

kind of funding through the grant program.

□ 1730

Mr. MCCARTHY of California. Mr. Speaker, I continue to reserve.

Ms. ZOE LOFGREN of California. Mr. Speaker, at this point I would like to recognize for 2 minutes the gentleman from New Jersey (Mr. HOLT) who has worked so diligently on election matters in this Congress.

Mr. HOLT. Mr. Speaker, I rise in support of H.R. 5803, a bill that would reimburse States and localities to make paper backup ballots available for this November 2008 election.

I compliment Representative LOFGREN for introducing this measure which would allow more Americans to vote than might otherwise be able if their only option was failed electronic voting. The bill would also allow more Americans to vote when facing long lines, something that has been documented widely.

Passing comprehensive election reform to help ensure the accuracy, integrity, and security of our electronic voting systems and other voting systems has long been a priority for me. At the beginning of the 110th Congress, I introduced legislation to establish national standards of verifiable elections. That bill has not received a floor vote despite support from a bipartisan majority of Members.

So in January of this year, many of us introduced simplified, optional legislation that would reimburse States that convert to paper ballot voting systems, offer backup paper ballots, and/or conduct random audits in this fall's election. Unfortunately, following opposition from the White House, the vote broke mostly on party lines and the bill was not passed.

After our opt-in legislation was not passed, I urged Congress to reconsider this issue, and so I am pleased that the House Committee on Administration has incorporated part of our legislation into the bill on the floor today. This is a useful step.

The ability to vote is the most important right as it is the right through which citizens secure all of our other rights. Yet public cynicism is rampant, and could cripple our democracy.

Increasing the availability of paper ballots, however, is only one of the steps that we must take to address the documented problems faced by voters and election officials.

I will continue to work with Ms. LOFGREN and others to ensure that Congress does all it can to protect the integrity and accuracy of our elections, and to give voters confidence in their system. Each election each year in recent years, cynicism has grown among voters. I hope my colleagues will join in the continuing effort to provide verifiable, reliable, confident voting.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, usually I am not on the floor speaking

twice in one day, but two issues have come to the floor today that are of great importance to me. First was the Medicare veto override; and, secondly, voting.

Yesterday I had an opportunity to attend the NAACP national convention. Next year that organization will be 100 years old, and in the course of all of the work that the NAACP has done over the past 100 years, voting has clearly been at the forefront of all that they have done, and I am aware that the NAACP voter fund is supporting this legislation.

I come from the great State of Ohio, but voting in Ohio has not been great in many years. In fact, in 2004, I objected to the counting of the Ohio electoral votes because of some of the problems we faced in Ohio in 2004, and one of those was running out of ballots, a lack of sufficient machines available for people to vote, and young people in Kenyon College standing in line for 10 and 11 hours.

Our new Secretary of State, Jennifer Brunner, supports this legislation. And in fact in our primary in March of this year, we used paper ballots as backup. It is so very important that we don't disappoint any voter when they come to the ballot box because a machine is down or paper ballots are not available.

I want to applaud my colleague and applaud the work she is doing. The people of the United States of America are pleased and proud that we are standing up to ensure that everybody has the right to vote, that their vote is counted, and that vote is secure. I thank you very much for your leadership.

Mr. MCCARTHY of California. Mr. Speaker, I continue to reserve my time.

Ms. ZOE LOFGREN of California. The last speaker that we were expecting has not shown, so if the gentleman is prepared to close and yield back, I will do the same.

Mr. MCCARTHY of California. Mr. Speaker, I rise in opposition for a number of reasons. First and foremost, we are putting forward legislation that we will not even be able to fund. Appropriations said they will not meet, they will not pass, so we are telling States that this is an IOU.

Secondly, Mr. Speaker, over \$3 billion in Federal grants have been made available to States in 2008 in previous years to assist with election systems and administration which can include the purchase of authorized backup paper ballots. Of this amount, over \$1 billion remains unspent, but we are asking the Federal Government to spend more.

Mr. Speaker, we are talking about paper ballots. Survey after survey of Secretaries of States have shown that they have backup operations prepared for their States and their ballots. Even in our own committee, Mr. Speaker, you have pointed out time and time again that paper ballots are where mistakes are made when they are hand counted. Paper ballots are where

things become manipulated. So, Mr. Speaker, I ask for a "no" vote.

I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I would urge that we approve this very modest measure. As has been noted by the White House in their statement today, there is \$1 billion that has been appropriated and remains unspent by States to prepare and conduct the 2008 elections. Most of those funds are allocated to the purchase of DREs that have been so troublesome, and this authorization would allow for a very modest portion of a maximum of \$75 million of that appropriated funds to be used for backup paper ballots.

In my own county of Santa Clara, we ran out of ballots this election year, and people were scrambling. That was before the massive budget cuts that the county is facing. And I will just say this. Having been on the board of supervisors for longer than I have been in the United States House of Representatives, I understand how tough it is to balance those budgets. At local government, there is no deficit spending. What you have got is what you can spend. So county boards of supervisors all over the country are trying to figure out how to run an election with local funds and also keep the county hospital open and also fund the sheriff's department and also keep the parks open and keep the streets paved.

I fear that backup paper ballots in November are not going to compete with some of the more pressing needs and so this bill is enormously important. We can pass it today and have a more orderly election so that no American is denied their right to vote. I urge Members to put partisanship aside, to support this very modest measure that is supported by election officials all over the United States.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 5803.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MCCARTHY of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

PROCEDURE FOR CONSIDERATION OF RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE IF OFFERED TODAY

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that if the gentleman from Ohio (Mr.

KUCINICH) offers a resolution as a question of the privileges of the House at any time on the legislative day of July 15, 2008—

(1) the previous question shall be considered as ordered thereon without intervening motion except one motion to refer and one motion to table (which shall have precedence in the order stated); and

(2) the Speaker may postpone further proceedings on such a vote on any such motion as though under clause 8(a)(1)(A) of rule XX.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5959, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2009

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110-759) on the resolution (H. Res. 1343) providing for consideration of the bill (H.R. 5959) to authorize appropriations for fiscal year 2009 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3999, NATIONAL HIGHWAY BRIDGE RECONSTRUCTION AND INSPECTION ACT OF 2008

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110-760) on the resolution (H. Res. 1344) providing for consideration of the bill (H.R. 3999) to amend title 23, United States Code, to improve the safety of Federal-aid highway bridges, to strengthen bridge inspection standards and processes, to increase investment in the reconstruction of structurally deficient bridges on the National Highway System, and for other purposes, which was referred to the House Calendar and ordered to be printed.

RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. KUCINICH. Mr. Speaker, I rise to a question of the privileges of the House and offer the resolution noticed on July 10.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 1345

AN ARTICLE OF IMPEACHMENT OF PRESIDENT GEORGE W. BUSH

Resolved, That President George W. Bush be impeached for high crimes and mis-

demeanors, and that the following Article of Impeachment be exhibited to the United States Senate:

An Article of Impeachment exhibited by the House of Representatives of the United States of America in the name of itself and the people of the United States of America, in maintenance and support of its impeachment against President George W. Bush for high crimes and misdemeanors.

ARTICLE ONE—DECEIVING CONGRESS WITH FABRICATED THREATS OF IRAQ WMDs TO FRAUDULENTLY OBTAIN SUPPORT FOR AN AUTHORIZATION OF THE USE OF MILITARY FORCE AGAINST IRAQ

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the Office of President of the United States, and to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution "to take care that the laws be faithfully executed," deceived Congress with fabricated threats of Iraq Weapons of Mass Destruction to fraudulently obtain support for an authorization for the use of force against Iraq and used that fraudulently obtained authorization, then acting in his capacity under article II, section 2 of the Constitution as Commander in Chief, to commit U.S. troops to combat in Iraq.

To gain congressional support for the passage of the Joint Resolution to Authorize the Use of United States Armed Forces Against Iraq, the President made the following material representations to the Congress in S.J. Res. 45:

1. That Iraq was "continuing to possess and develop a significant chemical and biological weapons capability. . . ."

2. That Iraq was "actively seeking a nuclear weapons capability. . . ."

3. That Iraq was "continuing to threaten the national security interests of the United States and international peace and security."

4. That Iraq has demonstrated a "willingness to attack, the United States. . . ."

5. That "members of al Qaeda, an organization bearing responsibility for attacks on the United States, its citizens and interests, including the attacks that occurred on September 11, 2001, are known to be in Iraq. . . ."

6. The "attacks on the United States of September 11, 2001, underscored the gravity of the threat that Iraq will transfer weapons of mass destruction to international terrorist organizations. . . ."

7. That Iraq "will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them to international terrorists who would do so. . . ."

8. That an "extreme magnitude of harm that would result to the United States and its citizens from such an attack. . . ."

9. That the aforementioned threats "justify action by the United States to defend itself. . . ."

10. The enactment clause of section 2 of S.J. Res. 45, the Authorization of the Use of the United States Armed Forces authorizes the President to "defend the national security interests of the United States against the threat posed by Iraq. . . ."

Each consequential representation made by the President to the Congress in S.J. Res. 45 in subsequent iterations and the final version was unsupported by evidence which was in the control of the White House.

To wit:

1. Iraq was not "continuing to possess and develop a significant chemical and biological weapons capability. . . ."

"A substantial amount of Iraq's chemical warfare agents, precursors, munitions and production equipment were destroyed between 1991 and 1998 as a result of Operation Desert Storm and United Nations Special Commission (UNSCOM) actions. There is no reliable information on whether Iraq is producing and stockpiling chemical weapons or whether Iraq has or will establish its chemical warfare agent production facilities."

The source of this information is the Defense Intelligence Agency, a report called, "Iraq—Key WMD Facilities—An Operational Support Study," September 2002.

"Statements by the President and Vice President prior to the October 2002 National Intelligence Estimate regarding Iraq's chemical weapons production capability and activities did not reflect the intelligence community's uncertainties as to whether such production was ongoing."

The source of this information is the Senate Select Committee on Intelligence, a report entitled "Report on Whether Public Statements Regarding Iraq By U.S. Government Officials Were Substantiated By Intelligence Information." June 5, 2008.

"In April and early May 2003, military forces found mobile trailers in Iraq. Although intelligence experts disputed the purpose of the trailers, administration officials repeatedly asserted that they were mobile biological weapons laboratories. In total, President Bush, Vice President CHENEY, Secretary Rumsfeld, Secretary Powell, and National Security Advisor Rice made 34 misleading statements about the trailers in 27 separate public appearances. Shortly after the mobile trailers were found, the Central Intelligence Agency and the Defense Intelligence Agency issued an unclassified white paper evaluating the trailers. The white paper was released without coordination with other members of the intelligence community, however. It was later disclosed that engineers from the Defense Intelligence Agency who examined the trailers concluded that they were most likely used to produce hydrogen for artillery weather balloons. A former senior intelligence official reported that 'only one of 15 intelligence analysts assembled from three agencies to discuss the issue in June endorsed the white paper conclusion.'"

The source of this information is the House Committee on Government Reform, minority staff, "Iraq on the Record: Bush Administration's Public Statements about Chemical and Biological Weapons." March 16, 2004.

Former chief of CIA covert operations in Europe, Tyler Drumheller, has said that the CIA had credible sources discounting weapons of mass destruction claims, including the primary source of biological weapons claims, an informant who the Germans code-named "Curveball" whom the Germans had informed the Bush administration was a likely fabricator of information including that concerning the Niger yellowcake forgery. Two other former CIA officers confirmed Drumheller's account to Sidney Blumenthal who reported the story at Salon.com on September 6, 2007, which in fact is the media source of this information.

"In practical terms, with the destruction of the al Hakam facility, Iraq abandoned its ambition to obtain advanced biological weapons quickly. The Iraq Survey Group (ISG) found no direct evidence that Iraq, after 1996, had plans for a new biological weapons program or was conducting biological weapons-specific work for military purposes. Indeed, from the mid-1990s, despite evidence of continuing interest in nuclear and chemical weapons, there appears to be a complete absence of discussion or even interest in biological weapons at the Presidential level. In spite of exhaustive investigation,