Liberia. I share his concern about a long lasting peace for Liberia, as I know all in this body do, and we also share the concern that Charles Taylor represents a threat to everything that the United States is trying to accomplish through its aid efforts and its commitment of troops to bring about peace and stability in Liberia.

I will tell the gentleman as this process unfolds, the committee has been and will continue to closely monitor developments with Charles Taylor.

I think I have some good news I can bring to the gentleman. Just before this series of votes, Mrs. LOWEY, my ranking member, and I completed a meeting with President Sirleaf, who, of course, addressed this body yesterday. We asked this question specifically, will there be an extradition request? I asked it three times, and got the same answer three times, that it has been done. She used the word ''done'' three times. So the request for extradition has been done. We believe and she has said that he needs to be brought to justice in an appropriate court.

So the request to the President of Liberia has been made. She went on to tell us that President Olusegun is now consulting with African leaders from the African Union and the Economic Community of West African Countries, ECOWAS, to make sure that the extradition will not in any way destabilize

the very fragile peace that now exists there. Once that is done, we would expect to see this accomplished.

The request for extradition has been done, and we will continue to remain engaged and watch this very, very closely, as this process of the supplemental unfolds.

Mr. ROYCE. I thank the gentleman from Arizona and the gentlewoman from New York, and certainly the chairman of the committee.

AMENDMENT NO. 26 OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 26 offered by Ms. KAPTUR:

H.R. 4939

On page 84, after line 17, insert the following:

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

SEC. 401. There is hereby created a select committee on the model of the Truman Committee to investigate the awarding and carrying out of contracts to conduct military operations and relief and reconstruction activities related to the global war on terrorism (including all activities in Afghanistan and Iraq), and Hurricane Katrina recovery, relief, and reconstruction efforts (hereinafter referred to as the ''select committee'').

SEC. 402. (a) The select committee is to be composed of 19 Members of the House, one of whom shall be designated as chairman from the majority party and one of whom shall be designated ranking member from the minority party. The chairmen and ranking minority members of the following committees will serve on the select committee:

(1) Committee on Armed Services;

(2) Committee on Government Reform;

(3) Committee on Homeland Security; and

(4) Committee on International Relations.

The chairmen and ranking minority members of the following subcommittees of the Committee on Appropriations will serve on the select committee:

(1) Subcommittee on Defense;

(2) Subcommittee on Foreign Operations, Export Financing, and Related Programs.

(3) Subcommittee on Homeland Security.

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

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

(1) Bidding, contracting, and auditing standards in the issuance of Government contracts;

(2) Oversight procedures;

(3) Forms of payment and safeguards against money laundering.

(4) Accountability of contractors and Government officials involved in procurement;

(5) Penalties for violations of law and abuses in the awarding and carrying out of Government contracts;

(6) Subcontracting under large, comprehensive contracts;

(7) Inclusion and utilization of small businesses, through subcontracts or otherwise.

(8) Such other matters as the select committee deems appropriate.

SEC. 403. (a) QUORUM.—One-third of the members of the select committee shall constitute a quorum for the transaction of business except for the reporting of the results of its study and investigation (with its recommendations) or the authorization of subpoenas, which shall require a majority of the committee to be actually present, except that the select committee may designate a lesser number, but not less than two, as a quorum for the purpose of holding hearings to take testimony and receive evidence.

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

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

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

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

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

The Acting CHAIRMAN. Pursuant to the order of the House of Wednesday, March 15, 2006, the gentlewoman from Ohio (Ms. KAPTUR) and a Member opposed each will control 5 minutes.

Mr. LEWIS of California. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIRMAN. The gentleman from California, the chairman, reserves a point of order.

The gentlewoman from Ohio may proceed.

Ms. KAPTUR. Mr. Chairman, my amendment, offered with its very able champion, Congressman JOHN TIERNEY of Massachusetts, will create a select House committee modeled on the Truman Commission created during World War II to exercise due diligence and proper congressional oversight on the over half a trillion dollars of expenditures by the government of the United States to conduct the global war on terrorism, as well as those contracts let for rebuilding of the gulf region after Hurricanes Katrina and Rita.

The original Truman Commission recouped over $15 billion to our taxpayers. That is big money in our time. But it was huge money back then, returned to our taxpayers from those interests that were conducting their business above and beyond the letter of the law.

We are asking for a thorough investigation of any waste, fraud and abuse in government contracts associated with the Iraq war and the global war on terrorism, as well as Katrina-Rita recovery and reconstruction.

Our amendment is responsible. It is a good government amendment. It provides real means for oversight that is thorough, not anecdotal.

Currently, no committee in this House has full investigative authority to probe growing public concerns about where our tax dollars are being spent in this contracting. The charges are legion of cost-plus contracts, contractor fraud, as contracts below $500,000 are purposely kept at that level to circumvent review. Criminal operatives like Rob Stein have been charged and arrested for manipulating Iraqi Coalition Provisional Authority accounts in bribery and kickback schemes, waste and abuse.

This administration is moving billions of dollars with no audit trails, even back to the Appropriations Committee, which should receive those audits. In Iraq, no-bid contracts of enormous proportions are let, like to Halliburton. In Iraq, rebuilding contracts, amounting to millions are missing. A few wrongdoers have been arrested, but they are just the tip of the iceberg. Companies like Custer Battles, given contracts to secure Baghdad Airport, is a company that never did security work. Indeed it submitted invoices for electricity that were only valued at $74,000, but they got $400,000. Broken trucks bought in local markets cost $228,000, yet Custer Battles billed for $800,000. In our Gulf region, no-bid contracts need Congressional oversight.

□ 1530

Over 10,000 manufactured houses sit on the ground in open fields in Hope, Arkansas, costing more than $300 million.

Our amendment aims to protect the taxpayer. It will save money. It will

save lives as we bring back inferior equipment that is discovered during this oversight.

This amendment will allow Congress to do its job, to oversee exactly how billions in taxpayer dollars are being spent in Iraq and our Gulf coast. The American people deserve this kind of responsible government.

It is critical that Congress curtail the opportunities for waste, fraud and abuse in future Federal contracting and bring those to task who are not meeting the letter and spirit of the law.

Mr. Chairman, I will be pleased to yield 2 minutes to the gentleman from Massachusetts and any remaining time I may have to himself as well as to Congressman WALTER JONES of North Carolina for their stellar work on this effort.

Mr. TIERNEY. Mr. Chairman, I just want to make mention, without repeating what the gentlewoman has said, this Government Reform Committee, the full committee in the House, has only had four hearings on Iraq contracting during this entire process.

In the other body, despite Senator LAUTENBERG's repeated requests, the Committee on Homeland Security and Government Affairs over there has not held a single hearing on this issue.

In the House Armed Services Committee, they have conducted oversight hearings on some issues related to military operations and protecting our troops, but they have not explored the issue of contracting since it was touched upon in June of 2004. That is quite a contrast with the original Truman Committee, which held 432 public hearings, 300 executive sessions, had 1,800 witnesses testify and issued 51 reports, all the while saving the taxpayer $15 billion and saving countless lives in the process.

The Truman Committee was unanimously respected for its focus on fact-finding and its refusal to succumb to partisan consideration, and that is what this commission would do as well. It is needed, because last week a Federal jury found two employees of Custer Battles had cheated the government on a contract to provide Iraq with new currency, and some $10 million in damages.

In December the Boston Globe reported that the Congressional Research Service put out a publication stating the Pentagon has not provided an overall reckoning of these funds by mission or by military operation. It went on to say that Congress has yet to receive a transparent accounting of money that is allocated so far for the war.

Kellogg, Brown & Root's employees last summer pleaded guilty of $100,000 in kick-backs, and it recently was reported that KBR did not do its job under the contract with purification of water for our troops, leaving them in a dangerous situation over there.

The General Accountability Office has purported to have found that the Department of Defense officials and Interior officials charged with overseeing the contract to provide interrogators at Abu Ghraib did not fully carry out their roles. And in March of 2005, we learned that the Pentagon auditors found that $212 million was paid to Kuwaiti and Turkish subcontractors for fuel and that overcharging was charged back by Halliburton.

We need this commission. It is the right thing to protect our troops and the storm victims. The American public deserves open and transparent government.

The Acting CHAIRMAN (Mr. FOLEY). The time of the gentleman has expired.

The gentlewoman from Ohio's time has expired as well.

Mr. OBEY. Mr. Chairman, I move to strike the last word, and I yield 2 minutes to the distinguished gentleman from North Carolina.

Mr. JONES of North Carolina. Mr. Chairman, I want to thank the gentleman for the time. The reason I am on the floor, I am like anyone else in Congress. It is a privilege to serve in the United States House of Representatives. And every time I go home, like all other Members of Congress, and I see the people of the Third District of North Carolina, the home of Camp Lejeune, 60,000 retired military, they want to know why we are not doing a better job with oversight.

When you read in the papers that a DOD inspector says we cannot find $8 billion, and yet here we are in the Congress owing $8.2 trillion in debt, and the American people are out there working hard trying to do their best, they support our troops, they want us to support our troops.

But we have a responsibility, and that is to rebuild public trust. The public has lost faith in the Congress of meeting its responsibility for oversight. And I join the gentlewoman from Ohio and my other colleagues, and there are those on the Republican side too, that want to have an accountability to the American taxpayer.

It is time that we do so. So I ask my colleagues on both sides of the political aisle, for goodness sakes, let us support the American taxpayer. Let us do what Truman did, saying to the people during World War II, we are going to fight this war, and we are going to defeat the enemy, but we are going to do it in a wise way, we are going to protect the investment of the taxpayer.

Let's do the same thing in 2006 that he did during the 1940s. I thank the gentleman for this time, and I close by saying, let's do what is right. This is a good-government issue. It is time that we have accountability to the American people.

Mr. OBEY. Mr. Chairman, with this bill, we will now have spent as much money in Iraq as we did in Vietnam. If you adjust for inflation, it is now just about the equivalent.

It seems to me that spending almost half a trillion dollars of the taxpayers' money is indefensible unless we are willing to see to it that that money is spent as well as we can possibly accomplish that fact.

I guess it boils down to this: if Members are happy with reading day after day about stories that are published about waste and fraud and ripoffs by contractors in Iraq, if they are tired of reading about the insider deals and the single-source contracts for work to be done in Iraq, if a Republican-controlled Congress cannot bring itself to conduct a really vigorous investigation of a Republican administration, then they ought to vote ''no.''

But if you think that we ought to be doing now exactly as we were doing in World War II, when Harry Truman conducted the kind of investigation the gentleman from Massachusetts mentioned, if you think we ought to replicate that effort, then you vote ''yes.''

I would submit that the Roosevelt administration was not damaged by the investigations done by the Truman Committee, they were strengthened by it, because that meant they had more resources available to get the job done in defeating the Japanese and defeating the Nazis.

I want to congratulate the gentleman from Massachusetts for the leadership that he has shown on this issue.

Mr. Chairman, I urge an ''aye'' vote.

POINT OF ORDER

Mr. LEWIS of California. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: an amendment to a general appropriation bill shall not be in order if changing existing law.

This amendment gives affirmative direction in effect.

The Acting CHAIRMAN. Does any Member wish to speak on the point of order?

Hearing none, the Chair finds that this amendment includes language imparting direction. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

AMENDMENT NO. 10 OFFERED BY MR. NADLER

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. NADLER:

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

SEC. ___. REQUIREMENTS RELATING TO ENTRY OF OCEAN SHIPPING CONTAINERS INTO THE UNITED STATES.

(a) REQUIREMENTS.—Section 70116 of title 46, United States Code, is amended by adding at the end the following new subsection:

''(c) REQUIREMENTS RELATING TO ENTRY OF OCEAN SHIPPING CONTAINERS.—

''(1) IN GENERAL.—An ocean shipping container may enter the United States, either directly or via a foreign port, only if—

''(A) the container is scanned with equipment that meets the standards established

pursuant to paragraph (2)(A) and a copy of the scan is provided to the Secretary, and

''(B) the container is secured with a seal that meets the standards established pursuant to paragraph (2)(B),

before the container is loaded on the vessel for shipment to the United States.

''(2) STANDARDS FOR SCANNING EQUIPMENT AND SEALS.—

''(A) SCANNING EQUIPMENT.—The Secretary shall establish standards for scanning equipment required to be used under paragraph (1)(A) to ensure that such equipment uses the best-available technology, including technology to scan a container for radiation and density and, if appropriate, for atomic elements.

''(B) SEALS.—The Secretary shall establish standards for seals required to be used under paragraph (1)(B) to ensure that such seals use the best-available technology, including technology to—

''(i) detect any breach into a container;

''(ii) identify the time and place of such breach;

''(iii) notify the Secretary of such breach before the container enters the Exclusive Economic Zone of the United States; and

''(iv) track the time and location of the container during transit to the United States, including by truck, rail, or vessel.

''(C) REVIEW AND REVISION.—The Secretary shall review and, if necessary, revise the standards established pursuant to subparagraphs (A) and (B) not less than once every two years.

''(D) DEFINITION.—In subparagraph (B), the term 'Exclusive Economic Zone of the United States' has the meaning given the term 'Exclusive Economic Zone' in section 2101(10a) of this title.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out section 70116(c) of title 46, United States Code, as added by subsection (a) of this section, such sums as may be necessary for fiscal year 2007 and each subsequent fiscal year.

(c) REGULATIONS; EFFECTIVE DATE.—

(1) REGULATIONS.—

(A) INTERIM FINAL RULE.—The Secretary of Homeland Security shall issue an interim final rule as a temporary regulation to implement section 70116(c) of title 46, United States Code, as added by subsection (a) of this section, not later than 90 days after the date of the enactment of this section, without regard to the provisions of chapter 5 of title 5, United States Code.

(B) FINAL RULE.—The Secretary shall issue a final rule as a permanent regulation to implement section 70116(c) of title 46, United States Code, as added by subsection (a) of this section, not later than one year after the date of the enactment of this section, in accordance with the provisions of chapter 5 of title 5, United States Code. The final rule issued pursuant to that rulemaking may supersede the interim final rule issued pursuant to subparagraph (A).

(2) EFFECTIVE DATE.—The requirements of section 70116(c) of title 46, United States Code, as added by subsection (a) of this section, apply with respect to any ocean shipping container entering the United States, either directly or via a foreign port, beginning one year after the date of the enactment of this Act.

Mr. LEWIS of California. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. The gentleman's point of order is reserved.

Pursuant to the order of the House of Wednesday, March 15, 2006, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I rise to offer an amendment to attach to this bill, the Sail Only If Scanned Act, the SOS Act. This act was developed by me and Mr. OBERSTAR, with the support of Minority Leader PELOSI, to address the issue of shipping container security.

This amendment would require that every shipping container be scanned with the most modern technology and sealed with a tamper-proof seal before it is placed on a ship bound for the United States so that we can have absolute assurances that no nuclear weapons or radiological bombs are being brought into our ports.

Only 1 percent of the more than 11 million shipping containers destined for the United States are scanned before they are loaded on a ship overseas. This is unacceptable.

The United States cannot own or control the entire global trade network, but we can and should ensure the security of every single container destined for this country. The controversy over the proposed Dubai Ports World deal has woken up the American people and made them think about how critical our ports are for national security. But who owns the ports and who operates the ports, while important, is far less important than what comes into the ports.

Ninety-five percent of all of the 11 million, 40-foot boxes that come into our ports are uninspected, not scanned. Not scanned by x-rays, not examined for radioactivity before they get here. Any one of them could have an atomic bomb or radiological bomb. That is unacceptable.

If there is a bomb inside a container, it is too late to discover that in Newark or Miami or Los Angeles. Reading the manifest is not enough. Having shipments only from low-risk shippers is not enough, because any one container could have a catastrophic bomb inside it.

My amendment is quite simple. It would require that all containers must be scanned using the best available technology, including scanning for radiation and density before they are loaded on a ship bound for the United States.

The scans must be submitted to U.S. Government officials for review before the container is loaded, and the containers must be sealed with a device that indicates if the container is tampered with in transit, and automatically notifies U.S. officials of any breach before the containers come within a few hundred miles of the United States.

Steve Flynn of the Council of Foreign Relations and a port security expert wrote in the New York Times a few days ago: ''This is not a pie-in-the-sky idea. Since January 2005, every single container entering the truck gates of two of the world's busiest container terminals in Hong Kong has passed through scanning and radiation detection devices. Images of the containers' contents are then stored on computers so they can be scrutinized by American or other customs authorities almost in real-time. Customs inspectors can then issue orders not to load a container that worries them. The Department of Homeland Security has greeted this private sector initiative with only tepid interest.''

Mr. Chairman, we cannot simply stand by while the Bush administration twiddles its thumbs and fails to secure the movement of containers before they reach the United States. The terminal operations in Hong Kong prove we can scan 100 percent of the containers without disrupting the economy or the flow of goods. The cost to scan a container is $6.50.

The entire cost to amortize all of the equipment is $20 a container. Given that it costs $4,000 to ship a container across the Pacific if there is between 50 and $500,000 worth of merchandise in each container, a $20 cost is trivial.

Congress needs to make 100 percent scanning the policy of the United States. This amendment would do that. I realize, Mr. Chairman, this amendment may not be allowed under the rules of the House.

I fully expect the Republicans to raise a point of order against it. I would note, however, that the underlying bill includes a provision blocking the proposed takeover of U.S. terminals by Dubai Ports World. I support that provision.

But if we can include language on the Dubai deal in this bill, then certainly the Republican majority should allow us to include language that secures shipping containers and prevents atomic bombs from going off in port cities.

At the very least, they could easily waive the rule and allow a vote on this amendment. If they care more about these rules that they waive every day than they do about protecting the American public from nuclear bombs and shipping containers, I truly fear for our safety.

Mr. Chairman, I urge all my colleagues to support this amendment to attach the Sail Only if Scanned Act, the SOS Act, to this bill. The only way we will adequately protect our citizens is if the Republicans in Congress join with us to force the Bush administration to take seriously the issue of container security and make sure that every single container is scanned and sealed with a tamper-proof seal before being placed on a ship bound for the United States.

POINT OF ORDER

Mr. LEWIS of California. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: an amendment to a general appropriations bill shall not be in order if changing existing law.

This amendment directly amends existing law.

□ 1545

The Acting CHAIRMAN (Mr. FOLEY). Does any Member wish to speak on the point of order?

Mr. NADLER. Mr. Chairman, the chairman of the Committee on Appropriations raises a point of order that this legislates on an appropriations bill. And it might.

But I would challenge the chairman of the Committee on Appropriations and the Republican majority, if you are going to insist on a technical interpretation of the rule on this amendment, I would challenge the Republicans to allow this bill to the floor for a vote or allow this bill as an amendment on some other bill. Because to fail to do that, to insist on a technical reading of this rule, and not allow this or something like it on the floor, is to jeopardize the lives of every single American for a trivial cost. And I urge that the Republicans allow, we have been trying some version of this for 3 years now. We have never been able to get a vote. But the safety of the American people is at risk if we allow 11 million shipping containers, 40-foot boxes into the ports of our country without scanning them, and knowing only what someone says is in them, not what is really in them.

The Acting CHAIRMAN. The Chair is prepared to rule on the point of order.

The Chair finds that this amendment directly does amend existing law. The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

AMENDMENT OFFERED BY MR. WAXMAN

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WAXMAN:

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

SEC. ____. None of the funds appropriated or otherwise made available by this Act shall be obligated or expended by the Secretary of the Army or his designee to award a contract to any contractor if the Defense Contract Audit Agency has determined that more than $100,000,000 of the contractor's costs for contracts involving work in Iraq under one or more Army contracts were unreasonable.

The Acting CHAIRMAN. Pursuant to the order of the House of Wednesday, March 15, 2006, the gentleman from California (Mr. WAXMAN) and the gentleman from Florida (Mr. YOUNG) each will control 10 minutes.

The Chair recognize the gentleman from California.

Mr. WAXMAN. Mr. Chairman, I yield myself such time as I may consume. Three years ago, Congress and the American people were told that the Iraq War would be quick and inexpensive. Senior administration officials told us that rebuilding Iraq would cost less than $2 billion. And we were told that Iraq would be able to finance its own reconstruction with its oil revenues.

Well, 3 years later, we know that these assurances were completely unfounded. The war has cost hundreds of billions of dollars. We squandered over $20 billion on reconstruction projects that have left basic services below prewar levels. And these massive costs have contributed to record budget deficits at home.

There are multiple causes for the enormous burden placed on the taxpayer. President Bush and his advisors grossly underestimate the insurgency. They failed to engage our allies in the rebuilding effort, and they vastly overestimated the amount of oil Iraq could sell to funds its reconstruction.

The amendment I am offering with Mr. DINGELL addresses part of the problem, rampant waste, fraud and abuse in Federal contracting under the Bush administration. The largest contractor operating in Iraq is Halliburton. Government auditors have repeatedly caught Halliburton red-handed. They have found over a billion dollars in unreasonable and unsupported charges.

Let me repeat this. Federal auditors have found Halliburton's unreasonable and unsupported bills exceed $1 billion. Yet over and over again, this administration has ignored its own auditors. The Pentagon's auditors have found over $260 million in unreasonable and unsupported costs when they examine Halliburton's no-bid contract to restore Iraq's oil field.

Independent industry experts call Halliburton's charges ''highway robbery.'' But as this chart shows, the Bush administration ignored these findings and paid Halliburton for 97 percent of its overcharges and then gave Halliburton millions in additional bonuses. These same Pentagon auditors rejected $200 million in dining hall expenses because Halliburton charged for meals it never served to the troops. But the Bush administration ignored the auditors and paid 75 percent of the challenged costs and tripled Halliburton's profit on the contract.

The auditors got so frustrated with Halliburton that they warned Pentagon officials not to enter into any more contracts with the company. But 3 days later, the Bush administration gave Halliburton a new $1.2 billion contract in Iraq. And these are not the only problems.

More than 50 cases of contract fraud in Iraq are currently under investigation. And administration officials cannot account for over $8 billion in Iraqi oil proceeds. This kind of incompetent and egregious mismanagement is hard to believe. No matter how many times they bilk the taxpayer, politically favored companies keep getting more and more Federal contracts.

The administration has a duty to safeguard taxpayer dollars, but it is shirking that responsibility. We need to pass this amendment to end this costly cycle.

This is an amendment that is very simple. It will prohibit the administration from using the funds in this bill to award new contracts to any company that has overcharged the government by $100 million or more in Iraq.

This is just common sense. No company that squanders over $100 million of taxpayers money should be rewarded with new contracts. If the administration will not protect the taxpayer against waste, fraud and abuse, the Congress must act. For the sake of the taxpayers and the troops, I urge support for this amendment.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, on the surface of this amendment, it is sort of interesting, because none of us want to see any money wasted or any money spent improperly. The problem that we have here, Mr. Chairman, is that we just got a copy of this amendment late last night and other Members only got it this morning. This could have very far reaching effects, not only on future contracts, but on existing contracts. And I would hate to see the logistical flow of supplies to our troops in the field interrupted because of this amendment.

Frankly, I was tempted to accept the amendment, but having thought about it, we just really have not had time to know exactly what the effect is going to be. So I rise to oppose the amendment and I would be happy to work with the gentleman as we proceed through this bill or the regular defense bill to try to work with him to accomplish what he wants, but we need to know what it is that this amendment does and it is a little bit complicated.

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

Mr. YOUNG of Florida. I yield to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, I want to assure you we were very careful in drafting this amendment. It is prospective. It would not affect the funding of existing contracts for troop support. They will continue untouched. The amendment simply says we will not reward companies with new contracts after they overcharge the taxpayers by $100 million. I hope that will allay the gentleman's concerns.

Mr. YOUNG of Florida. Reclaiming my time, I thank the gentleman for his comments, but it is important that the defense committees know for a fact as opposed to the debate on the floor. So we have got to oppose the amendment at this time.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. HUNTER), the very distinguished chairman of the Committee on Armed Services.

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding. This is

aimed at the company Halliburton. That is very clear.

The papers are awash with Halliburton and have been for several years. Halliburton employs lots of Americans. And I do not have the exact number of KIA, but they, like our soldiers in the field, the people that drive those trucks and work those logistics to support our Marines out in the western area of operations out in Fallujah and our Army personnel out in Mosul and Tikrit and other remote parts of Iraq, those people risk their lives every day.

I will say to the gentleman, as I recall, over 20 of them have been killed in action, people like the Halliburton drivers. People have been captured by the enemy and some of them held hostage, unable to escape. Most of the people, the vast majority of the people that work for this contractor, like lots of contractors that support our American military overseas, are good, hardworking people. And if you look, if you go up and eat with the Stryker brigades up in Mosul, or the 101st in Tikrit or the Marines in Fallujah, and you go into their mess halls and you look at the operation and you see the fuel that is delivered, you see the ammunition that is delivered, you see the treatment, the quality of life for our military people, you will understand then that is primarily a result of American corporations which support the war effort. And that is a fact of life.

Now, the idea that prices have been unreasonable and that there are contracts where they have abused the American taxpayer or abused the contract process, let us take that under the regular order. And if that is true, let's hold people accountable. Let's hold the corporation accountable. But the idea that we single out a group of people which is thousands and thousands of Americans who support our fighting personnel and basically paralyze that operation is unreasonable.

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

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

We have been working on this investigation about Halliburton for years, and we have written letters asking for hearings over and over again. The committee has not held a hearing on these overcharges. I do not know why the Armed Services Committee has not held a hearing on it, but it sounds to me a bit disingenuous when they say we have not had a chance to look at this matter.

I support hardworking people on the ground that are working for Halliburton and other private contractors, but I do not think they would support the idea of their own corporate CEOs and shareholders getting rich unfairly for charges that are not reasonable. That is what this amendment is all about.

So it seems to me that it rings a bit false when we hear these kind of arguments against the amendment. Oh, we have not looked at it. Why haven't they looked at it? Oh, it might affect people serving the troops now. Well, that is just absolutely untrue.

So I continue to urge support for the amendment.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman I thank the gentleman for yielding me time. I rise in support of the Waxman-Dingell amendment which is about waste, fraud and abuse. That is it. And this is the full extent of the amendment, eight lines, very simple.

All it says is that none of the funds appropriated or made available by this Act shall be obligated or expended by the Secretary of the Army to any contractor if the Defense Contract Audit Agency has determined that more than $100 million of the contractor's costs for contracts involving work in Iraq under one or more Army contracts were unreasonable.

So we have set up a process to get rid of waste, fraud and abuse. How long does it take to figure that out?

I cannot imagine that anybody in this body wants to fund waste, fraud and abuse, particularly in excess of $100 million. That is what this is about.

Last June, Congressman WAXMAN released a report documenting a stunning $1.4 billion in questioned and unsupported charges by Halliburton in Iraq. Don't we want to know about that?

Last month, The New York Times reported that the Bush administration ignored 97 percent of the recommendations made by Pentagon auditors and awarded Halliburton over $250 million under its Iraq oil contract. And just last week, a Federal jury found that another firm, Custer Battles, defrauded the government by millions of dollars under just one of its Iraq contracts.

□ 1600

So how does this Congress justify ignoring blatant stealing? Do we not all want to get at that? I mean, too many of our soldiers have been asked to do without proper body armor and equipment, and they come home to reduced benefits, and this Congress has found it easy enough to say no to our soldiers; and yet every single time we have been able to say yes to Halliburton.

Is it not time that all of us agree that it is wrong to have this kind of waste, fraud and abuse and to pass this simple amendment?

I urge a ''yes'' vote.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield an additional 2 minutes to the gentleman from California (Mr. HUNTER), the distinguished chairman of the Armed Services Committee.

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

Let me just say to my colleagues here who have stated that we should hold up our contracts and not give new contracts until past contracts are found to be reasonable versus unreasonable, Members have stood on this floor and have called every weapons system since the first Persian tank unreasonable in cost. The B–2 has been called unreasonable. Every ship in the navy has been called unreasonable in the cost. Every fighter aircraft has been called unreasonable in the cost.

The idea that you are not going to have any action on these contracts unless you have a congressional hearing is not true. There is no committee here that has the ability to enforce or not enforce a contract. You have dozens, in fact hundreds, of government lawyers who have every opportunity, indeed have the charge, of going through complex contracts, and where they find that the contract was violated by the contractor, and there are lots of contractors around who are bankrupt to attest to this, that that contract is then acted upon, damages are extracted; and all these are things that we have put in our system of laws.

Now, the idea that you are going to take a major part of the support of an ongoing shooting war and you are going to paralyze it and say, well, it is only for present contracts, the next one that comes up next month, that is going to be different, but you are going to allow present contracts to continue. That could mean that you have got a hiatus in capability, a hiatus in the expertise of these people who have gone out, wearing the uniform of American contractors, put themselves in harm's way and, over the last several years in this war, developed a real expertise.

So I know the gentleman's amendment may play well politically in some quarters, but I think it is bad for the men and women who wear the uniform of the United States because the contractors we are talking about are the people supporting them right now in Iraq and Afghanistan.

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

Mr. Chairman, the gentleman from California, the chairman of the Armed Services Committee, says that reasonableness is something that could be subjective. Some people think that certain weapons systems may not be reasonable. Well, reasonableness is not some vague standard we picked out of the air. It comes directly from section 31.201–3(a) of the Defense Contract Audit Agency's ''Contract Audit Manual.'' That provision reads: ''A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person in the conduct of competitive business.''

Every government auditor knows this standard. It is a standard that the Pentagon's own auditors apply to Halliburton. It is the standard that was flouted by the Bush administration, and it is the standard that my amendment would reaffirm.

Now, this last argument, Halliburton's got an expertise and, therefore, they should get future contracts

because we may not be able to find someone else with the expertise, and, therefore, we should ignore overcharges, unreasonable charges in excess of $100 million dollar in the past, that is an incredible argument. No matter how many times we may be the victims, or our taxpayers may be the victims, of waste, fraud and abuse, we should continue to pay? That is absurd.

Now, I just submit that we are following the very clear standard in the law, and our amendment does not plow any new ground, and I would urge support for the amendment.

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

Mr. YOUNG of Florida. Mr. Chairman, how much time do we have?

The Acting CHAIRMAN (Mr. BISHOP of Utah). The gentleman from Florida (Mr. YOUNG) has 4 minutes remaining. The gentleman from California (Mr. WAXMAN) has 30 seconds remaining.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 additional minute to the gentleman from California (Mr. HUNTER).

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

One thing my distinguished friend from California (Mr. WAXMAN) has not shown us is how American laws, existing laws in contract, that govern the acquisition of systems and the acquisition of services, how those laws are not applicable to this American corporation, and so, therefore, we have to say, stop, we are not going to do anymore business with this corporation.

In fact, all the laws that go toward the enforcement of contracts and the contract itself, of course, are enforceable. Fines can be extracted. Other remedies can be extracted; and if there is, in fact, fraud, and I have heard the term ''fraud'' used in this debate, if there is fraud, that is a crime in contracting. If you commit crime in contracting, you can go to jail. There is no Member of this Chamber who, if a contract is broken between the United States Government and any of our contractors over there, there is no one in this Chamber who is going to say that we should not extract our full remedy under the laws we create and if people are involved in criminal action that they should not be prosecuted.

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

Mr. Chairman, $40 for a case of soda, $100 for a bag of laundry, torching an $80,000 truck instead of replacing flat tires, charging 40 times more to transport fuel than reasonable, these are some of the things that Halliburton has been called to task for, not by Democrats, but by the auditors, the professional auditors at the Department of Defense; and they should have been penalized for doing that.

Now, what was, was; but let's don't in the future give them contracts to abuse us again.

The Acting CHAIRMAN. The gentleman's time has expired.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. MURTHA), the very distinguished ranking member on the Defense Appropriations Subcommittee.

Mr. MURTHA. Mr. Chairman, I am nervous about the amendment. I am nervous because I am not sure, when we have got people out there making contracts for the troops out in the field, there is no question all of us want to take care of the fraud and abuse, all of us. Nobody's done more of a job than you have, the gentleman from California; but I get nervous when we are doing something prospectively. We are not sure of the impact.

I think we would have to change this in conference anyway because we just do not know enough about the impact. You assure us. They are worried about it. So I am very worried about this amendment. I think we would be better off letting the system take care of it. I think when you have fraud and abuse, it has got to be taken care of.

The Congress has the oversight responsibility, but I am not sure legislating for the future is going to solve the problem. That is the thing that worries me.

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

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

Mr. WAXMAN. Mr. Chairman, the system has failed because the Bush administration paid 97 percent of the charges that the Pentagon auditors found to be unreasonable. So our amendment is structured to apply in the future.

We will have a chance to continue to look at this. I feel comfortable that this is not going to jeopardize anything that is going on in Iraq today and certainly not the existing contracts such as the ongoing logistical contract which Halliburton still has; but for the future, if any company has overcharged by $100 million, we should not be rushing out there and giving them a new contract.

Existing contracts are existing contracts. They should not be rewarded for that overcharging.

Mr. MURTHA. Mr. Chairman, reclaiming my time, I just worry when we do something like this prospectively, we might affect what is going on in the field. None of us want to stop a contract for services to the troops in the field right now, and I think you agree with that.

Mr. WAXMAN. Mr. Chairman, if the gentleman will yield, I respect that. I agree with you. That is why we were very careful in the way we drafted this amendment.

Mr. MURTHA. I know you believe that, but I would err on the side of trying to prevent it. So at this point I would be against the amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of the time.

I would like to say that this is not about a particular company. This is about a policy change, a policy change that we have not had any opportunity to review, with no hearings. We only learned about this amendment late last night, and it is a policy that should not be changed here on the floor without the benefit of some backup hearings and actual review.

Like I said, it sounds like a good idea; but we have just got to be sure. We do not want to interrupt the logistical flow of what our troops need to carry out their mission. There is a major mission under way in Iraq as we speak, Operation Swarmer, and it is the biggest air operation since the war started. We cannot afford to upset an ongoing operation like that.

We have got to support our troops, and if a policy change like this has a negative effect, that is just not good. It is not good for our troops. So I would hope we would oppose this amendment.

Mr. DINGELL. Mr. Chairman, I rise in support of this amendment to deny further awards of contracts to contractors that have been found by the Defense auditors to have billed the government for more than $100 million in unreasonable costs.

From the moment Representative WAXMAN and I learned about secret no-bid contracts given to large companies like Halliburton in 2003, for activities in Iraq, we have tried to get the facts on the matter. And it has not been easy to get those facts.

In the course of our investigation, with the help of the Government Accountability Office, we have learned of some pretty terrible things. First, we found that Halliburton was importing oil into Iraq at extremely high prices. We were particularly concerned about the company's decision to import gasoline from Kuwait at a price far above market levels.

Eventually, Defense auditors agreed and found that there were $263 million in unsupported and questioned costs in these contracts. Yet last month, the Corps of Engineers ignored their auditors and reimbursed Halliburton for $254 million—all but $9 million of the questioned costs.

This follows a pattern with Halliburton. The Defense auditors had previously questioned $200 million in costs for meal services provided by the company, which again was overruled by the Army, which gave the company $145 million.

This amendment to deny new contracts to companies that have a history of billing the government for questionable costs is hardly novel. In January, 2004, the Defense Contract Audit Agency itself recommended that the Corps not enter into new contracts with Halliburton, but 3 three days later the Army awarded Halliburton a new $1.2 billion contract.

The amendment before us will ensure that taxpayer money will go to support the troops and help rebuild infrastructure and not fatten the pockets of contractors that have a history of questionable billing practices. I emphasize this amendment will not take any funds away from troop support, but will help support the troops.

It is an embarrassment that there have been virtually no Congressional hearings on the matter. Instead, we must act legislatively.

The best course of action to ensure that our money is going where it is needed in support of the troops is to put an end to future contracts with companies that are serial overchargers. Vote for this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. WAXMAN).

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

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

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MS. VELÁZQUEZ

Ms. VELÁZQUEZ. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. VELÁZQUEZ:

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

SEC. ____. (a) None of the funds made available in this Act may be used to enforce a deadline described in subsection (b) under section 7(b) of the Small Business Act (15 U.S.C. 636(b)).

(b) Subsection (a) applies to any of the following deadlines:

(1) The deadline of April 10, 2006, for physical loan applications and the deadline of May 29, 2006, for economic injury disaster loan applications, as noticed by the Small Business Administration for Major Disaster Declaration numbers 1603 and 1604.

(2) The deadline of March 11, 2006, for physical loan applications and the deadline of May 29, 2006, for economic injury disaster loan applications, as noticed by the Small Business Administration for Major Disaster Declaration number 1605.

(3) The deadline of April 10, 2006, for physical loan applications and the deadline of June 26, 2006, for economic injury disaster loan applications, as noticed by the Small Business Administration for Major Disaster Declaration numbers 1606 and 1607.

The Acting CHAIRMAN. Pursuant to the order of the House of Wednesday, March 15, 2006, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Virginia (Mr. WOLF) each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

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

As we all know, the recovery process in the gulf area continues to be ongoing. Victims are still digging out from debris, and many are unable to even get back to their homes and businesses. Unfortunately, these problems have been compounded by the failure of the SBA to provide disaster assistance to these victims.

I offer this amendment today to ensure that the thousands of homes and business owners in the gulf area are not unfairly denied the opportunity to file for a disaster loan. This amendment will give the victims of the hurricanes in the gulf the time they need to assess their situation and make informed decisions about applying for disaster loans.

Without this change, the SBA, by imposing an arbitrary deadline, will create additional and unnecessary hardships on a group of people who have already suffered enough.

The SBA's failures are clearly documented. In response to the hurricanes in the gulf, the SBA issued 2.1 million applications to businesses, homeowners and individuals seeking financial assistance. As of just a few weeks ago, only 400,000 of these applications have been submitted to the SBA for processing. The balance of the applications, 1.7 million, or 80 percent, remain outstanding.

The reasons for these low return rates are plentiful. SBA has failed to supply the necessary assistance to fill out the massive application forms. Potential applicants are being incorrectly told that they are not eligible. On top of this, SBA has also failed to implement an outreach plan in communities to make eligible applicants aware of this program.

Rather than recognizing these problems, the SBA has set March 11 and April 10 application deadlines for physical injury loans, which are the main source of assistance for homes and businesses with physical damage. If these deadlines are maintained, it would have the effect of leaving many potential applicants without the ability to secure Federal financial assistance.

This amendment will make sure that SBA stays in the gulf until the job is done.

The failures of the SBA have already created unnecessary hardship and frustration in the gulf region. SBA has declined an unprecedented 65 percent of loans. The agency has a backlog of over 60,000 loans. SBA has a processing time of 80 days, nearly triple the normal time. All of these issues have created confusion and consternation among residents.

By voting for this amendment, we will make sure the victims of this disaster are not punished for the failures of our Federal Government. We cannot turn our back on these victims.

I urge a ''yes'' vote on this amendment.

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

□ 1615

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

The chairman of the Small Business Committee opposes this amendment, the chairman of the authorizing committee. This amendment keeps the application period for SBA disaster loans open indefinitely. This could expose the disaster loan program to waste, fraud, and abuse that would virtually be impossible for the SBA to accurately verify losses as more time elapses from when the hurricanes struck the gulf coast.

This amendment is also unnecessary because the administration has already had the ability to extend the application deadline, and has done so three times. So if they have the ability to do it, and they have done it, and they have done it three times, and your authorizing chairman would oppose it, why would you want to do it? In fact, the deadline was just extended for another 30 days, to April 10, for Hurricanes Katrina and Rita.

So, if there was a need, the administration would do it again. If the gentlewoman wants to change the parameters of the disaster loans, she should work within her position and with the ranking member and come up with something that everyone could agree on.

In the interest of time, I would just say that I oppose the amendment. It can lead to a lot of problems.

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

Ms. VELÁZQUEZ. Mr. Chairman, I yield myself 1 minute.

Let me just say that SBA, before we start talking about deadlines, we need to get SBA to process the 60,000 applications that are in backlog. They need to do a better job in educating people so that we can get more than 19 percent of the applications back.

They need to fix the system where they have been declining 60 percent of all the loans that have been submitted to SBA. They need to do the job before they pull out, and that is an excuse for them not to do the job.

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

Mr. WOLF. The administration has extended this several times.

Secondly, the gentlewoman seems to constantly be criticizing SBA at every turn. We are going to ask the National Academy for Public Administration, somebody, to find truth out here and then begin. If you constantly browbeat and it is not accurate, you should be careful when you say things, because words mean things.

The chairman was before our committee yesterday. And so what we are going to do is, we are going to ask the National Academy of Public Administration to take a look at all these charges that go back and forth, because if we are constantly attacking Federal employees in program after program after program, I mean words matter. We just can't use this institution to attack people.

This place has turned into a partisan pit and it is time to bring some objectivity. So what we are going to do, we are going to take all of your charges, all of your comments, all of your complaints, all of your criticisms, all your condemnations and ask the National Academy of Public Administration to look at it to find out some truth.

This is a bad amendment. You are on the authorizing committee. You could do it. If we are going to do everything here, why do we even need an authorizing committee?

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

Ms. VELÁZQUEZ. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN (Mr. BISHOP of Utah). The gentlewoman has 90 seconds.

Ms. VELÁZQUEZ. Well, let me just say this. Isn't it true that there are 60,000 applications in backlog? Isn't it true that 19 percent, only 19 percent have been processed? Isn't it true that there is 65 percent declined on loans approval?

This is not about partisanship, this is about victims who are suffering, who are losing their businesses, who are losing their jobs. This is what this amendment is all about.

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

Mr. WOLF. Mr. Chairman, do I have the right to close?

The Acting CHAIRMAN. Yes.

Mr. WOLF. Then I reserve the balance of my time.

The Acting CHAIRMAN. The gentlewoman from New York has 1 minute remaining.

Ms. VELÁZQUEZ. Mr. Chairman, in a hearing yesterday on the disaster loan program, we heard two different stories on this equation in the gulf. We heard from the SBA administrator who said that everything is great. He told the committee that they are processing record numbers of loans and that there are virtually no problems. At the same time, we have a small business owner, Patricia Smith, who came in from New Orleans and told her story.

She told the committee how she could not find a Federal official to help her apply for a loan and how she spent hours working through paperwork. She told us that it took months to hear back on the status of her loan and that she was wrongly denied. The woman also shared that there are thousands out there with the same story.

The view from Washington, and what is actually going on in the gulf coast region is very different. By extending the deadline for disaster loans, we will give victims the ability to assess their situation and make an informed decision about getting an SBA loan.

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

Mr. WOLF. How much time do I have, Mr. Chairman?

The Acting CHAIRMAN. The gentleman from Virginia has 2 minutes remaining.

Mr. WOLF. Several years ago, you said if we abolished the loan guarantees, the world would come to an end. We abolished them, and now the number of loans are up. They are at a record number.

So what we are going to do, and I think the body should know, we want the SBA to work well, we want them to make the loans, but if we are constantly hammering and criticizing and condemning and governing by press release we don't get very far. So what we are going to do is we are going to ask the National Academy of Public Administration, a nonpartisan group, to come in and look at the gentlewoman's charges and all these things and come back and give us an honest report so we will know. But if we are just harassing Federal employees and criticizing them at every step of the way, we really don't accomplish very much.

And I would say that you did say, and I will submit for the record what you said about abolishing the loan guarantees, but by doing that, we saved the taxpayer about $170 million. The loans are up. That was basically a subsidy for the bankers. The banking lobby wanted that and we took it away and now we saved the taxpayers money.

This is a bad amendment. Vote it down.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ).

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

Ms. VELÁZQUEZ. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MS. VELÁZQUEZ

Ms. VELÁZQUEZ. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. VELÁZQUEZ:

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

SEC. ____. None of the funds made available in this Act may be used to make or guarantee a loan under section 7(b) of the Small Business Act (15 U.S.C. 636(b)) other than a loan for which the borrower is charged an interest rate in accordance with section 7(c)(5) of such Act, as in effect on the date of the enactment of this Act.

The Acting CHAIRMAN. Pursuant to the order of the House of Wednesday, March 15, 2006, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Virginia (Mr. WOLF) each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Chairman, while the House will begin debating the budget resolution in the coming weeks, this amendment offers the first vote on one of the initiatives introduced in the President's 2007 budget. This amendments provides Members the opportunity to send a clear message that victims of disasters should not be subject to additional and unnecessary burdens by the Federal Government.

Buried in the President's budget submission was a proposal to raise the interest rates on SBA's disaster loans. This initiative will eliminate the current caps on interest rates and allow for the SBA to charge higher rates on disaster loans. This could mean that interest rates go up by as much as 50 percent.

The end result will force those who had their homes or businesses destroyed to pay for our budget problems here in Washington. I offer this amendment today to ensure that we stop this wrongheaded proposal in its tracks. It puts Congress on record making it clear that an attempt to create additional hardships on disaster victims will not be tolerated.

Given all the missteps by FEMA and SBA in the gulf, Congress should not be adding to the problems of those hit by a natural disaster. Findings by the General Accounting Office, various inspector generals and congressional panels have revealed the numerous ways the Federal Government has failed our citizens in the gulf. By supporting this amendment, Congress will be saying that we stand together in these difficult times.

I am a firm believer in balancing our spending priorities, but this proposal is beyond the pale. I find it hard to believe, particularly given all the wasteful spending in Washington, that the only place to find funding is on the backs of disaster victims. Whatever happened to compassionate conservatism?

The effect of the administration's proposal will mean increased costs by thousands of dollars for disaster victims. It is alarming that despite all the problems with the management of the disaster loan program the only change the President offered in his budget was to increase the cost on disaster victims.

We agree that changes need to be made to the disaster loan program, but this is not one of them. By voting for this amendment, Congress expresses its commitment to rejecting this bad idea. I urge a ''yes'' vote on this amendment.

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

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment. This amendment has absolutely, positively, categorically nothing to do with an emergency supplemental bill that we are considering today. It is an attempt to stop a legislative proposal related to the fiscal year 2007 budget, which, as an authorizer, you will get to have that opportunity. And it will come out on the floor one way or the other, and the Congress will have the opportunity to vote on it.

The proposal will have to be considered by the committee. SBA cannot unilaterally make the changes. So the Congress should know that the authorizers in the Congress set the rate. It is not the administration. So we are going to have that opportunity when Mr. MANZULLO and the members, minority and majority, make it.

Lastly, it is not necessary and it will have no effect, because it is just simply an attempt to prejudge a proposal by the administration for next fiscal year, and that is not something that you would do in a supplemental. If you would do that in a supplemental bill, we should just abolish every other bill and put everything in a supplemental bill, because then everything is a supplemental.

So it is a bad amendment, and I urge you to vote ''no.''

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

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

I would simply note, given what the gentleman just said, that is exactly what we have done with Iraq. Every dollar of the Iraq war has been financed through a supplemental appropriation. That is the way the administration has been able to hide from the taxpayers the full long-term cost of this war. That is the way they have been able to avoid systematic oversight. They put it in a supplemental, and then it is a must-pass, hurry-up, piece-at-a-time operation. Eventually you get the whole pie, but you get it in pieces, and the public doesn't know what the total picture is.

So I would simply say that I was kind of amused by that comment because the administration is way ahead of all of us. They decided a long time ago that they are going to supplemental the Congress to death, and they put every possible dollar they can into supplementals. They have yet to spend $1 in a regular defense appropriation bill for Iraq.

So I just find it interesting that one person is expected to live up to a standard that the administration itself won't live up to.

Ms. VELÁZQUEZ. Mr. Chairman, I yield myself 1 minute.

Let me just say that this is a cornerstone of the President's budget for SBA, and I think it is important that Congress go on record on this issue, particularly for us Democrats. And what we are saying today is, it is a bad idea, and we need to make it clear from the beginning, from the start, that we want to balance the budget but not at the expense of disaster victims.

And that is exactly what we are doing with this amendment today. We must prevent any of these funds from being used for higher interest loans in disaster loans for victims. We have to make sure that if money is carried over, that it will not be used for higher interest loans that will impact disaster victims.

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

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

Ms. VELÁZQUEZ. How much time do I have remaining, Mr. Chairman?

The Acting CHAIRMAN. The gentlewoman has 1½ minutes.

Ms. VELÁZQUEZ. I yield myself the balance of my time.

Mr. Chairman, this amendment would ensure that the disaster loan program remains an affordable source of capital for those affected by future disasters. When the program works, it has served to create the public-private partnership that balances the needs of fiscal constraint and compassion for our fellow Americans.

The administration's proposal to raise interest rates on disaster loans will simply leave the victims to fend for themselves.

□ 1630

In the end, it is in our best economic interest to get these communities back up and running and creating the jobs they have proven they can create. By voting ''yes,'' we are telling the administration that raising interest rates on disaster loans is a bad idea and Congress will not support it. I urge a ''yes'' vote.

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

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

We would like to work with your staff and have our staff sit down so we can ask NAPA questions that you think are important, issues like this and other issues. What we want to do is work with you, get the National Academy of Public Administration to answer these questions and so we can find out one way or the other. Would that be appropriate?

Ms. VELÁZQUEZ. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Chairman, I would be happy to do that; but I have to tell you, victims in the gulf region cannot wait until we have such a discussion, and that is why this amendment is important to be voted on today.

Mr. WOLF. But if there is something wrong with regard to the SBA, I think it is important to find that out and identify that with Mr. MANZULLO and ask any questions you want to have NAPA answer so we can put it together and finally get to the bottom.

I urge a ''no'' vote on the amendment.

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

The Acting CHAIRMAN (Mr. BISHOP of Utah). The question is on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ).

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

Ms. VELÁZQUEZ. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MS. LEE

Ms. LEE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. LEE:

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

SEC. ____. None of the funds made available in this Act may be used by the Federal Emergency Management Agency (FEMA) to implement, administer, or enforce the termination of the hotel and motel emergency sheltering program established by FEMA for families displaced by Hurricane Katrina and other hurricanes of the 2005 season.

The Acting CHAIRMAN. Pursuant to the order of the House of Wednesday, March 15, 2006, the gentlewoman from California (Ms. LEE) and the gentleman from Kentucky (Mr. ROGERS) each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

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

This amendment is very simple. This amendment would prevent FEMA from evicting from hotels and motels the thousands of families who were affected by the hurricanes on the gulf coast last summer.

Mr. Chairman, 6 months ago, the entire world watched the wealthiest, most powerful country on Earth turn its back on those who couldn't afford to evacuate their homes in advance and during the hurricanes. People were left to fend for themselves on rooftops, trying to save their lives and the lives of their families.

We cannot sweep under the rug the faces and the images of those who were disproportionately abandoned by their government. Unfortunately, today, 6 months after the storm, the majority of these people are still fending for themselves. The people of New Orleans and the gulf coast have experienced more tragedy and more suffering in the last 6 months than anyone should have to face in a lifetime. It is bad enough that they suffered through one of the worst natural disasters in the history of United States, it is bad enough that they lost their homes and their jobs and their livelihoods, it is bad enough that they are suffering mental breakdowns, high suicide rates and high rates of post-dramatic stress. And it is bad enough the insurance companies are trying to dodge their obligations to pay out claims to property owners.

But now to add insult to injury, yesterday their own government, our government, ended payments for hotel and motel rooms for thousands of displaced Katrina evacuees. Where will all of these people go? We already have a huge homeless population in this country. Why are we creating a new generation of Katrina homeless?

This lacks morality and is about as low as you can go. What benefit does the Federal Government have in kicking people when they are down?

Today, the newspapers are filled with accounts of people who were kicked out of their rooms and have no place to go. There are reports of families piling their possessions out of hotels and motels and into trucks, but with nowhere to go. This is just disgraceful. What kind of a message do we send with these evictions? What do we say to the rest of the world? What does it say about our values and our priorities and really what we believe in terms of putting people first?

I believe we have to send a different message, and we can do that today. We

have to reject the actions of FEMA and this administration and prevent people from getting kicked out of their hotel and motel rooms.

By passing my amendment, we would block FEMA from using any money in this bill to evict people living in hotels and motels as a result of Hurricane Katrina. We should not allow FEMA to dump people on the streets. That is just plain wrong. That is all it is, it is wrong. That should not be done. This is unjust.

Let us help at least stabilize their lives and give them a safe place to sleep without worrying about being on the streets. Mr. Chairman, I urge my colleagues to support this amendment.

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

Mr. ROGERS of Kentucky. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to this amendment which would prohibit FEMA from terminating its hotel and motel emergency sheltering program. This language is overly restrictive. At its peak, FEMA had more than 85,000 hotel rooms rented per night. The current subsidized hotel-room population is 3,780 households with the vast majority being in Louisiana.

FEMA is now in the process of transitioning these remaining hotel/motel residents into more appropriate housing. We do not want families living in motels. We all want to see those families in a better environment, longer term housing solutions such as apartments and the like.

This transition will occur over the coming weeks. To date, over 2,500 have already been matched up against not-yet-ready temporary housing, trailers, apartments and the like. The remainders include hard-to-place individuals, the disabled and people like that; and FEMA will continue to provide hotel/motel assistance to those people until a suitable temporary housing solution is identified and prepared.

Members should be assured that people are not being thrown out in the streets. FEMA is working with families to place them in appropriate housing solutions. This amendment would keep in place a program in the long term that is not good for the recipients or anyone else. So I urge Members to vote against the amendment.

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

Ms. LEE. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WATERS), who is a real leader and was down there helping people save their lives during this tragedy.

Ms. WATERS. Mr. Chairman, I simply wanted to come down here and support the gentlewoman's amendment because yesterday 4,007 codes expired. We do not know where those people are. We do not know if they have housing. As a matter of fact, there are news reports this morning that are telling us there are people who have nowhere to go.

I thank the gentlewoman for attempting to send some direction to FEMA. It is shameful and outrageous what has happened with the poor victims of Hurricane Katrina. From the time they started with the shelters until now, they have not come up with a reasonable program by which to provide housing.

I thank the gentlewoman for everything she has done, and I simply hope we can get support for this amendment so that the $88 billion that we have appropriated to deal with this catastrophe can be used. I know FEMA has used 25 percent of this money on administrative costs. That is outrageous. We want that money to be used to provide shelter to the people who need it.

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

This issue speaks to who we are as a country. We know there are people living on the streets, and we know there are people who have been really just played around with in terms of you have to evict, you do not. You have 5 more days; you have 10 more days. You have to call this number and get a voucher. Maybe we will extend it another week; maybe it will be 2 weeks. The deadline is tomorrow.

What in the world are these people supposed to do, Mr. Chairman? I think until we fix this where everybody has decent transitional housing, we should just say ''no'' to evictions. That is what this is about. ''No'' to evictions to people who have already been traumatized and hurt.

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

Mr. Chairman, it is not true that the time is up. Eligible Hurricane Katrina victims with no other housing means may be eligible for 3 months' worth of housing assistance. And the deadline application for individual assistance has been extended until April 11. So I would urge defeat of this amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

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

Ms. LEE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT OFFERED BY MS. LEE

Ms. LEE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. LEE:

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

SEC. ——. None of the funds made available in this Act may be used by the Government of the United States to enter into a basing rights agreement between the United States and Iraq.

The Acting CHAIRMAN. Pursuant to the order of the House of Wednesday, March 15, 2006, the gentlewoman from California (Ms. LEE) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentlewoman from California.

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

First, I would like to thank the gentleman from Maine (Mr. ALLEN) for working with me on this amendment and for his leadership and for being here to speak on this today.

This amendment is not about the war, although I offered an alternative to keep us out of Iraq when this war began. This amendment is not about bringing our troops home, although I believe we should do that and do it right away.

This amendment is not about holding the President accountable for misleading us into an unjust and unnecessary war, although he should.

Mr. Chairman, the amendment I am offering is very simple. It would provide that no funds would be used under this bill to enter into military base agreements between the United States and Iraq. Stating this will clearly indicate that the United States has no intention of making military bases permanent.

Mr. Chairman, can't we all agree on that right here and now, that we should not be in Iraq permanently? Unfortunately, this administration's position is unclear.

The President shares our views and said as much, I thought. On April 13, 2004, President Bush said, ''As a proud and independent people, Iraqis do not support an indefinite occupation, and neither does America.''

But just yesterday, General Abizaid, the general in charge of U.S. troops in Iraq, told a Defense Appropriations Committee that the U.S. could end up having bases in Iraq. So I think we need to be clear. The aim of my amendment is to simply codify the sentiment that the President and many of our constituents and many of us strongly believe here.

As we stand here today, the United States has renewed a bombing campaign against the insurgents, the largest assault since the invasion; and this is taking us in exactly the wrong direction. Destroying villages in the hopes of routing out insurgents only creates more insurgents.

In adopting this amendment, we can take the target off our troops' backs by sending a strong and immediate signal to the Iraqi people, the insurgents, and the international community that the United States has no designs on Iraq.

This very simple point is supported by a poll conducted by the University of Maryland's Program on International Policy Attitudes earlier this year. They found that 76 percent of Iraqis believe that the United States

will maintain bases in Iraq permanently even if the newly elected government asks the United States to leave Iraq.

Mr. Chairman, we need to be on record that we must not have permanent military bases in Iraq. I urge my colleagues to support this amendment.

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

□ 1645

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

Ms. LEE. Mr. Chairman, I yield 2 minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I thank the gentlewoman for yielding me the time and also for her leadership on this issue. She and I both have bills to make U.S. policy that there be no permanent military bases in Iraq; and that is what we are, an amendment to that effect is here today. It reads that none of the funds made available under this act may be used by the government of the United States to enter into a basing rights agreement between the United States and Iraq.

It is true that the administration is unclear on this. Secretary Rumsfeld has said we have no plans or no discussions under way to have permanent bases in that country. But I just got off the phone with a reporter from Maine who said his son served there and those aren't temporary bases that we have there.

General Casey has said that we should gradually reduce the visibility of coalition forces across Iraq because that would take away one of the elements that fuels the insurgency.

What we have learned in a very painful way is that the opinions of other people matter. The opinions of the Iraqis matter. They believe we came there to take their oil, and they believe that we are going to stay there permanently. We have to make an official U.S. policy that we will not stay in Iraq on a permanent basis, that we are going to withdraw our troops, that we will not have military bases there; and that will help diminish somewhat the insurgency that is raging there today.

Just last week General Abizaid testified that the United States may still wish to maintain a long-term presence in the region. It is that kind of confusion, those kinds of mixed signals that we need to clear up with this amendment today.

The Zogby poll recently indicated that 70 percent of American troops believe we should be out of Iraq within the year. Our troops deserve to be told that we are not going to stay. The Iraqis need to be assured that we are not going to say, and this amendment is the path to that result.

Ms. LEE. Mr. Chairman, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, I am proud to cosponsor the Lee amendment to prohibit any funds from the supplemental from being used to enter into a basing rights agreement between the United States and Iraq. It is clear that the Iraqis, Shiites and Sunnis alike, in overwhelming numbers, do not want us to stay there. And the Secretary of Defense has said that there are no plans or discussions under way to have permanent bases in that country. So this would codify that. This would make sure that that is true.

And yet it has been suggested by top military leaders, including General John Abizaid, as recently as this week, that the United States may want to keep a long-term military presence in Iraq. If true, this is a scheme fraught with danger. As anyone knows that watches television or reads the paper, the presence of U.S. troops in Iraq has been a powerful recruiting tool for the Iraqi insurgency. And General George Casey has agreed with that, saying that by getting our troops out of there that we would take away one of the elements that fuels the insurgency. Please support this amendment. It is good for our troops and good for our country and theirs.

Ms. LEE. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. CONYERS).

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

Mr. CONYERS. Mr. Chairman, ladies and gentlemen of the House, this is a great opportunity in the amendment brought forward by the gentlewoman from California (Ms. LEE). The reason this is a good opportunity, it gets to the heart of what is tearing us apart and preventing us from being as effective as we could in the Middle East. The best way to do that is to clearly express, by statute, the fact that we are not there to build military permanent bases. And the reason is that when we do that we will alleviate a lot of the problem and suspicions that currently exist.

Join us in this bipartisan effort to make sure that American intentions in the Middle East are for the first time explicitly stated by law.

Ms. LEE. I yield 1½ minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, in December 2004, I requested the Congressional Research Service to compile a report on military construction in both Iraq and Afghanistan. On April 11, 2005, I received the final report. Here is what it said: the Congressional Research Service found projects that suggest a longer term U.S. presence in Iraq. These included $214 million for the Balad Air Base and $49 million for the Taji military complex.

This is the first congressional report that identified specific locations in Iraq where the U.S. is possibly constructing a permanent military presence in Iraq. At the appropriate time, I will enter this in the RECORD.

Now I want to know, did anyone here vote to establish permanent bases in Iraq when they voted to invade that country? Did anyone here vote to send U.S. troops permanently to Iraq? Weren't we going to war on the belief Iraq had weapons of mass destruction? Weren't we going to war on the belief that Iraq was an imminent threat of a mushroom cloud the administration warned about? All that proved to be false. If the President had told you he wanted to spend over $300 billion and 2,300 American lives, plus tens of thousands of maimed servicemembers to build new military bases, permanent deployment of U.S. troops in the Mesopotamian Valley, would anyone here have supported that? I don't think so.

That is why this administration had to fabricate a pretense for the invasion, and that is why you have to support the Lee amendment today. Do not allow this ill-conceived war to lead to a permanent deployment of troops in Iraq. Bring them home. Close down those bases.

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

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

Ms. HARMAN. Mr. Chairman, this month marks the third anniversary of the U.S. invasion of Iraq. Our troops, who have performed heroically, want to finish their mission and return home.

Success in Iraq depends on true power-sharing, and that will not happen so long as Iraqis suspect that the United States will maintain permanent military bases. That is why I strongly support the Lee amendment, which will send a clear signal to the Iraqi people that the United States does not seek a permanent presence.

Mr. Chairman, I have spoken to the President, the Vice President, the Chairman of the Joint Chiefs of Staff about this. Statements by Secretary Rumsfeld alone are not sufficient. Only when the President makes clear that we intend to leave Iraq, not to referee a civil war, will Iraqis realize that power-sharing is their best and last hope.

I thank my good friend, Congresswoman LEE, for introducing this important amendment, and I thank her for her courageous stands all the time in the House.

Ms. LEE. I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, this is an important statement that we are making. And again I am sure that we will experience ridicule because I will stand here and say that I believe that the troops have done their job, their patriotic job, the job of defending America. They have won the victory, and it is time for them to come home.

We must redeploy our troops. And for all of those who say that many of us do not have a plan, we do. And that plan incorporates the gentlewoman's amendment, and I thank her for her leadership, and that is that we want to redeploy and we want to vest in Iraq and the Iraqi people and soldiers the defense of their nation. Therefore, we want to insure that there will be no basing rights between the United States and Iraq, no permanency, no establishing of our obligation to defend and defend and defend.

We just had a debate about avoiding the eviction of thousands of Americans from places where they are living because they have no place to live because of the hurricane disaster. It is time now to redeploy. We do have a plan for Iraq to control their government and to be able to defend themselves and to bring our troops home and to disestablish any relationship of a base in Iraq.

Ms. LEE. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. PRICE).

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Chairman, I rise in support of the Lee amendment prohibiting the use of funds to establish permanent American bases on Iraqi soil. We must make clear to the Iraqi people and to the American people that our operations in Iraq are not open-ended and that we have no designs on Iraqi oil and territory.

Earlier this week, in a hearing of the Military Quality of Life and Veterans Affairs Appropriations Subcommittee, I asked General John Abizaid, the top American general in the Middle East, if he could make an unequivocal commitment that the U.S. does not intend to establish permanent bases in Iraq. His answer was that he could not.

Two days after our Ambassador to Iraq said that the U.S. has, ''no goal of establishing permanent bases in Iraq,'' General Abizaid said that the policy on long-term presence in Iraq had not been formulated. Three years into this war, if administration officials cannot make up their minds and articulate a coherent policy, it is time that Congress did it for them. Support the Lee amendment.

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

Ms. WATERS. Mr. President, we need a sign. The American people believed you when you told us that you had to have a preemptive strike because there were weapons of mass destruction. There were no weapons of mass destruction.

You told us we would be welcome, our soldiers would be welcome with open arms. They are not welcome with open arms. The Sunnis, the Shiites and the Kurds all want to end this occupation. They want us out of there.

Mr. President, you told us that the oil that you would pump from the oil wells in Iraq would pay for the rebuilding of Iraq. They are pumping less oil now than they were before the war.

You claimed that you were training soldiers to take over the security of the country. But we are finding bodies every day. In the last 2 days, there were 85 bodies found. In the last couple of weeks, there have been over 2,000 bodies found. The civil war has begun. The IEDs are exploding every day.

And Mr. President, you said that you would redeploy. We need you to give us a sign. All of those people who support him, you need to give us a sign. You can do that with this amendment by simply supporting the Lee amendment that will not allow for permanent bases. You have let us down on everything else. You can do this one. Support the Lee amendment. No permanent bases in Iraq.

Ms. LEE. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Northern California (Ms. WOOLSEY).

Ms. WOOLSEY. Every single Member of Congress should be able to support this amendment, unless, of course, the goal is to have permanent presence in Iraq. We can demonstrate to the Iraqi people that we won't occupy their country indefinitely by voting ''yes'' today.

In fact, the Iraqi insurgency is largely incited by the very fact that after 3 full years of war, we show no intention of leaving. Our military presence must end. We must bring our troops home. We must give Iraq back to the Iraqi people. And in so doing, no permanent bases and no control over their oil.

Mr. Chairman, ending the war and helping the Iraqi people get back on their feet is absolutely possible, and it must start now. We can start this process by making a strong statement that the United States of America has no plan to maintain a permanent military presence in Iraq.

I urge all of my colleagues vote for the Lee-Allen amendment.

□ 1700

Ms. LEE. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I want to express my appreciation to the gentlewoman from California for this amendment, which prevents funding for permanent bases in Iraq, and also because it draws our attention to other consequences.

One is the tragic occupation, which has been going on in Iraq now for almost 3 years, and the consequences of that tragic occupation, which has been endorsed and supported by this Congress over and over again. It also draws our attention to the rationale for the invasion of Iraq and the subsequent occupation, a rationale which was presented to this Congress and to the American people in the most fraudulent and deceitful way.

It draws attention to the fact that it is a criminal violation of Federal law to present false and misleading information to the Congress in order to get them to take action. Most importantly, it draws our attention to the fact that the Congress has done nothing about it. We are now facing the third anniversary of the invasion and subsequent occupation of Iraq, and we must face the fact that this Congress has failed in its obligations and responsibilities to oversee the executive branch.

The Acting CHAIRMAN (Mr. POE). The gentlewoman from California has 1 minute remaining.

Mr. LEWIS of California. Mr. Chairman, let me ask the gentlewoman a question on my time.

Do you know how many additional speakers you may have?

Ms. LEE. I believe Mr. HINCHEY needs another minute and Mr. MORAN needs 1½ minutes.

Mr. LEWIS of California. Frankly I will be glad to yield to the two of them some of my time and I presume that you might want to use the last minute to close and we can close this up.

Mr. Chairman, I yield 1½ minutes to my colleague from the committee.

Mr. MORAN of Virginia. Mr. Speaker, I thank my good friend from the Appropriations Committee and my good friend from California. I want my colleagues to consider some facts.

One is with this amendment that we will have now spent as much as we did in the entire Vietnam War. Does anybody think that that $400 billion was well spent in retrospect? Consider the fact that 82 percent of the Sunnis and 69 percent of the Shi'a want us to withdraw immediately. In fact, the majority say that our presence is hurting rather than helping Iraq's future. Consider what happened when the British concluded their occupation.

The first people the Iraqis went after were those who cooperated with the British, considering them collaborators. Then they went after the foreigners that were trying to exploit the situation. We have a responsibility to get those foreign terrorists, al-Zarqawi and all of the al-Qaeda.

But the Iraqi people were never a threat to the United States. They are not now. Let us work with the Iraqis, get rid of the foreign terrorists, but not establish any permanent bases in Iraq.

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

I will just close by thanking you, Mr. LEWIS, for giving us time and for allowing for those who have a real perspective, the passion, the understanding to speak on this issue tonight. It is so important that the country understand that whether we agreed or disagreed with the war, that many of us believe there should be no permanent presence in Iraq.

We support our troops. We want them out of harm's way. We know that any notion of a permanent occupation or permanent bases continues to put our young men and women in harm's way. It is about time now that these signals be clear to the rest of the world. As I

said, we get mixed signals from the administration.

I think it is now the time for this House to say that whatever we believed, when this war started, we do not want to be a permanent occupying force, and we do not want permanent military bases in Iraq.

Thank you for being so generous, Mr. LEWIS.

Mr. LEWIS of California. Mr. Chairman, in the time I have spent in and around Iraq I have seen a fabulous facility at Camp Doha that is meeting most of our challenges in the region. I see it developing significantly in the future. I don't see a need for a permanent facility in Iraq. I doubt there will even be a suggestion of that. On the other hand, I think the discussion was very healthy.

Mr. CONYERS. Mr. Chairman, I rise in strong support of the amendment offered by my distinguished colleague from California.

When the president took our country to war, he promised that victory would be swift and that our troops would not stay in Iraq one day longer than necessary.

Three years and 300 billion dollars later, with over 2,300 American soldiers dead and more than ten thousand wounded, victory is nowhere in sight.

The president and vice president, the secretary of defense and high ranking generals have continued to assure the American people that our presence in Iraq is temporary.

Yet, at the same time, the Department of Defense is paying Halliburton subsidiary Kellog Brown and Root billions of dollars to build 14 ''enduring'' bases in Iraq.

The Iraqis see what is happening on the ground, and they haven't fallen for the Administration's misrepresentation.

According to recent opinion polls, a large majority of Iraqis believe that the U.S. military has no intention to leave Iraq, and that it would stay even is asked by the Iraqi government to leave.

The presence of American troops is fueling the insurgency in Iraq, as acknowledged by General Casey and numerous other experts, and is helping terrorist recruiters build their numbers across the globe.

Mr. Chairman, we cannot afford to continue sending these mixed signals.

If we want to build the Iraqis' confidence about our intentions in their country, if we want to stop adding fuel to the fire of insurgency and terrorism, we must clarify our intent.

Because the Administration is unable to send a clear message about America's intentions in Iraq, Congress must take this responsibility.

We must make our policy of no permanent bases explicit by force of law.

Mr. Chairman, the concern raised in the gentlelady from California's amendment is the same concern that has determined my vote on the underlying bill. The Administration and the majority in this body continue to evade the question of how long we will remain in Iraq, and how much we plan to spend on this war.

It is with deep regret that I vote against passage of this supplemental.

Since Hurricane Katrina wrought havoc on our Gulf coast, I have decried the federal government's stingy approach to aid and reconstruction.

I have joined with my colleagues for years in urging the Administration to provide more funding for veterans' benefits.

I fully support increased LIHEAP funding, as well as aid to Liberia and Sudan.

But, Mr. Chairman, I will not be held hostage by the majority's cynical two-step trick to ensure continued funding for their failed policy in Iraq.

The majority continues to separate Iraq funding from the overall defense budget so that they can hide the true cost of the war and then force the Congress to pass these so-called ''emergency'' supplemental appropriations.

And the majority has bundled this war appropriation with funding for numerous important programs that we all favor, in order to force the legislation through and do an end run around real debate.

I am a Korean War veteran. I support our troops as much as anyone in this body, but I do so by advocating redeployment out of Iraq as soon as it can be safely done. I would vote any time for additional funds to pay for such safe redeployment. For this reason I have signed on to the proposal of my colleague Mr. MCGOVERN, H.R. 4232, the End of the War in Iraq Act.

Mr. Chairman, this vote is not about ''supporting the troops.'' This bill is just one more attempt to tie the Congress' hands by forcing us to give up our only means of control over the war, the power of the purse. I will not be blackmailed into approving funding for an open-ended continuation of our participation in hostilities in Iraq. If the Congress acquiesces on this vote, it is in effect agreeing to fund this disastrous policy for as long as this Administration sees fit. From all indications, no end is in sight.

Mr. Chairman, the price for continuing this war is too high, not only in budgetary terms, but in American lives, Iraqi civilian casualties blamed on America and in the steady increase in the terrorist ranks that this war is provoking around the globe.

The American taxpayers should not have to send one more penny on the Administration's Iraq misadventure. Let's give our troops the supplies they need to get out of Iraq safely. Let's bring our troops home.

Mr. LEWIS of California. I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

The amendment was agreed to.

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

I yield to the gentleman from Louisiana.

Mr. JEFFERSON. Mr. Chairman, I seek time to enter into a colloquy with the gentleman from California and the gentleman from Wisconsin.

Mr. Chairman, the rules prevent us from offering an amendment to the underlying bill to address health problems arising in the aftermath of Katrina. Thus I thank the gentleman for yielding the time to enter into a colloquy with the gentleman from California (Mr. LEWIS), chairman of the Appropriations Committee, who has worked very hard on Katrina issues, and the gentleman from Wisconsin (Mr. OBEY) who has likewise been a stalwart supporter of those of us who are working so hard to bring our region back.

Mr. Chairman, rebuilding the Medical Center of Louisiana at New Orleans as a comprehensive public health hospital is a number 1 priority for public health and health care infrastructure of New Orleans since Katrina. Compared to most cities, New Orleans has a large percentage of poor and unhealthy residents.

Mr. Chairman, this perspective is not shared by FEMA. To date, FEMA has authorized $23 million out of $258 million requested. I thank the gentleman very much for permitting me to enter into this colloquy.

Mr. OBEY. Mr. Chairman, I would just say I am very happy to work with the gentleman to try to deal with the problem.

Mr. LEWIS of California. Mr. Chairman, further, I look forward to working with both the gentlemen and am anxious to do everything we can to make this thing work as we deliver aid and support to the people in and around New Orleans.

The Acting CHAIRMAN. Are there any further amendments?

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of Rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. WAXMAN of California.

The first amendment by Ms. VELÁZQUEZ of New York.

The second amendment by Ms. VELÁZQUEZ of New York.

Amendment by Ms. LEE of California.

Under the previous order of the House of today, the Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. WAXMAN

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 193, noes 225, not voting 14, as follows:

[Roll No. 60]

AYES—193

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

Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chabot
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (FL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Doggett
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fitzpatrick (PA)
Foley
Frank (MA)
Gerlach
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Simmons
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

NOES—225

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

NOT VOTING—14

Boren
Davis (CA)
Davis (IL)
Duncan
Evans
Ford
Hastings (FL)
McHenry
McMorris
Radanovich
Ryan (OH)
Shimkus
Sweeney
Weldon (FL)

□ 1732

Messrs. CALVERT, GARRETT of New Jersey, LARSON of Connecticut, GOODE, TOWNS and SAM JOHNSON of Texas changed their vote from ''aye'' to ''no.''

Messrs. CAPUANO, MEEK of Florida and GRIJALVA changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. DAVIS of California. Mr. Chairman, during rollcall vote No. 60 on the Waxman amendments to H.R. 4939, I was on a leave of absence due to illness. Had I been present, I would have voted ''aye.''

Stated against:

Mr. MCHENRY. Mr. Chairman, on rollcall No. 60 I was unavoidably detained. Had I been present, I would have voted ''no.''

AMENDMENT OFFERED BY MS. VELÁZQUEZ

The Acting CHAIRMAN (Mr. POE). The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 201, noes 213, not voting 18, as follows:

[Roll No. 61]

AYES—201

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

NOES—213

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons

Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hyde
Inglis (SC)
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McHenry
McHugh
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—18

Boren
Davis (CA)
Davis (IL)
Duncan
Evans
Hastings (FL)
Hunter
Issa
Kennedy (RI)
Larsen (WA)
Lewis (KY)
McMorris
Radanovich
Ryan (OH)
Shimkus
Sweeney
Waters
Weldon (FL)

□ 1736

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. KENNEDY of Rhode Island. Mr. Chairman, on rollcall No. 61, I was in a meeting with the Minister of Northern Ireland and missed the 2 minute vote. Had I been present, I would have voted "aye."

Mrs. DAVIS of California. Mr. Chairman, during rollcall vote No. 61 on the Velázquez amendment to H.R. 4939, to prohibit the use of funds from being made available to enforce deadlines regarding economic injury disaster loan applications and physical loan applications, I was on a leave of absence due to illness. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MS. VELÁZQUEZ

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the second amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 200, noes 219, not voting 13, as follows:

[Roll No. 62]

AYES—200

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

NOES—219

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

NOT VOTING—13

Boren
Davis (CA)
Davis (IL)
Duncan
Evans
Hastings (FL)
Kirk
McMorris
Radanovich
Shimkus
Sweeney
Weldon (FL)
Weldon (PA)

□ 1740

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. DAVIS of California. Mr. Chairman, during rollcall vote No. 62 on the Velázquez amendment to H.R. 4939, to prohibit the use of funds from being available to make or guarantee a loan under section 7(b) of the Small Business Act other than a loan for which the borrower is charged an interest rate in accordance with section 7(c)(5), I was on a leave of absence due to illness. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. WELDON of Florida. Mr. Chairman, on rollcall Nos. 60, 61, and 62, I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MS. LEE

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 230, not voting 13, as follows:

[Roll No. 63]

AYES—189

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

NOES—230

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

NOT VOTING—13

Boren
Davis (CA)
Davis (IL)
Diaz-Balart, M.
Duncan
Evans
Harris
Hastings (FL)
McMorris
Radanovich
Shimkus
Smith (TX)
Sweeney

□ 1745

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. DAVIS of California. Mr. Chairman, during rollcall vote No. 63 on the Lee amendment to H.R. 4939, to prohibit the use of funds from being available to implement, administer, or enforce the termination of the hotel and motel emergency sheltering program established by FEMA for families displaced by Hurricane Katrina and other hurricanes of the 2005 season, I was on a leave of absence due to illness. Had I been present, I would have voted "aye."

Mr. OLVER. Mr. Chairman, Congressman JACK MURTHA from Pennsylvania, a decorated Marine from the Vietnam War and the most respected person in the House of Representatives on military affairs, has the Iraq situation just about right. A free and stable Iraq cannot be achieved militarily. We should not be suffering casualties nearly three years after that fateful day on the carrier off San Diego when President Bush declared "Mission Accomplished," and yet 93 percent of our casualties have occurred since that day.

The Iraqis must make hard political decisions. They must decide if they want a unified country with shared power and responsibility proportionate to population and protected rights for all. As long as we run the military operations and bear the brunt of casualties, the political decisions are avoided. We must make it clear that we will not be caught in their civil war if the Iraqis do not want a unified country enough to avoid a civil war politically.

We must make a concerted effort to persuade the EU, NATO and the rest of our allies to help train Iraqi security forces and establish a judicial system so Iraqis can regain their lives. President Bush's repeated claim that nearly 200,000 Iraqi police and army personnel have been trained to secure Iraq has been disputed for months, even by our own military leaders. However, those Iraqis, whatever their numbers, must stand up for a unified Iraq if that is what they want and believe in. Finally, we need to withdraw from Iraq expeditiously within 2006.

I am voting against this supplemental budget because it simply enables the president to continue his totally flawed and incompetently managed misadventure without forcing the Iraqis to reach political accommodations that can end the insurgency and create a stable, unified country. This war supplemental will be followed by another equally large one as soon as our November elections have passed. You can bet on it.

Mr. VAN HOLLEN. Mr. Chairman, today I rise in support of the supplemental budget despite reservations about parts of this legislation. While I think this bill could be substantially improved, I also believe that, on balance, it does more good than harm. This bill provides funds for a number of important purposes, including the equipment necessary to support and protect our troops in Iraq and Afghanistan; emergency relief for the victims of hurricane Katrina; and funds to support international efforts to stop the mass killings of innocent people in Sudan. I will address each of these in turn.

Let me start with Iraq. While I opposed the President's decision to go to war in Iraq and Afghanistan, I am supporting this bill because I believe we must provide our troops with the necessary equipment while they are there. I also believe, however, that the President has failed to provide the American people with a viable plan for success in Iraq. This bill fails to include benchmarks to hold the Administration accountable. The bill also fails to include adequate safeguards to ensure that the funds are spent responsibly.

Millions of dollars have already been lost or wasted in Iraq due to poor oversight. Every effort must be made to prevent another Halliburton from growing fat at the expense of the American taxpayer. I recently supported an amendment in the Government Reform Committee that would have held the federal government responsible for overspending and

general mismanagement of federal funds. Despite the common sense nature of this amendment, it failed on a party line vote. This Congress has totally failed in its oversight responsibilities with respect to these funds.

Let me now turn to Afghanistan. I supported the decision to take military action against al Qaeda and the Taliban in Afghanistan. I believe we have not yet completed our mission there. Osama bin Laden remains at large, al Qaeda continues to operate and the Taliban have stepped up their attacks. In the face of these realities, the funds provided for U.S. and international efforts in Afghanistan are inadequate.

During a recent hearing before the House Appropriations Committee, Ronald Neumann, our Ambassador in Afghanistan testified that not enough was being been appropriated for our efforts there. I agree. This bill fails to meet the commitments we have made to Afghanistan. It defers the promised cancellation of Afghanistan's $11 million debt owed to the United States; it cuts $16 million from USAID for mission security in Afghanistan and reduces by $2.2 billion Department of Defense funds for Afghan security force training. The bill also cuts funds for counter-narcotics activities in Afghanistan from $193 million to $157 million.

As U.S. commanders prepare to devolve more responsibility for security to other coalition partners and to the Afghans, they must account for the fact that it could take years and billions of dollars to achieve the level of self-sustainability necessary to provide for Afghanistan's infrastructure and national security needs.

A critical test will occur this summer as the U.S. military officially hands over control of the dangerous southern region to NATO forces. Counter-insurgency has never been NATO's job and there are questions about whether it is ready and willing to take on this new role. The volatile southern region has the highest incidents of terrorism, drug trafficking and organized crime in the country. Of the more than 100 American soldiers killed in insurgency attacks in the last year—most of the deaths occurred in the southern region.

We must recognize that it is in our national security interest to work with the Afghan people. We must work to accelerate efforts to build and strengthen national institutions, the economy and Afghan security. By reducing the funding for Afghan operations at this critical time we are sending the wrong message to our troops, to our allies and to the people of Afghanistan.

Next, to help the victims of Hurricane Katrina, the bill contains $19 billion to aid recovery and reconstruction efforts. Most of the funds will go to the Federal Emergency Management Agency but $4 billion will go towards community development and for loans to homeowners, renters and businesses. Months after the hurricane, thousands of people are still looking for permanent homes. This funding will help citizens displaced by Hurricane Katrina rebuild their lives.

This bill also contains emergency funding to help those suffering in Sudan. The United States and the international community have failed to take adequate steps to stop the genocide. This bill at least attempts to alleviate the suffering. It includes $66 million for humanitarian support, $11 million to assist refugees in Darfur and Chad to return to their homes, $150 million for food, $123 million to support African Union troops and, with the adoption of the Capuano amendment, $88 million to prepare for the transition to UN peacekeepers.

Mr. Chairman, despite the reservations I have raised, I believe the bill deserves our support.

Mr. HOLT. Mr. Chairman, I rise today to oppose the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, H.R. 4939. This supplemental bill, totaling $91.8 billion, is the largest that the House of Representatives has ever considered.

As I have said repeatedly on the House floor, I strongly oppose using so-called ''emergency supplementals'' to fund non-emergency, clearly foreseeable expenditures. This bill provides $72 billion for continued military operations in Iraq and Afghanistan. The fact that our troops are on the ground in these dangerous places is not a surprise. They have been in Iraq for almost three years. Their needs are well known to everyone, except, it seems, the President and his budget staff. Every year, the President fails to budget for the cost of military operations, and every year he pretends that the war is an unforeseen ''emergency''.

Funding our soldiers this way is dangerous because it leaves them ill-equipped and subject to last minute actions like this by Congress. If, by contrast, we funded military operations through the normal budget process, funding decisions would be made in the open and with the appropriate scrutiny they deserve. It would also allow for long term planning and more thoughtful budgeting. We have all read about the contracting waste and fraud that has occurred in Iraq. A number of no-bid and open ended contracts have wasted millions of taxpayer's dollars. This waste has made a few crooked businessmen wealthy and done nothing to protect our troops or help build a more stable democracy in Iraq.

Lastly, and perhaps most importantly, I refuse to continue to fund a failed policy. I opposed this war because I did not think the President had made a convincing case for the existence of weapons of mass destruction in Iraq and I opposed his illegal doctrine of preemption. Since then I have only been heartbroken by the utter incompetence of which it has been planned. Our soldiers are doing outstanding work, and I salute their sacrifice. But the policy-makers in Washington have let them down and put them in an impossible situation. As I said in a letter to Secretary Rice last September, it is time to begin bringing our soldiers home. Spending good money after bad on a failed policy puts our soldiers, and our national security in even greater risk.

There are portions of this bill that should have been in the President's budget last year. For example, I fully support up-armoring HUMVEE's and tanks in Iraq. I also support investing $59 million to fund foreign language proficiency pay. I also support the $1.4 billion in the bill to fund family separation allowances, hardship duty, and combat pay.

Yet, all of these funds could have, and should have, been included in the regular budget process. But they were not.

Let me talk for a moment about the other good portions of this bill which were attached by the Majority in a cynical attempt to buy votes for the overall bill.

There is true emergency funding in this bill. But it is money for Sudan and the Gulf Coast, not Iraq.

This bill also contains money to help in the recovery of another emergency, one that struck our own shore. Just over six months ago, the Gulf Coast was struck by Hurricane Katrina. I have visited the Gulf Coast and found that the destruction was terrible, with hundreds of thousands uprooted only to return and discover their homes were obliterated. The debris is still being cleaned. The people of the Gulf Coast region are looking to rebuild and continue their lives, and this bill provides $19 billion in needed funds to assist in financing the rebuilding effort. This money helps us to keep faith with those who were failed by their government in the days and weeks following Hurricane Katrina. I am voting for an amendment that would increase by $2 billion community development funds available to assist local communities rebuild.

The genocide that continues to this day in Darfur, in the Sudan, is unconscionable. The President has said this, the Secretary of State has said this. Further, I have said a number of times that America needs to do everything it can to end the Darfur genocide. This bill contains $514 million for Sudan, with a large portion going to the Darfur region to fund the African Union peace keeping mission. I strongly support this funding. There is a true emergency in Sudan and I am glad that this money will be provided to end the genocide and provide humanitarian assistance to devastated people in the region. I am voting for the Capuano Amendment to add an additional $50 million to help fund extra peacekeepers in Darfur.

I am sorry that these true emergency funds were attached to the foreseeable spending for the ongoing operations in Iraq. I have voted for rebuilding the Gulf Coast and ending the genocide in Darfur in the past, and I will continue to do so. But I will not fund a failed policy in Iraq that is jeopardizing our soldiers needlessly, stoking the insurgency, draining our national resources, and doing nothing to protect Americans from terrorism at home.

Mr. FARR. Mr. Chairman, I would like to express my strong objection to the House Republican Leadership combining two separate emergency supplementals into a single bill. The response to Hurricane Katrina and the Iraqi war deserve separate debates and significant oversight and deliberation.

The human suffering that our neighbors along the Gulf Coast experienced and continue to experience seven months later cannot be underestimated. It will take a sustained federal and state, public and private commitment to help those affected get back on their feet. While I support a long-term reconstruction of the Gulf region, I cannot in good conscience vote for this bill.

I strongly believe we need better oversight of supplemental funding bills, particularly those that fund ''the long war.'' There were excellent amendments offered on the floor today that I supported that should have passed if Congress had been exercising its Constitutional oversight role. For instance, I supported an Iraqi contracting amendment and one to prevent permanent bases in Iraq. We cannot become occupiers.

On this third anniversary of the war, our soldiers, our national guard, their families and all Americans deserve better than platitudes from

the Administration. I have repeatedly called for greater Congressional oversight and an exit strategy, while recognizing that our troops have done an excellent job, despite often lacking sufficient body armor or equipment. I welcome the President's statements that troops will be drawn down by the end of the year, but I believe that our soldiers are being placed in an untenable situation, and need to be brought home as soon as possible.

Mr. LANGEVIN. Mr. Chairman, I am pleased to rise in support of H.R. 4939. I would like to thank the Appropriations Committee leadership for their efforts to provide our men and women in uniform with the equipment that they need as they continue their efforts in Iraq, Afghanistan and throughout the world. My colleagues on the House Armed Services Committee and I have fought for enhanced force protection equipment, much of which is included in this bill. H.R. 4939 includes $410 million for up-armored Humvees and $2 billion to develop and procure jammers for improvised explosive devices. Given the number of U.S. casualties resulting from IEDs, jammer technology is one of the most important investments this Congress can make to protect our troops.

I am also pleased that this legislation provides more than $19 billion in much-needed assistance to the victims of Hurricanes Katrina, Rita and Wilma. Months after those storms battered our Gulf Coast, many Americans are still displaced, and basic services are not available in places like New Orleans. Given the federal government's insufficient efforts in the wake of Hurricane Katrina, it is our responsibility to provide the affected residents and businesses with the resources and assistance they need to rebuild.

This measure will also greatly assist those facing exorbitant heating bills this winter. After Hurricanes Katrina and Rita damaged domestic energy sources, all Americans experienced higher energy costs, but the burden was particularly heavy for low-income residents in cold climates. H.R. 4939 will allow states to access $1 billion in Low Income Home Energy Assistance (LIHEAP) funding more quickly, which will be welcome news to states such as Rhode Island that are struggling to help families in need.

I greatly appreciate the Committee's inclusion of assistance to the victims of genocidal violence in Darfur and to train and equip the African Union peacekeeping troops. To date, at least one hundred thousand people have been killed, with millions more displaced. It is impossible to view the images from Sudan without being outraged at the cruelty and injustice of the situation. Our nation must do more to prevent further violence. Last year, I advocated for funding for African Union peacekeepers in the Defense Appropriations bill, and though that was not successful, H.R. 4939 funds peacekeeping missions in Sudan and encourages greater involvement by the United Nations.

Finally, in welcome news to the American people, the legislation blocks Dubai Ports World from assuming control over six U.S. ports as part of their acquisition of P&O Steam Navigation Company. As a member of the Homeland Security Committee, I strongly opposed the sale because of the lack of a comprehensive investigation into the national security implications. We need to ensure that foreign investment decisions are based on real national security considerations and not just financial gain. I have been working to enhance port security in our nation, and the Dubai ports deal reminds Americans that until appropriate measures are taken, our ports will continue to be vulnerable. I am pleased that H.R. 4939 contains this commonsense provision, but we must do more to secure our infrastructure and improve Congressional oversight of foreign investment decisions.

Again, I thank my colleagues for their efforts on this important bill, and I urge all Members to support its passage.

Mr. STARK. Mr. Chairman, I rise today to tell a tale of two Republican disasters, the Iraq War and Hurricane Katrina. It is a story with no best of times, only the worst of times. This tale is why I oppose the Supplemental Appropriations Act (H.R. 4939).

The main characters in my story are an incompetent President and a corrupt Congress. The setting is an America desperate for honest leadership. But the plot involves lies and cover-ups. The problem is misplaced priorities. But the solution is not this supplemental, which provides another $67.6 billion for a failed war but only $19 billion to help the victims of Katrina.

The first disaster, the Iraq War, was predicated on lies. Iraq had no weapons of mass destruction, had never attempted to buy uranium from Niger, and was not about to welcome American soldiers with open arms.

An incompetent President failed to prepare America for the postwar period. As a result, looting of stores and museums began shortly after the United States military gained control of Baghdad. Months later, sectarian violence has pushed Iraq to civil war, with Shiite militia and security forces clashing with Sunni citizens and insurgents.

Yet our troops remain in Iraq and in harms way. Two American soldiers and 40 Iraqi soldiers and civilians are killed every day. As long as we stay in Iraq, the insurgency will continue, even as the so-called Iraqi democracy experiment goes nowhere. Three months after parliamentary elections, the Iraqi parliament has yet to form a government.

Finally, large Republican donors including Halliburton have looted the American treasury. Using their connections to secure no-bid contracts for services in Iraq, these firms overcharge American taxpayers and underserve our troops. All the while, Republicans' blind allegiance to the President causes them to write blank checks, throwing good money after bad at a war that is making America less secure.

The second disaster was the Republican response to Hurricane Katrina. Several days before Katrina ravaged the Gulf Coast, the President was briefed on the severity of the storm and the likelihood levees would be breached. But after failing to cut short his extended vacation to help with the response, the President told ABC News and the American public he was not advised the levees were likely to collapse.

After years of underfunding levee construction and maintenance, Republicans attempted to shift the blame for the disaster and the inadequate response onto state and local officials. But it was President Bush who nominated unqualified campaign hacks to head FEMA and congressional Republicans who rubber-stamped the appointment of Michael Brown.

As a result of insufficient preparation and incompetent administration, tens of thousands of hurricane victims went without adequate food, water, and shelter in the storm's aftermath. Six months after Katrina, relief workers are still finding bodies of victims.

In an attempt to atone for their sins, the Republicans have finally brought forth additional legislation to help Katrina victims. But in a pathetic and transparent attempt to prevent full debate on the disastrous Iraq War, President Bush's Republican cronies in Congress combined two supplementals into one.

Although I support additional funding for hurricane victims, I cannot vote for a supplemental that appropriates 74 percent of its funds, or $67.6 billion, to a misguided Iraq war on which we have already wasted $350 billion—and the lives of 2,310 American soldiers and at least 37,000 Iraqi citizens.

It is time to tell a new tale, about bringing home our troops and rebuilding homes for Katrina victims. Let's get this Iraq monkey off our back and supplement housing rather than Halliburton.

I urge my colleagues to vote against this bill, and help me to tell a new tale about American successes rather than Republicans disasters.

Ms. MCKINNEY. Mr. Chairman, I rise today in protest at this Administration's egregious treatment of tens of thousands of families of survivors who were displaced by and continue to suffer in the aftermath of Hurricane Katrina. Today, on the Ides of March, some ten thousand families are being evicted from temporary housing in hotels by FEMA.

This would have happened months ago but for cries of protest and legal injunctions that forced FEMA to keep rolling back the eviction deadline: December 15th, January 7th, January 31st, February 15th, February 28th, and now March 15th—on each of these dates, families were evicted.

So to the 10,000 families being evicted today, we must add some 30,000 families already evicted, giving us a figure of some 40,000 families who will have been evacuated from temporary housing in hotels.

FEMA and DHS have not provided any comprehensive plan to transition these survivors out of temporary and into permanent shelters, and while tens of thousands are already living in tents and cars, thousands more are being thrown out to sleep on the streets, because the shelters are already full.

Last week, during one of his rare visits to the Gulf Coast, the President bluntly accused Congress of moving too slow in providing funds for housing and reconstruction.

Let me read to the House a passage from the Stafford Act. This is from Section 407:

The President is authorized to provide assistance on a temporary basis in the form of mortgage or rental payments to or on behalf of individuals and families who, as a result of financial hardship caused by a major disaster, have received written notice of dispossession or eviction from a residence by reason of a foreclosure of any mortgage or lien, cancellation of any contract of sale, or termination of any lease entered into prior to such disaster. Such assistance shall be provided for the duration of the period or financial hardship but not to exceed 18 months.

So under the Stafford Act, survivors being evicted from temporary housing are entitled to 18 months of housing assistance, that means another full year, of rental assistance, but only if the President authorizes the necessary sums.

Rather than stepping in and taking charge, the President is passing the blame back to the Congress for a ''Failure of Initiative,'' the title of a report coming from his own party, which delivered stinging criticism of the Administration's handling of the aftermath of Katrina.

Mr. Chairman, the failure to take initiative did not arise from this side of the aisle. We now have 77 signatures on H.R. 4197, the Hurricane Katrina Recovery, Reclamation, Restoration, Reconstruction and Reunion Act, which sets out a comprehensive plan to provide housing, health care, education, environmental clean-up, and to meet nearly all of the still urgent needs of the Gulf Coast survivors. And we are calling out to our colleagues across the aisle to join our initiative and do what is just and right for our fellow Americans caught up in the largest population displacement our Nation has seen since the Great Depression and slavery.

As we consider yet another supplemental request for tens of billions for a military occupation of Iraq, where violence is spinning out of control and toward all-out civil war under our watch, let us ask ourselves the hard questions:

How can we deny housing, education and health care to American citizens displaced by Katrina and yet continue to build homes, schools and hospitals in Iraq?

How can we refuse to provide satellite voting for hundreds of thousands of displaced New Orleaneans and yet spend hundreds of millions on satellite voting stations for Iraqis in America?

Why are survivors in Mississippi and Texas entitled to trailers whilst those in Louisiana are not?

Why are hurricane survivors in Florida and Texas entitled to maximum benefits under the Stafford Act whilst Katrina survivors from Mississippi and Louisiana are told they must fend for themselves?

And finally, Mr. Chairman, was the decision to send the poorest and most traumatized survivors of the flooding of New Orleans into diaspora simply an ad hoc decision, or part of an overall strategic plan to keep as many poor and minority residents as possible from returning to New Orleans, in order to lay the groundwork for an urban real estate bonanza? Is this the reason our government is so intent upon refusing New Orleans survivors their basic rights under law?

Mr. CARDIN. Mr. Chairman, from the beginning, the Bush Administration's policy on Iraq has been based on distortions and misjudgments. Prior to the invasion, I fought to prevent this war. I parted with most members of Congress and cast a vote against the resolution authorizing the use of military force in Iraq. The President misled the American people into believing there was a link between Iraq and the terrorist attacks of September 11, and he distorted and misrepresented intelligence data about weapons of mass destruction.

I understand the frustration and heartbreak that have led many Americans to conclude that it is now time for us to remove ourselves from this misguided quagmire and bring our troops home. That is why I have called on the President to change course. America simply cannot continue indefinitely to pay the high costs in both lives and dollars to stay on the same failed course in Iraq.

In December 2005, I voted for H.R. 1815, the FY 2006 Defense Authorization bill, which the President signed into law in January 2006. Section 1227 of that bill, United States Policy on Iraq, states that it is the sense of Congress that ''calendar year 2006 should be a period of significant transition to full Iraq sovereignty, with Iraqi security forces taking the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of United States forces from Iraq.''

It is time for the President to implement this policy. We have no choice but to approve this spending bill. We cannot put our troops at greater risk. If the President does not heed the intent of Congress and the American people, Congress should take more direct action to bring our troops home promptly and safely. We should not have American troops in the middle of a civil war.

I have repeatedly called for a change in America's policies so that we can bring our troops home as soon as possible. In December 2004, I visited our troops in Iraq. I thanked them for their service and listened to their stories. It was a moving experience for me. I honor the sacrifices they and their families are making each day.

The men and women of our armed forces are demonstrating tremendous dedication to our Nation through their performance in Iraq. These brave soldiers have put their lives in harm's way for our country, and we are forever grateful for their service.

This bill also contains crucial provisions, which I support, that would provide nearly $20 billion for Hurricane Katrina relief, including funds for housing, community planning and development, flood control, and small business loans. In addition, the House should take up H.R. 4197, a comprehensive Hurricane Katrina recovery bill introduced by the Congressional Black Caucus.

I am encouraged that the bill provides more than $500 million to address the ongoing genocide in southern Sudan and Darfur. These funds are critical to meeting the immediate needs of victims of the Darfur crisis, such as shelter, health care, and access to water and sanitation. Sudanese government-backed Arab militias have slaughtered hundreds of thousands of villagers, and they have burned entire villages. Up to two million refugees have fled this genocide to neighboring countries, but the small, poorly-equipped, and underfunded African Union (AU) force cannot offer them adequate protection. This bill provides needed funding to help transition the AU peacekeeping operation to a United Nations mission. It is also encouraging that last week the House International Relations Committee reported out H.R. 3127, the Darfur Peace and Accountability Act, which I urge the House to take up without delay.

Lastly, I strongly support the inclusion of an amendment adopted by the Appropriations Committee to cancel the planned transfer of U.S. ports to Dubai Ports World, which is owned by the United Arab Emirates. Although the UAE recently agreed to abandon its efforts to take over American ports, this Congress still needs to enact bipartisan legislation that I introduced with Ways and Means Trade Subcommittee Chairman CLAY SHAW, H.R. 4839, the Secure America's Port Operations Act, which would prohibit any foreign-government owned operations at U.S. seaports in the future.

Mr. Chairman, this emergency supplemental is a necessary measure that will provide essential support for our troops in their arduous mission in Iraq, vital funding for the global war on terror, and desperately needed assistance for our own Gulf region and the many Americans who have been uprooted by Hurricane Katrina.

The Acting CHAIRMAN (Mr. POE). The Clerk will read the final lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006''.

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

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. DRAKE) having assumed the chair, Mr. POE, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Pursuant to House Resolution 725, the previous question is ordered.

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

The amendments were agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. HINCHEY

Mr. HINCHEY. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HINCHEY. Yes, Madam Speaker, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Hinchey of New York moves to recommit the bill, H.R. 4939, to the Committee on Appropriations with instructions to report the same forthwith to the House with the following amendment:

''On page 82, line 4, strike ''2007'' and insert ''2006''.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 minutes.

Mr. HINCHEY. Madam Speaker, the motion to recommit is very simple and direct. It says that the appropriations that were directed toward the Low-Income Home Energy Assistance Program for the year 2006 must be spent in

that year, not moved over to the year 2007.

We are doing this for obvious reasons. The high cost of energy is making it extremely difficult for low-income people, particularly elderly, low-income people, to meet their home energy assistance payments, and also to meet their other needs.

It is also affecting large numbers of other people in our communities across the Northeast, the upper Midwest, and elsewhere across the country.

That, and the drop in temperatures recently, is causing some serious problems for many people. We want to make sure that the money that was appropriated for the LIHEAP program is used this year, appropriately so that people do not suffer as a result of its not being used.

I think the case has been made.

Mr. LEWIS of California. Madam Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. LEWIS of California. Madam Speaker, I will take 30 seconds.

The House has expressed its will in many ways regarding LIHEAP. We are going to do what is right regarding that funding for 2006 and 2007. To send it back to committee would kill this bill.

The Members have done a fabulous job in a very bipartisan way producing a fine product. I ask for an ''aye'' vote on final passage and against the gentleman's motion.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

RECORDED VOTE

Mr. HINCHEY. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 188, noes 233, not voting 11, as follows:

[Roll No. 64]

AYES—188

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

NOES—233

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

NOT VOTING—11

Boren
Cramer
Davis (CA)
Davis (IL)
Duncan
Evans
Hastings (FL)
McMorris
Radanovich
Shimkus
Sweeney

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. DRAKE) (during the vote). Members are advised there are 2 minutes remaining.

□ 1809

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

This 5-minute vote on passage will be followed by two more 5-minute votes on two postponed questions that were debated yesterday.

The vote was taken by electronic device, and there were—yeas 348, nays 71, not voting 13, as follows:

[Roll No. 65]

YEAS—348

Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cantor
Capito
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Cole (OK)
Conaway
Costa
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards

Ehlers
Emanuel
Engel
English (PA)
Etheridge
Everett
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Issa
Istook
Jackson (IL)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCotter
McCrery
McHugh
McIntyre
McKeon
Meek (FL)
Meeks (NY)
Melancon
Mica
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Oxley
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—71

Abercrombie
Baldwin
Blackburn
Blumenauer
Campbell (CA)
Cannon
Capps
Clay
Coble
Conyers
Cooper
Costello
Cubin
Deal (GA)
Eshoo
Farr
Flake
Frank (MA)
Gohmert
Grijalva
Gutierrez
Hensarling
Hinchey
Holt
Inslee
Jackson-Lee (TX)
Johnson, Sam
King (IA)
Kucinich
Lee
Lewis (GA)
Maloney
Markey
McCollum (MN)
McDermott
McGovern
McHenry
McKinney
McNulty
Meehan
Michaud
Miller, George
Moore (WI)
Neal (MA)
Neugebauer
Olver
Owens
Pallone
Paul
Payne
Pence
Petri
Rangel
Rothman
Schakowsky
Sensenbrenner
Serrano
Solis
Stark
Tancredo
Thompson (CA)
Tierney
Velázquez
Waters
Watson
Watt
Waxman
Weiner
Westmoreland
Woolsey
Wu

NOT VOTING—13

Boren
Cramer
Davis (CA)
Davis (IL)
Duncan
Emerson
Evans
Hastings (FL)
McMorris
Pickering
Radanovich
Shimkus
Sweeney

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1816

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PICKERING. Madam Speaker, on rollcall No. 65, I was unavoidably detained. Had I been present, I would have voted "yea."

Mrs. DAVIS of California. Madam Speaker, during rollcall vote No. 65 on final passage of H.R. 4939, I was on a leave of absence due to illness. Had I been present, I would have voted "yea."

MAKING AVAILABLE FUNDS FOR THE LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM

The SPEAKER pro tempore (Mrs. DRAKE). The unfinished business is the question of suspending the rules and passing the Senate bill, S. 2320.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BARTON) that the House suspend the rules and pass the Senate bill, S. 2320, 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 287, nays 128, not voting 17, as follows:

[Roll No. 66]

YEAS—287

Abercrombie
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown, Corrine
Burgess
Butterfield
Camp (MI)
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Dicks
Dingell
Doggett
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Ford
Fortenberry
Fossella
Frank (MA)
Gerlach
Gilchrest
Gillmor
Gonzalez
Gordon
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hart
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kline
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lowey
Lynch
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Pickering
Platts
Poe
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Reichert
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Sherman
Shuster
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wilson (NM)
Woolsey
Wu
Wynn

NAYS—128

Aderholt
Akin
Alexander
Baker
Barrett (SC)
Biggert
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boustany
Brown (SC)
Brown-Waite, Ginny
Burton (IN)
Buyer
Calvert
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Chocola
Cole (OK)
Conaway
Crenshaw
Cubin
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Emerson
Everett
Feeney
Flake
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gingrey
Gohmert
Goode
Goodlatte
Granger
Gutknecht
Hall
Harris
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hunter
Hyde
Issa
Johnson, Sam
King (IA)