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

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Abercrombie
Ackerman
Allen
Andrews
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Hefley
Herseth
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
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
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
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
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—17

Baird
Chabot
Clay
Davis (FL)
Hinojosa
Israel
Jefferson
Jones (OH)
Norwood
Otter
Owens
Rehberg
Reyes
Sweeney
Walsh
Waters
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1217

Mrs. JOHNSON of Connecticut changed her vote from ''no'' to ''aye.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 69, the previous question, and No. 70, the motion to table the Pelosi resolution, had I been present, I would have voted "no" on both rollcalls.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 21

Mr. MENENDEZ. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 21.

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

There was no objection.

GENERAL LEAVE

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill (H.R. 1268) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes, and that I may include tabular material on the same.

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

There was no objection.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND TSUNAMI RELIEF, 2005

The SPEAKER pro tempore (Mr. FOLEY). Pursuant to House Resolution 151 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1268.

□ 1217

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1268) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

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

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

The Chair recognizes the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is with great pride that I bring before the House H.R. 1268, a bill making emergency supplemental appropriations for fiscal year 2005. This is my first appropriations measure as the new Appropriations Committee chairman. I am especially proud of the extraordinary effort put forth by the committee's members and staff to report a bill that will better permit our troops to prosecute the war on terrorism and will do so with a price tag less than that requested by the President.

Mr. Chairman, I would like to have the House pay special attention to three of my colleagues who have come back from the private sector to help serve this committee. Frank Cushing is my staff director, and David LesStrang and Jeff Shockey are my deputy staff directors for the Committee. I really appreciate their willingness to make great sacrifice to come back.

Six of the committee's 10 subcommittees participated in the development of this measure which provides $81.27 billion in urgent and emergency spending. The lion's share of that amount, some $76.8 billion, is for defense-related expenditures. This funding represents an increase for defense needs of $1.8 billion above the President's request, which I hasten to note is entirely for enhanced support for deployed, soon-to-be deployed, or returning troops in order to assist in force protection and to increase the survivability of the troops in the field.

To provide these important resources for our troops, we reduced other, nonessential DOD requests by some $600

million as well as nearly $1 billion in foreign assistance-related programs that were either not well justified or did not meet the strict definition we applied for emergency spending. In addition, another $1 billion of extremely important and time-sensitive non-emergency foreign assistance approved by the committee was completely offset by a rescission of funds originally appropriated in fiscal year 2003.

With my colleagues' indulgence, I would like to take a few moments to give the House a flavor of the urgent procurement needs that the committee has included in the measure for our troops. Those include up-armored Humvees and other new Humvees, medium and heavy trucks, night vision devices, handheld stand-off mine detection systems, jammers, improved high-frequency radios, Strykers to replace combat losses, add-on armor kits, small-arms modifications and ammunition, body armor for both the Army and Marine Corps, and medical supplies.

In addition to our providing these necessary resources for our troops, the committee was compelled to fully fund the Army's modularity program at this time because of the urgency to address the significant challenges the Army now faces in mitigating stress on the current active duty combat force. To meet this problem, the Army will not only create 10 additional combat brigades; all of the current combat brigades will be redesigned to enhance their ability to deploy more rapidly and operate more independently on the battlefield. I might add that our determination to procure additional equipment beyond the President's request will allow forthcoming troop rotations to receive much of their equipment prior to deployment, clearly an obvious benefit to the success of our troops.

Beyond the requirements of our defense community, the bill provides $656 million to meet the human needs resulting from last December's horrific tsunami. In addition, the bill includes $592 million for the construction of the U.S. embassy compound in Baghdad. While that money for the embassy is a reduction of some $66 million, or 10 percent, from the President's request, construction of the embassy compound has been deemed urgent because of the imminent security threats to some 4,000 U.S. personnel in Iraq. Thus far, 45 personnel with the U.S. mission in Iraq have been killed, including two American citizens who were killed by a rocket attack on our diplomatic compound the day of the Iraqi elections. Providing the funds now will greatly reduce the amount of time our personnel remain in harm's way.

Despite the additional needs we have recommended on behalf of our troops, the committee's bill is $614 million less than that requested by the President. This reduction comes largely as a result of reductions in proposed foreign assistance spending.

Mr. Chairman, I believe this measure is responsible both in how we have responded to the needs to provide for adequate resources in making this fight against terrorism and also in how we have carefully scrubbed each and every program so that we can say with utmost assurance that this is a fiscally sound piece of legislation.

Mr. Chairman, as I close my remarks, I wish to express my deep appreciation for my ranking member from Wisconsin (Mr. OBEY), as well as to each and every member of the committee. I have already expressed my feelings about our staff on both sides of the aisle. All of them have worked so diligently to prepare effectively this legislation.

Mr. Chairman, as I mentioned at the outset, I am very proud of this measure I bring to you, my first measure as chairman of the Committee on Appropriations. I certainly urge the Members to adopt this bill.

Emergency Supplemental Appropriations Act for Defense - the Global War on Terror - and Tsunami Relief - 2005 (H.R.1268)
(Amounts in thousands)

	FY 2005 Request	Recommended in the Bill	Bill vs. Request
EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR IRAQ, AFGHANISTAN, TSUNAMI, 2005			
TITLE I - DEFENSE-RELATED APPROPRIATIONS			
CHAPTER 1			
DEPARTMENT OF DEFENSE			
Military Personnel			
Military Personnel, Army (emergency)	11,756,842	11,779,642	+22,800
Military Personnel, Navy (emergency)	524,980	534,080	+9,100
Military Personnel, Marine Corps (emergency)	1,246,126	1,251,726	+5,600
Military Personnel, Air Force (emergency)	1,316,572	1,473,472	+156,900
Reserve Personnel, Army (emergency)	39,627	40,327	+700
Reserve Personnel, Navy (emergency)	9,411	11,111	+1,700
Reserve Personnel, Marine Corps (emergency)	4,015	4,115	+100
Reserve Personnel, Air Force (emergency)	130	130	---
National Guard Personnel, Army (emergency)	429,200	430,300	+1,100
National Guard Personnel, Air Force (emergency)	91	91	---
Subtotal, Military personnel	15,326,994	15,524,994	+198,000
Operation and Maintenance			
Operation and Maintenance, Army (emergency)	17,201,004	17,366,004	+165,000
Operation and Maintenance, Navy (emergency)	3,423,501	3,030,801	-392,700
Operation and Maintenance, Marine Corps (emergency)	970,464	982,464	+12,000
Operation and Maintenance, Air Force (emergency)	5,601,510	5,769,450	+167,940
Operation and Maintenance, Defense-Wide (emergency)	3,521,327	3,061,300	-460,027
Operation and Maintenance, Army Reserve (emergency)	8,154	8,154	---
Operation and Maintenance, Navy Reserve (emergency)	75,164	75,164	---
Operation and Maintenance, Marine Corps Reserve (emergency)	24,920	24,920	---
Operation and Maintenance, Army National Guard (emergency)	188,779	188,779	---
Overseas Humanitarian, Disaster, and Civic Aid (emergency)	10,000	10,000	---
Afghanistan Security Forces Fund (emergency)	1,285,000	1,285,000	---
Iraq Security Forces Fund (emergency)	5,700,000	5,700,000	---
Subtotal, Operation and maintenance	38,009,823	37,502,036	-507,787
Procurement			
Aircraft Procurement, Army (emergency)	458,677	458,677	---
Missile Procurement, Army (emergency)	294,036	340,536	+46,500
Procurement of Weapons and Tracked Combat Vehicles, Army (emergency)	2,425,207	2,678,747	+253,540
Procurement of Ammunition, Army (emergency)	475,000	532,800	+57,800

Emergency Supplemental Appropriations Act for Defense - the Global War on Terror - and Tsunami Relief - 2005 (H.R.1268)
(Amounts in thousands)

	FY 2005 Request	Recommended in the Bill	Bill vs. Request
Other Procurement, Army (emergency)	5,316,405	6,549,905	+1,233,500
(By transfer emergency)	---	(85,000)	(+85,000)
Other procurement, Army (incl transfer)	(5,316,405)	(6,634,905)	(+1,318,500)
Aircraft Procurement, Navy (emergency)	200,295	200,295	---
Weapons Procurement, Navy (emergency)	71,600	71,600	---
Procurement of Ammunition, Navy and Marine Corps (emergency)	133,635	141,735	+8,100
Other Procurement, Navy (emergency)	85,672	78,372	-7,300
Procurement, Marine Corps (emergency)	2,974,045	3,588,495	+614,450
Aircraft Procurement, Air Force (emergency)	269,241	279,241	+10,000
Procurement of Ammunition, Air Force (emergency)	6,998	6,998	---
Other Procurement, Air Force (emergency)	2,834,328	2,658,527	-175,801
Procurement, Defense-Wide (emergency)	591,327	646,327	+55,000
Subtotal, Procurement	16,136,466	18,232,255	+2,095,789
(By transfer emergency)	---	(85,000)	(+85,000)
Total funds available	(16,136,466)	(18,317,255)	(+2,180,789)
Research, Development, Test and Evaluation			
Research, Development, Test and Evaluation, Army (emergency)	25,170	25,170	---
Research, Development, Test and Evaluation, Navy (emergency)	179,051	202,051	+23,000
Research, Development, Test and Evaluation, Air Force (emergency)	102,540	121,500	+18,960
Research, Development, Test and Evaluation, Defense-Wide (emergency)	153,561	159,600	+6,039
Subtotal, RDT&E	460,322	508,321	+47,999
Revolving And Management Funds			
Defense Working Capital Funds (emergency)	1,311,300	1,411,300	+100,000
National Defense Sealift Fund (emergency)	32,400	32,400	---
Subtotal, Revolving and management funds	1,343,700	1,443,700	+100,000
Other Department of Defense Programs			
Drug Interdiction and Counter-Drug Activities, Defense (emergency)	257,000	257,000	---
Office of the Inspector General (emergency)	148	148	---
Subtotal, Other DoD programs	257,148	257,148	---
Related Agencies			
Intelligence Community Management Account (emergency)	250,300	250,300	---

Emergency Supplemental Appropriations Act for Defense - the Global War on Terror - and Tsunami Relief - 2005 (H.R.1268)
(Amounts in thousands)

	FY 2005 Request	Recommended in the Bill	Bill vs. Request
General Provisions			
Additional transfer authority (emergency)	(2,500,000)	(2,000,000)	(-500,000)
New transfer authority (emergency)	(5,000,000)	(2,000,000)	(-3,000,000)
Defense Cooperation Account (emergency)	12,000	12,000	---
Total, Chapter 1	71,796,753	73,730,754	+1,934,001
(By transfer emergency)	---	(85,000)	(+85,000)
Total funds available	(71,796,753)	(73,815,754)	(+2,019,001)
CHAPTER 2			
DEPARTMENT OF DEFENSE			
Military Construction, Army (emergency)	990,100	930,100	-60,000
Military Construction, Navy and Marine Corps (emergency)	107,380	92,720	-14,660
Military Construction, Air Force (emergency)	301,520	301,386	-134
Military Personnel, Army (emergency)	1,542,100	1,542,100	---
Operation and Maintenance, Army (emergency)	66,300	66,300	---
Defense Health Program (emergency)	175,550	175,550	---
Total, Chapter 2	3,182,950	3,108,156	-74,794
Total, Title I	74,979,703	76,838,910	+1,859,207
TITLE II - INTERNATIONAL PROGRAMS AND ASSISTANCE FOR RECONSTRUCTION AND THE WAR ON TERROR			
CHAPTER 1			
BILATERAL ECONOMIC ASSISTANCE			
FUNDS APPROPRIATED TO THE PRESIDENT			
United States Agency For International Development			
International Disaster and Famine Assistance (emergency)	44,000	44,000	---
Transition Initiatives (emergency)	63,000	---	-63,000
Operating Expenses of the USAID (emergency)	24,400	---	-24,400
Operating Expenses of the USAID	---	24,400	+24,400
Operating Expenses of the USAID Office of Inspector General (emergency)	2,500	---	-2,500
Operating Expenses of the USAID Office of Inspector General	---	2,500	+2,500
Subtotal, USAID	133,900	70,900	-63,000
Other Bilateral Economic Assistance			
Economic Support Fund (emergency)	1,631,300	376,500	-1,254,800
Economic Support Fund	---	684,700	+684,700
Assistance for the Independent States of the Former Soviet Union (emergency)	60,000	---	-60,000
Assistance for the Independent States of the Former Soviet Union	---	33,700	+33,700
Global War On Terror Partners Fund (emergency)	200,000	---	-200,000
Subtotal, Other bilateral assistance	1,891,300	1,094,900	-796,400
DEPARTMENT OF STATE			
International Narcotics Control and Law Enforcement (emergency)	660,000	594,000	-66,000
Migration and Refugee Assistance (emergency)	53,400	53,400	---

Emergency Supplemental Appropriations Act for Defense - the Global War on Terror - and Tsunami Relief - 2005 (H.R.1268)
(Amounts in thousands)

	FY 2005 Request	Recommended in the Bill	Bill vs. Request
Nonproliferation, Anti-Terrorism, Demining and Related Programs (emergency)	32,100	17,100	-15,000
Subtotal, Department of State	745,500	664,500	-81,000
MILITARY ASSISTANCE			
FUNDS APPROPRIATED TO THE PRESIDENT			
Foreign Military Financing Program (emergency)	250,000	---	-250,000
Foreign Military Financing Program	---	250,000	+250,000
Peacekeeping Operations (emergency)	210,000	10,000	-200,000
Rescission of unexpended balances (rescission)	---	-1,000,000	-1,000,000
Subtotal, Military assistance	460,000	-740,000	-1,200,000
Total, Chapter 1	3,230,700	1,090,300	-2,140,400
Appropriations	---	995,300	+995,300
Emergency appropriations	3,230,700	1,095,000	-2,135,700
Rescissions	---	-1,000,000	-1,000,000
CHAPTER 2			
DEPARTMENT OF STATE AND RELATED AGENCY			
DEPARTMENT OF STATE			
Administration of Foreign Affairs			
Diplomatic and Consular Programs (emergency)	767,200	748,500	-18,700
Embassy Security, Construction, and Maintenance (emergency)	658,000	592,000	-66,000
International Organizations			
Contributions for International Peacekeeping Activities (emergency)	780,000	580,000	-200,000
RELATED AGENCY			
Broadcasting Board Of Governors			
International Broadcasting Operations (emergency)	4,800	4,800	---
Broadcasting Capital Improvements (emergency)	2,500	---	-2,500
Total, Chapter 2	2,212,500	1,925,300	-287,200
CHAPTER 3			
DEPARTMENT OF AGRICULTURE			
Foreign Agricultural Service			
Public Law 480 Title II Grants (emergency)	150,000	150,000	---
Total, Title II	5,593,200	3,165,600	-2,427,600

Emergency Supplemental Appropriations Act for Defense - the Global War on Terror - and Tsunami Relief - 2005 (H.R.1268)
(Amounts in thousands)

	FY 2005 Request	Recommended in the Bill	Bill vs. Request
TITLE III - DOMESTIC APPROPRIATIONS FOR THE WAR ON TERROR			
CHAPTER 1			
DEPARTMENT OF ENERGY			
National Nuclear Security Administration			
Defense Nuclear Nonproliferation (emergency).....	110,000	110,000	---
CHAPTER 2			
DEPARTMENT OF HOMELAND SECURITY			
United States Coast Guard			
Operating Expenses (emergency).....	111,950	111,950	---
Acquisition, Construction and Improvements (emergency)	49,200	49,200	---
CHAPTER 3			
DEPARTMENT OF JUSTICE			
Federal Bureau Of Investigation			
Salaries and Expenses (emergency).....	80,000	78,970	-1,030
Drug Enforcement Administration			
Salaries and Expenses (emergency).....	7,648	7,648	---
Total, Title III.....	358,798	357,768	-1,030
TITLE IV - INDIAN OCEAN TSUNAMI RELIEF			
CHAPTER 1			
FUNDS APPROPRIATED TO THE PRESIDENT			
Other Bilateral Assistance			
Tsunami Recovery and Reconstruction Fund (emergency)..	701,000	656,000	-45,000
CHAPTER 2			
DEPARTMENT OF DEFENSE			
Operation And Maintenance			
Operation and Maintenance, Navy (emergency).....	124,100	124,100	---
Operation and Maintenance, Marine Corps (emergency)...	2,800	2,800	---
Operation and Maintenance, Air Force (emergency).....	30,000	30,000	---
Operation and Maintenance, Defense-Wide (emergency)...	29,150	29,150	---
Overseas Humanitarian, Disaster, and Civic Aid (emergency).....	36,000	36,000	---
Total, Chapter 2.....	222,050	222,050	---
CHAPTER 3			
DEPARTMENT OF DEFENSE			
Defense Health Program (emergency).....	3,600	3,600	---

Emergency Supplemental Appropriations Act for Defense - the Global War on Terror - and Tsunami Relief - 2005 (H.R.1268)
(Amounts in thousands)

	FY 2005 Request	Recommended in the Bill	Bill vs. Request
CHAPTER 4			
DEPARTMENT OF HOMELAND SECURITY			
United States Coast Guard			
Operating Expenses (emergency)	350	350	---
CHAPTER 5			
DEPARTMENT OF THE INTERIOR			
United States Geological Survey			
Surveys, Investigations, and Research (emergency)	8,100	8,100	---
CHAPTER 6			
DEPARTMENT OF COMMERCE			
National Oceanic And Atmospheric Administration			
Operations, Research, and Facilities (emergency)	4,830	4,830	---
Procurement, Acquisition and Construction (emergency)	9,670	9,670	---
Total, Chapter 6	14,500	14,500	---
Total, Title IV	949,600	904,600	-45,000
Grand total	81,881,301	81,266,878	-614,423
Appropriations	---	995,300	+995,300
Emergency appropriations	81,881,301	81,271,578	-609,723
Rescissions	---	-1,000,000	-1,000,000
(Transfer authority)	(7,500,000)	(4,000,000)	(-3,500,000)
(By transfer)	---	---	---
(By transfer emergency)	---	(85,000)	(+85,000)

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

Mr. OBEY. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Pennsylvania (Mr. MURTHA), the ranking member of the defense appropriations subcommittee.

Mr. MURTHA. Mr. Chairman, this is truly a bipartisan bill, the defense part of it in particular. Chairman YOUNG and I have worked very closely together. He visited some places; I visited three bases. We found shortages. We found problems. We tried to rectify those problems. We tried to put in what the people in the field asked us and what needed to be done.

We realized that insurance payments needed to be changed. We realized that the death benefits needed to be changed. We also realized there is a jurisdictional problem, but we felt like it could not wait. I have had 12 people killed in my district, and there is no question in my mind for the need for that to be changed.

But the thing that is the most important in my estimation is accountability. Chairman YOUNG and I sat in his office not long ago and talked about the bill, and he got his copy of the Constitution out and it talked about accountability. It talked about congressional accountability. And I thought how unaccountable the Defense Department seems to be at this stage. They do not seem to realize we are not here to hurt them, we are here to help them. We believe that if you do not have the confidence of the people, if you do not have confidence in the way the money is being spent, you are going to lose confidence in the overall project, the overall philosophy, the overall direction we are trying to go.

We put language in the bill last year, and we said, you have got to give us a report. That report is 3 or 4 months late. No reason for that to happen. They had plenty of notice. And it should have been on our desk before this bill was up so that if there was something that needed to be rectified, we could rectify it. There are two reports. I do not know if the second one is late yet or not.

Of course that takes us to the next step and that is the thing with the intelligence which we have read in the newspaper and which I can neither confirm nor not confirm has happened. But I worry that things are getting out of control that we do not know about. We sit and try to help them every way we can. Many of the things we put in this bill they did not ask for because they did not know about it. We found out about it, and we made sure that was part of the presentation, part of this bill.

I have to say that when I meet with the Secretary of Defense, when we listen to his presentation, we always say to him, chairman of the full committee, Chairman LEWIS, chairman of the defense subcommittee the last time, Chairman YOUNG, we always say, Look, we're here to help you. Give us these reports. Tell us how you're spending this money. When I saw there was a $9 billion fund that was not accounted for according to the auditors, and, of course, this is not appropriated money, this is money provided for the oil, but still we should know where it goes because it can replace some of the money that we are appropriating for these resources.

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

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

Mr. LEWIS of California. I appreciate my colleague yielding. I know he will continue with his statement. I want the body to know that I very much share his concern. The gentleman from Wisconsin (Mr. OBEY) and I have discussed this issue. He expresses his concern very clearly; as did the gentleman from Florida (Mr. YOUNG). It has been my privilege to work with the gentleman for years, and I know of his commitment to the Department and our work. Indeed the Administration does owe us the courtesy of adequate and appropriate response time.

Mr. MURTHA. I would just conclude by saying this is our responsibility under the Constitution, and I am hopeful that the Defense Department gets the message. I support the bill and will do everything I can to get it passed. Of course, any problems we have in conference I am sure we will work them out.

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

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

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding me this time. I want to congratulate the gentleman on this, his first bill to be brought to the floor of the House of Representatives. I think it is indicative of the good work that he and his staff are doing.

Mr. Chairman, I want to talk about the funding of programs that are under the jurisdiction of the subcommittee that I chair, that is, the Subcommittee on Foreign Operations, Export Financing and Related Programs. It totals $2.7 billion. However, approximately $1 billion of that is offset with a cut to previously appropriated funds. The remaining $1.75 billion is provided as emergency spending and includes $656 million for tsunami recovery. The committee's overall recommendation for all the programs under the jurisdiction of the Subcommittee on Foreign Operations, Export Financing and Related Programs is $1.2 billion less than the President requested. However, with the $1 billion offset, less than half of the President's request will impact the Federal deficit.

Let me say once again that I do strongly support the objectives that the President seeks to achieve with this request as it relates to Afghanistan, the Middle East, the Ukraine and the tsunami-devastated areas of Asia. But I did tell Chairman LEWIS that I would scrutinize this request, and the result of that scrutiny is what is before the Members today. We have assigned the highest priority to programs that can be implemented and executed during 2005 and that are not likely to be funded by other donors. The resulting recommendation is a balanced approach to supporting the President's request and provides much-needed emergency appropriations to further the fight against terror and provide disaster assistance.

Let me explain further the recommendation for the programs under the foreign operations jurisdiction. We broke the President's request down into three different categories. The first includes programs that are true emergencies, such as replenishment of funds that were reprogrammed previously for tsunami disaster assistance and poppy eradication in Afghanistan, funds for the humanitarian crisis in Darfur and in Asia, and funds to train Afghan police, funds that are necessary to improve conditions that would enable us to bring our troops home as soon as possible. Total emergency spending under this first category is $1.75 billion, as I already indicated.

The second category of funds includes those programs requested by the President that we have determined to not be an emergency, but are important to U.S. leadership abroad. Additionally, this category includes reconstruction resources to stabilize and improve conditions in Afghanistan and the Middle East which support our efforts to bring our troops home, funds to support the democratic movement and government in Ukraine, and funds for programs in the West Bank and Gaza. We have provided $995 million in this second category of nonemergency spending and have offset these funds with the rescission of prior foreign assistance appropriations, specifically funds that were appropriated for Turkey in the fiscal year 2003 supplemental bill.

I think my colleagues recognize that we are faced with unique opportunities in the Middle East and Afghanistan. Our leadership can have positive influence in both the West Bank and Gaza, in Ukraine, in Indonesia and Sri Lanka and, of course, in Afghanistan. I saw a press report recently from Indonesia, the world's most populous Muslim country, that showed that the backing for Osama bin Laden had dropped from 58 percent in 2003 to 23 percent today.

□ 1230

I believe part of that is due to the efficiency and the generosity of U.S. relief efforts after the December tsunami. As chairman of the Foreign Operations, Export Financing and Related Programs Subcommittee, I am repeatedly reminded of how much we as a nation do each year to provide disaster assistance and relief. It is encouraging to know that at least one important

Muslim country has started to take notice.

Finally, the last category includes programs requested by the administration that we determined were less urgent and could be considered in the 2006 budget process. This category totals $1.2 billion in funding and includes fiscal year 2006 operating costs of our programs overseas and large construction projects that can either wait for consideration or would have a possible revenue stream, making them ideal projects for World Bank and Asian Development Bank funding. These programs total $616 million for Afghanistan, $200 million for the new Global War on Terror Partners Fund, the new $200 million Solidarity Fund, and $45 million in debt relief for countries affected by the December tsunami.

Let me say that the funds we are providing in the foreign assistance chapter must be considered an investment in security both in the region and on American soil. It is also a responsibility to our future. We must not be faced 20 years in the future with the knowledge that we looked at the opportunities of a Taliban-free Afghan government, a democracy-oriented government in the Ukraine, a Middle East craving freedom and representative government, only to turn away and leave them to their own meager means with no U.S. influence.

Mr. Chairman, I urge that this legislation be adopted. I believe that this is a good bill and a well written one.

Mr. OBEY. Mr. Chairman, I yield 5 minutes to the distinguished gentlewoman from New York (Mrs. LOWEY), the ranking member of the Foreign Operations, Export Financing and Related Programs Subcommittee.

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. LOWEY. Mr. Chairman, I am pleased to have worked with the gentleman from Arizona (Chairman KOLBE) to develop recommendations on the international assistance portion of the bill. As the gentleman from Arizona (Chairman KOLBE) said, the bill does cut $1.2 billion in nonemergency initiatives from the administration's international assistance request as well as rescinds an additional $1 billion in previously appropriated funds that are no longer needed, and I certainly concur with most of the chairman's recommended cuts. However, I do want to express my concern that we will be expected to fund some of these items on the fiscal year 2006 bill, and as I anticipate a 302(b) allocation for the Foreign Operations bill that may cut the 2006 request, these needs will be tough to accommodate.

We are now into year three of the reconstruction programs in Afghanistan; yet the administration continues to rely on off-budget emergency supplementals to fund ongoing reconstruction. There are clearly many nonemergency items in the $2 billion requested for Afghanistan in this bill. The establishment of a stable democracy in Afghanistan with their own security forces is the key to bringing our troops home. The administration, I am concerned, has set back that effort by overuse of the emergency supplemental mechanism instead of providing appropriate assistance within the normal appropriations process, and I do hope in working closely with the gentleman from Arizona (Chairman KOLBE), we will be able to provide sufficient funds that are so important for the future of Afghanistan.

I am very pleased that the committee was able to protect funds for continued urgent needs in Afghanistan, especially for initiatives that support women and girls. The supplemental contains approximately $63 million in support of education, health, economic, democracy programs that target women and girls. And I am pleased with the generous amounts in the bill for the tsunami relief and reconstruction, as well as other items that advance our foreign policy interests.

I will be supporting the Jackson amendment to add $100 million for unmet needs in Africa because in my judgment the ongoing complex crisis in the Democratic Republic of the Congo, Liberia, Northern Uganda, Ethiopia, and Somalia may be out of the media spotlight, but the human suffering continues and additional funds are urgently needed to provide food and medical assistance to refugees, to facilitate refugee returns, and to provide drought-related aid. The Congress does have a responsibility to real disasters and to ensure that the United States is generous in our response to crises throughout the world. We have been extraordinarily generous with our tsunami relief, and I think we need to follow suit to meet the real needs in Africa.

I would also note that the bill contains $200 million for the West Bank/Gaza program with appropriate safeguards for monitoring and auditing. Fifty million of the $200 million will improve the flow of goods and people with Israel and will thus improve the security of Israel and the region.

Finally, I will be also supporting the Maloney amendment to transfer $3 million from ESF accounts to UNFPA to assist tsunami victims. The UNFPA, with its proven track record and longstanding presence in the tsunami-affected areas, is uniquely placed to immediately respond to the needs of women and children, populations among the most vulnerable after disasters such as the tsunami.

In closing, I just want to say for me I want to applaud the important efforts of the gentleman from California (Chairman LEWIS); the gentleman from Wisconsin (Mr. OBEY), ranking member; the gentleman from Pennsylvania (Mr. MURTHA); and the gentleman from Arizona (Chairman KOLBE). We wrote the bill together. I think it is a good bill, it is an important bill, and provides very vital services to important places around the world where there are ongoing emergencies.

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

Mr. YOUNG of Florida. Mr. Chairman, I compliment the gentleman from California (Chairman LEWIS) for having brought this first of many important appropriation bills to the floor. He explained the Defense part of this bill very well, as well as he should because he has served superbly as chairman of the Defense Subcommittee for many years. Our portion of the bill is just a little over $73 billion, and it is to provide for the warfighters, to provide the equipment that they need and the protection that they need as they go about carrying out their mission.

I want to take just a few seconds and comment on the issue that the gentleman from Pennsylvania (Mr. MURTHA) raised because we have worked together on this section of the bill from the very beginning, along with the gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKELTON) of the Committee on Armed Services, the gentleman from California (Chairman LEWIS) and the gentleman from Wisconsin (Mr. OBEY). This is truly a work of bipartisanship. But on the subject of accountability, there is no reason that I can think of other than the importance of the Legislative Branch of government that Article I of the Constitution establishes the Legislative Branch of government. We have three branches, separate but equal, but right after the Preamble the first article is the Legislative Branch.

So I do not know whether that means we are a little more equal, but I do know that we control the money. And as I have referred to so many times, and I will continue when it is necessary, it says ''No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.'' That means nobody can spend money, Federal money, unless we appropriate it. But part of that section that does not get referred to very often says in the same sentence, ''and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''

So we think that is just as important, and we, the gentleman from Pennsylvania (Mr. MURTHA), myself, the gentleman from California (Mr. LEWIS), the gentleman from Wisconsin (Mr. OBEY) have just recently met with representatives of the Defense Department. The gentleman from Pennsylvania (Mr. MURTHA) and I just recently sent a letter to the Secretary of Defense outlining our concerns. I think we have made that point very well.

What we do in this supplemental is to provide, as the gentleman from California (Chairman LEWIS) has mentioned, body armor, the uparmored Humvees, ammunition, and medical care. We provide the soldiers that are fighting in the war with what they

need to accomplish their mission and what they need to protect themselves while they are accomplishing their mission. And the specific details of the bill have been made available to Members if they want to see all of the items that are funded in this bill.

I would like to make a brief closing statement that if we are going to get our troops out of Iraq, and we are, and we want them out as soon as we possibly can, and as difficult as it is to state a specific date, but the way we are going to get our troops out, our exit strategy is to provide training to the Iraqis so they can protect themselves from these terrible, violent insurgent terrorists. Part of the money in this bill goes to do just that, to train the Iraqis to protect themselves so that they can have a self-government with some semblance of security. So part of the money will allow the Iraqis to get the training that they need. That is our exit strategy. Let them take over from the American troops, and our American troops will come home. And in the meantime, say a prayer for them, the ones that are over there still. They are still in harm's way. They are doing a really great job. Their attitude is beautiful. As we visit soldiers who have come back from the war in the hospitals, in the VA hospitals, their attitudes are just unbelievable. They believe in what they are doing. So many of them are anxious to get well and get back to the battle if they can. But, anyway, remember, support our troops. Find a job for them when they get out. Take them to lunch. Buy them dinner. Thank them for the good work that they do.

Mr. MURTHA. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, as someone who for the past 2 years has represented over 40,000 soldiers at Fort Hood, Texas, who have fought for our country in Iraq, I am deeply appreciative of the expeditious manner in which the gentleman from California (Chairman LEWIS), the gentleman from Wisconsin (Mr. OBEY), the gentleman from Florida (Chairman YOUNG), and the gentleman from Pennsylvania (Mr. MURTHA) have worked together to pass this important piece of legislation.

This bill sends a very clear message to our troops in harm's way that while Americans may have differences of opinion about the Iraqi War, the fact is that we are all unified when it comes to seeing that our troops in harm's way have all of the support that they need and deserve to do their mission and to come home safely to their families.

In the area of responsibility for the subcommittee on which I serve under the Committee on Appropriations, the Military Quality of Life and Veterans Affairs, and Related Agencies Subcommittee, I wholeheartedly support the language and funding in this bill. Under our subcommittee is $3.1 billion in funding, $175 million of which goes to the Department of Defense health care system to deal with the direct increased costs for health care for our wounded troops coming home; $1.5 billion to pay for housing allowance for our Guard and Reserve soldiers and their families; and $1.3 billion in military construction needed in Iraq and Afghanistan and throughout our country to support our war against terrorism.

I enthusiastically and wholeheartedly support this bill. I do want, Mr. Chairman, to express one concern. The fact is that as of the end of December of last year, there have been 48,000 American troops coming home who have needed health care from the Veterans Administration health care system. While we put $175 million in the DOD part of this budget to take care of extra DOD health care costs, there is not a dime in this supplemental appropriation bill to help the Veterans Administration deal with the cost of dealing with 48,000 and still counting troops who have needed VA health care.

Using the VA Secretary's own testimony before our subcommittee last week, the average cost mathematically is $6,200 for treatment for each veteran within the VA health care system. Multiply that number by the 48,000 troops coming back from Iraq and Afghanistan, and we are talking about an additional $302 million of cost to the VA health care system to help provide needed care for these deserving patriots. I do not think that money ought to come out of the hide of VA health care services to other veterans, and I do not think we should cut corners in terms of quality of care for Iraqi and Afghanistan War veterans once they have left the Department of Defense system and gone into the VA system.

In committee we heard some say the VA is flush with money. I have looked into that statement, and the fact is that the VA is presently laying off hundreds of employees in the VA medical system and taking money out of their equipment accounts to fund their personnel accounts. During time of war and in the spirit of this bill supporting our troops not only when they are in the combat zone but when they return home, I think in that spirit we ought to, as this bill goes to conference committee, look specifically at what additional needs the VA health care system needs, provide the quality medical care that these troops need. If the war is worth fighting, certainly it is worth paying for and it is worth supporting those troops even after they have left the military and continue to pay the mental and physical price for decades for having stood up for our country.

□ 1245

So I would like to urge the committee chairman, the gentleman from California (Mr. LEWIS), the gentleman from Wisconsin (Mr. OBEY), the gentleman from Pennsylvania (Mr. MURTHA), and the gentleman from Florida (Mr. YOUNG) to work together with us on a bipartisan basis to see that we can add the needed money for the VA health care system, to see that we do not shortchange these great Americans who have risked their lives for our country.

Mr. LEWIS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. WOLF).

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

Mr. WOLF. Mr. Chairman, the bill we bring to the floor today includes $2 billion for funding requirements under the jurisdiction of the Subcommittee on Science, State Justice and Commerce including State Department and FBI needs related to program expenses in Iraq.

There are two major issues that I want to summarize, because there is not a lot of time.

The embassy in Iraq. The embassy in Iraq, 45 people have died in attacks on the embassy in Iraq. We want security in this building; we want security in many other buildings around the city. This embassy will cost less in many respects than many of the other buildings. So there is going to be a lot to talk about. But to send our men and women in harm's way to live in a building that is unsafe or to delay the construction would be, quite frankly, wrong.

On the whole issue of peacekeeping, there may very well be an amendment to strike the peacekeeping section. Members should know that in the North-South war, 2.1 million people in Sudan, many Christians, some Muslims and Animists, died in the North-South issue.

Darfur is the scene of genocide today as we now speak, and every Member of this House voted to say there was genocide in Sudan, and every Member of the Senate voted the same way. To take away the peacekeeping money after the Bush administration has done such a good job of bringing North-South peace, to take that away to allow the raping and the pillaging and everything that is going on in Sudan would be morally unacceptable.

Now, President Bush, working with Secretary Powell and Senator Danforth, has negotiated, after 20 years, and keep in mind, Osama bin Laden lived in Sudan from 1991 to 1996, have negotiated for 20 years, and now to strike the peacekeeping money that will send troops in that regard, and we do not want to send American troops there, troops that will stop the pillaging and put insulation into the peace agreement that has been signed, and that will put pressure, pressure, on ending the genocide that is taking place in Darfur.

I would beg this Congress after the good work of this administration and Members on both sides, and almost everybody signed Dear Colleague letters urging the administration to do more on Sudan, they are now doing it. Keep in mind there was slavery in Sudan up

until 2 years ago. Without peacekeepers in Sudan, the North-South agreement will break down, 2.1 million Christians will have died in vain, and many Muslims and many Animists, and Darfur will not come to an end.

So I beg this institution, when this amendment comes up to strike peacekeeping for this area, do not support it, because if you support it and it carries, the genocide, I can guarantee you, will continue in Darfur and the North-South peace agreement will break down and the war will begin. And keep in mind, Hamas has training camps in Khartoum and so does Hezbollah.

The bill we bring to the Floor today includes just over $2 billion for funding requirements under the jurisdiction of the Subcommittee on Science, State, Justice and Commerce, including State Department and FBI needs related to program expenses in Iraq.

For the State Department, we have included $1.92 billion, a reduction of $285 million from the President's request.

The bill includes the necessary funds to maintain our diplomatic presence in Iraq and Afghanistan, and to let our personnel carry out this duties in the safest and most secure manner possible.

If we are going to conduct diplomacy anywhere, it had better be done, and done right, in Iraq and Afghanistan. These are front lines of our foreign policy, and we neglect them at our peril. This bill pays the costs necessary for operations, logistics, and security in those dangerous, but critically important parts of the world.

This bill also includes $592 million to allow State to move out quickly to build a secure compound in Baghdad. The current facilities are not secure. We need to move people out of harm's way as soon as possible.

State has secured a 100 acre site, and is ready to begin construction immediately upon receiving the funds in this bill. Since the bombings in Nairobi and Dar Es Salaam, State has delivered many of these secure compounds on time and on budget. With this funding they will complete a secure living and working compound within 24 months of enactment.

The bill also provides $580 million, $200 million below the President's request, to pay for the U.S. share of ongoing peacekeeping missions and a new mission for Sudan, where the U.S. has been a driving force for a peace agreement.

We have also included requested funding for the FBI counterterrorism efforts, and for DEA counternarcotics efforts in Afghanistan.

Finally, the bill includes requested costs of $14.5 million to jump-start the improvement of United States tsunami warning capabilities.

The Committee has scrubbed the President's request and reduced where we thought it made sense to do so. The result before you provides funding for important security measures for our diplomatic personnel, and provides for our ongoing commitments in Iraq and elsewhere.

I urge my colleagues to support the bill.

Mr. OBEY. Mr. Chairman, I yield 4 minutes 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, I cannot help before I begin to join with my colleague, the gentleman from Virginia (Mr. WOLF), to say that we absolutely cannot strike those vital funds for peacekeeping.

But, Mr. Chairman, I rise today, as well as to support those peacekeeping dollars, to say that many of the efforts in this legislation, the work that has been done by the gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS), I can appreciate in this emergency supplemental, even though as I have spoken to my good friend and leader, the gentleman from Pennsylvania (Mr. MURTHA), on this issue, it is important that we have an announced success strategy for leaving Iraq. Remember what I said, a success strategy, and I have not yet heard that from the administration.

But I rise today to comment that the legislation fails to contain important provisions that would provide what is truly needed by our government and that would ensure that the $81.3 billion in this bill is really spent wisely. I think we could have done better.

I am very disturbed as the ranking member of the Committee on the Judiciary Subcommittee on Immigration, Border Security, and Claims that we have now forced into this bill as a self-operating part of the rule that H.R. 418 would be included in the engrossment of the underlying bill, H.R. 1268.

I opposed the Republican leadership's position to attach the REAL ID Act to this emergency supplemental. This is anti-immigrant legislation that will not make us safer. Rather, it scapegoats asylum seekers and other immigrants.

Last year, Congress passed new driver's license standards in the 9/11 intelligence reform bill with bipartisan support, and I do support that. It was a good bill, and the intelligence reform bill was supported in a bipartisan manner. But we do not need to undo the careful compromise and thought processes by imposing anti-immigrant policies onto States' driver's licenses and identification processes.

Where is the money? This is an unfunded mandate. What is a State going to do if they are not able to implement these new procedures because they do not have the money?

The bill is being attached here in an effort to force the Senate to pass these ill-conceived policies. We have had no hearings on this REAL ID legislation, and I oppose the inclusion of this bill if the underlying legislation is passed and engrossed as set forth in H. Res. 151.

H.R. 418 includes numerous provisions limiting the rights of refugees, imposing onerous new driver's license requirements on the States, making it easier to deport legal immigrants, legal immigrants, waiving all Federal laws concerning the construction of fences and barriers where we have been told by Homeland Security experts they will not make us safer anywhere in the United States, and denying immigrants long-standing habeas corpus rights.

I believe those who are criminals need to be incarcerated, but there are immigrants who are standing in line trying to achieve citizenship. If reenacted into this legislation, it will yet again threaten to close America's doors to religious minorities escaping religious persecution and women fleeing sex trafficking, rape and forced abortions.

In the wake of the 9/11 tragedy, and even after the PATRIOT Act, this legislation would further target immigrants for crimes they have not committed and sins for which they are not responsible. At some point we have to treat terrorism as a problem that requires an ''intelligence'' response, as opposed to an excuse to scapegoat immigrants.

An emergency supplemental that purports to aid tsunami victims, our troops in Iraq and Afghanistan is no place for the provisions of the REAL ID Act. I support spending the necessary dollars to keep our troops in Iraq safe, to provide relief to victims of the tsunami in Southeast Asia and Africa, and to provide security in Afghanistan; but this is a poison pill.

I look forward to supporting the Jackson amendment. I will offer an amendment to stop the devastating lack of funding on the Immigration and Customs Enforcement section of DHS. But we need to take this REAL ID out of it so we can have a good bill.

Mr. Chairman, I rise in support of some of the efforts funded in this emergency supplemental, H.R. 1268, although the legislation fails to contain important provisions that would both provide what is truly needed by our government and that would ensure that the $81.3 billion proposed in this bill is spent wisely. Of particular concern to me as Ranking Member of the House Judiciary Subcommittee on Immigration, Border Security, and Claims, is the forced inclusion of H.R. 418 in the engrossment of the underlying bill, H.R. 1268.

I oppose the Republican leadership's decision to attach the REAL ID Act to this Emergency Supplemental. This anti-immigrant legislation will not make us safer—rather, it scapegoats asylum-seekers and other immigrants.

Last year, Congress passed new driver's license standards in the 9/11 Intelligence Reform bill with bipartisan support. We do not need to undo that careful compromise by imposing anti-immigrant policies onto States' driver's license and identification processes.

This bill is being attached here in an effort to force the Senate to pass these ill-conceived policies. We have had no hearings on this bill, and I oppose the inclusion of this bill if the underlying legislation is passed and engrossed as set forth in the Rule, H. Res. 151.

H.R. 418 includes numerous provisions limiting the rights of refugees, imposing onerous new driver's license requirements on the states, making it easier to deport legal immigrants, waiving all federal laws concerning the construction of fences and barriers anywhere within the United States, and denying immigrants long standing habeas corpus rights.

If re-enacted into this legislation it will yet again threaten to close America's doors to religious minorities escaping religious persecution; and women fleeing sex trafficking, rape, and forced abortions.

In the wake of the 9/11 tragedy, and even after the PATRIOT Act, this legislation would further target immigrants for crimes they have not committed and sins for which they are not responsible. At some point, we have to treat terrorism as a problem that requires an "intelligence" response, as opposed to an excuse to scapegoat immigrants. An emergency supplemental that purports to aid tsumani victims, our troops in Iraq, and Afghanistan is no place for the provisions of REAL ID. Inclusion in this fashion amounts to a forced acceptance of its provisions much like a contract of adhesion.

Mr. Chairman, I support spending the necessary dollars to keep our troops in Iraq safe, to provide relief to victims of the tsunamis in southeast Asia and Africa, and to provide security for Afghanistan. However, the legislation before us today stands to use the public's fear of terrorism to radically change asylum law for ALL asylees, not just those with some connection to terrorism or relating to the issues contained in the underlying legislation. For these reasons, I oppose this legislation in its present form. I will, however, support the Jackson Amendment on Africa and I as well, will offer an amendment to stop the devastating lack of funding of the Immigration and Customs Enforcement section of DHS, a real crucial part of the Nation's Homeland Security.

Mr. LEWIS of California. Mr. Chairman, I am happy to yield 4 minutes to the gentleman from Michigan (Mr. KNOLLENBERG), the chairman of the Subcommittee on Transportation, Treasury, and HUD.

Mr. KNOLLENBERG. Mr. Chairman, I rise in strong support of the supplemental appropriations bill, and I thank the gentleman from California (Mr. LEWIS) for yielding me time. I want to commend the gentleman for putting together what I believe is an excellent bill and for his leadership in reviewing each single element of the administration's request.

The Subcommittee on Transportation, Treasury, and HUD that I chair has mostly technical items in this supplemental that are not controversial, so I would like to focus my comments on the overall bill.

In the past few months, we have seen an extraordinary progress in Iraq and in the Middle East at large. From the historic Iraqi elections, the new Palestinian leadership, voting in Saudi Arabia, and massive demonstrations in Lebanon against their Syrian occupiers, I believe that these events show major positive changes that can come to this part of the world.

We must maintain that momentum, and that is what this bill does. By passing this legislation, we will keep our soldiers in Iraq fully equipped as they continue their daunting task in maintaining security and training Iraqis to take over those functions.

The funding included in this bill to secure a new United States embassy will help get us out of the palaces that we currently occupy. We will provide much-needed assistance to Afghanistan in its efforts to become more secure, restrict the drug trade, and develop its economy. This is a good bill, and it deserves our support.

I would like to comment specifically on one part of the supplemental that I know many of us are concerned about, and that is the $200 million to aid the Palestinian Authority. The Palestinians have an opportunity to get their house in order, and we should help them. Prime Minister Abbas and Finance Minister Fayyad are the right people for their jobs, but we all know that the Palestinian Authority still needs a great deal of reform, and we need to be careful about how we provide money to help the Palestinians.

That is why under the direction and leadership of the gentleman from Arizona (Mr. KOLBE), we included specific conditions for how this money can be used. We maintain the prohibition on direct assistance to the Palestinian Authority. We require the administration to provide a comprehensive report on the steps taken by the Palestinian Authority on good governance, economic reforms, and dismantling the terrorist organizations. And we require an audit of the Palestinian Authority's financial structures.

Providing this money sends an important signal that the U.S. is prepared to help the Palestinians. Including the appropriate conditions sends an equally important signal that the Palestinian Authority has expectations that must be met. The committee should be commended for handling this issue in a balanced and effective way; and I urge everyone, obviously, to support it.

Mr. Chairman, again I say, this is a good bill, It is a necessary bill, and I urge again all of my colleagues to support it.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Maryland (Mr. HOYER), the minority whip.

Mr. HOYER. Mr. Chairman, I thank the gentleman from Wisconsin, and I thank our new chairman and congratulate him on his new position.

Mr. Chairman, I intend to vote for this supplemental appropriations bill, because I believe it is imperative to support our men and women in harm's way in Iraq and Afghanistan and to continue our Nation's important work there. Our Nation must finish what it has begun. We cannot disregard the bravery of millions of Iraqi citizens who turned out to vote in January. Failure there, in my opinion, is not and should not be an option.

This legislation also is a recognition of the bravery and courage of our service men and women, more than 1,500 of whom have given the ultimate measure of sacrifice for freedom.

As Tom Friedman pointed out in the New York Times in February: "There is no single action we could undertake anywhere in the world to reduce the threat of terrorism that would have a bigger impact today than a decent outcome in Iraq." I share that view.

Mr. Chairman, I believe it is more than mere coincidence that over the last several months the winds of democratic reform have begun to blow, not only in Iraq and Afghanistan but also in Lebanon, Egypt, Saudi Arabia, and the Palestinian Authority. But we must harbor no illusions about the prospects for democratic reform in lands that have never known it. However, I believe that it is in our Nation's interests to encourage and promote it.

Mr. Chairman, I also want to note that this legislation includes funding for food and humanitarian assistance in Sudan, as well as tsunami relief.

□ 1300

However, despite these important funding requests, I would be remiss if I did not point out that this bill is far from perfect. In many respects it is troubling.

This Congress has a constitutional obligation, a duty, on behalf of the voters who elected us to serve here to hold the administration accountable for such expenditures. We have asked for a report. We have not gotten that report yet.

The gentleman from Pennsylvania (Mr. MURTHA) mentioned that in our markup. The gentleman from California (Mr. LEWIS) mentioned that in our markup.

The American public wants to support this effort but wants to do so in an effective, honest and efficient manner. It is our responsibility to ensure that.

It is clear that the administration has included many measures in addition that are not emergencies. We understand that practice. It has happened before. But I believe with all due respect that we have not met our oversight requirements.

This bill is approximately $82 billion. In talking to staff, and maybe I stand to be corrected, but I believe that there are only two appropriations bills, Defense and Labor and Health that are larger than this $82 billion bill. Now there may be another one. I think VA–HUD used to be but we do not have VA–HUD. What does that mean? That means we are passing the third largest appropriations bill that we will pass in the Congress.

What does that mean? We are passing the third largest appropriations bill through this House without a single hearing, not one. There was no hearing in subcommittee, any of the subcommittees. There was no hearing in the full committee. We had 2½ hours of consideration in the full committee.

Mr. Chairman, as you know, we literally hold hundreds, perhaps thousands of hours of hearings on the individual bills. As a result, individual Members have the opportunity to ask questions, to make sure themselves that the money that is asked for is being spent appropriately.

As I said, I will support this bill. I do not hold our new chairman responsible for this. This is a supplemental. It came down relatively late. Our men

and women are at risk. We need to get this money moving. I understand that. But I suggest to my colleagues that oversight is critical, and I would urge the gentleman from California (Mr. LEWIS) and the ranking member, the gentleman from Wisconsin (Mr. OBEY), that as we proceed with further consideration of these items that we exercise oversight carefully in the coming months to assure ourselves that this money is being spent as we intend it to be.

Mr. Chairman, I thank the gentleman for yielding me time.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would take a moment to suggest to the gentleman that he may not be aware of it because he does not serve on those subcommittees, but there were at least six hearings in a variety of subcommittees and other meetings regarding this matter before we got organized.

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

Mr. OBEY. Mr. Chairman, how much time remains?

The Acting CHAIRMAN (Mr. FOSSELLA). The gentleman from Wisconsin (Mr. OBEY) has 10 minutes remaining. The gentleman from California (Mr. LEWIS) has 8 minutes remaining.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. SKELTON), the ranking member of the Committee on Armed Services.

Mr. SKELTON. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I will vote in favor of this bill. We cannot let our troops down who are out there on the front line.

Let me wish our new chairman the very best in his maiden voyage through this body on the floor.

Mr. Chairman, I want my colleagues to know that my vote is not a full endorsement of the bill. I am troubled that we continue to resort to supplementals to fund our efforts in Iraq and in Afghanistan. I think we can do a better job making sure our troops on the front line have everything they need if we put funding for these operations up front in the fiscal year rather than halfway through it like we are doing in a supplemental like this.

I also think we should require more rigorous accounting of the war costs. This is important. We need better information to conduct our constitutional duty of oversight. Most important, my reservations have to do with the fact that we still do not have a coherent strategy for success in Iraq.

When I go back home I get questions from my constituents about the war in Iraq and its costs. What is the meaning of winning in Iraq? How will we know when we have won and we can leave, especially when for every insurgent we kill there seems to be another to take his place? Are we trying any more to win the hearts and minds of the Iraqi people? If so, when will the Iraqis be ready to take over their own security?

Many in the administration have said we cannot put a timetable on the withdrawal. I agree. We cannot put a timetable on it. But while we should avoid a schedule, we must have a ''to do'' list. We must set goals for the Iraqi forces. We must be able to measure the progress of those Iraqi forces in attaining those goals.

I voted for the resolution authorizing the use of force in Iraq. I will vote for this bill. We must win in Iraq. But I see no game plan. There is nothing in this bill that forces the administration to level with us and to level with the American people about either the real costs or about our strategy for success. In my opinion this is a missed opportunity.

Mr. Chairman, I urge my colleagues to vote for this bill, but we should all realize that this is far from a perfect way of running Operation Iraqi Freedom.

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

Mr. OBEY. Mr. Chairman, how many speakers does the gentleman have remaining?

Mr. LEWIS of California. At this point I see none on the floor.

Mr. OBEY. Mr. Chairman, I am the last remaining speaker on my side. How much time do I have remaining?

The Acting CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) has 7½ minutes remaining.

Mr. OBEY. Mr. Chairman, I yield myself 6 minutes and 50 seconds.

Mr. Chairman, I would like to make four points. Information is the lifeblood of democracy. If the public does not get sufficient information, they cannot perform their duties in a citizen-based democracy. If this Congress does not get adequate information, it cannot make the right choices in providing checks and balances to any administration.

We have gotten precious little information about the administration's plans for war before the war. We have gotten precious little information about their plans during the war, and we certainly are getting precious little information from them now.

The full cost of this war is being revealed a little bit at a time on the installment plan, and information that the Congress has asked for has not been forthcoming. Example, section 9012 of the 2005 DOD appropriations bill requires, it does not request, it requires the administration as a condition of getting the previous money, it required the administration to give the Congress its best estimate of what our costs would be in the Iraqi war over the next 5 years. They were supposed to have that information by January 1. Last time I looked, we are past January 1. Still no information.

I have already referred previously to the information we have seen in the papers about the activities, the under-the-table classified activities that DOD appears to be engaged in without informing the Congress about those activities. The gentleman from Maryland (Mr. HOYER) referred to oversight responsibilities. I think this Congress has done a miserable job in meeting its oversight responsibilities on this war. There are notable exceptions. But I do not believe that we have insisted on the information that we need to have in order to meet our responsibilities fully and well. I certainly do not think that we have measured up to our obligation to protect taxpayers' money.

We tried in full committee to win support for the creation of a Truman-like committee to conduct ongoing investigations of profiteering in Iraq by contractors. We were turned down.

We asked the Committee on Rules to make a similar amendment in order. We were turned down.

This article demonstrates why we need that committee. This appeared in the Washington Post this morning. ''Pentagon audit questions Halliburton costs in Iraq. Pentagon auditors found more than $100 million in questionable costs in one section of a massive no-bid Halliburton Company contract for delivering fuel to Iraq according to a summary of their reports released yesterday. The audit summary written in October 2004 but withheld from public release covers one out of 10 sections from a $2.5 billion contract under which Halliburton was tapped to deliver fuel, fight oil well fires, repair oil well facilities in Iraq after the U.S.-led invasion in the spring of 2003.'' And then it goes on to tell the story.

This article alone demonstrates why we need that kind of a committee.

Now, Harry Truman during World War II when he was a member of the Senate conducted over 400 hearings. He issued almost 50 reports. That was a Democratic Congress investigating a Democratic administration and no harm was done to the country in the process. But a lot of taxpayers' money was protected and a lot of embarrassments were avoided. That is what ought to happen now, but we are being stonewalled by the majority and by the White House on this issue. I hope that changes.

I would also like to simply say with respect to my comments earlier about the Department of Defense appearing to undertake covert activities which in the past have been within the purview of the CIA, I want to read the concluding paragraph from an editorial in the Minnesota Daily which reads as follows:

> Human intelligence is a risky business. When missions go awry, the consequences can be far-reaching. Congressional oversight assures that spymasters remain accountable for their foul-ups. It might indeed be necessary to give the Pentagon more control over human intelligence but that is a decision Congress should make, not Rumsfeld.

And that is my point. I do not know whether the activities that are being

discussed in the newspapers are wise or not. I have my doubts about some of them. But it seems to me that in the end this is a judgment that needs to be made by elected officials, not an independent agency that feels it is too powerful to listen to anybody else in government.

Mr. Chairman, I will vote for this bill, but I want to make it quite clear, this is the last time we are going to be supporting a bill like this if we do not have adequate oversight and we do not have adequate information on the part of the administration.

I think it is fair to give the administration and the majority parties notice that this is the last time as far as I am concerned unless we get better information. I would urge support for the bill and simply note that it appears that many, many Members of this body who voted to go to war in Iraq are now planning to vote not to pay for the war which they agreed to support in the first place. I find that position most interesting indeed.

The Acting CHAIRMAN. Does the gentleman from Wisconsin (Mr. OBEY) yield back the balance of his time?

Mr. OBEY. Mr. Chairman, does the gentleman from California (Mr. LEWIS) have more than one speaker remaining?

Mr. LEWIS of California. Mr. Chairman, I have no additional speakers. I will make closing remarks on the general debate.

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

□ 1315

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

Having no additional speakers under general debate, I would just like to close by saying that the discussion we have had thus far on this very important measure has been very healthy.

The fundamental thrust of this supplemental is to support the troops in Iraq and in the Middle East. We do have funds that involve the terrible tragedy, the tsunami. The discussion will lead to amendments that will round out this debate. I expect it will be a very efficient, hopefully very speedy, debate.

Mr. COX. Mr. Chairman, several provisions in this legislation are of particular interest to the Committee on Homeland Security.

First, this spending bill will be procedurally consolidated with the REAL ID Act, which the House approved 261–161 on February 10, 2005. We cannot effectively fight terrorism if we cannot verify the identity of people boarding airplanes, entering nuclear power plants, visiting the White House, or gaining access to any of the countless places a terrorist could use as a stage to multiply the effect of an attack. Accurate identification of individuals before permitting them access to critical infrastructure is a prerequisite to success.

The failure to ensure the integrity of identification documents that can be legally used to access critical infrastructure means that the entire process of checking IDs is deeply flawed. Likewise, the time and effort of every law abiding citizen who waits in seemingly endless lines, first to obtain and then to present identification, is wasted. Document fraud is a crime against all Americans who must tolerate the indignity of life in a post-9/11 world. Why must honest Americans prove who we are, again and again, if terrorists and criminals are free to make a hash of this requirement?

Five weeks ago, the House approved the REAL ID Act, just as we did in the 108th Congress. In so doing, we responded to the challenge put before us by Mir Aimal Kansi, who slaughtered five people at CIA headquarters; by Ramzi Yousef, who masterminded the first World Trade Center attack; and by several of the 9/11 hijackers who would have found it far more difficult, if not impossible, to carry out their terror attacks had we prevented them from using false identification.

This spending bill also contains funding to secure our borders. To secure our nation from nuclear attack, the legislation includes $55 million to detect nuclear material at foreign ports. The Megaports Initiative is designed to interdict illicit traffic in nuclear and other radioactive materials. By surveilling container shipping at high volume, high risk overseas ports, and by deploying radiation detection devices at our own ports of entry, America's counterterrorism strategy can succeed in a comprehensive defense of the global supply chain.

This bill also provides $38.97 million for the Terrorist Screening Center. This multi-agency homeland security effort is responsible for supporting the Department of Homeland Security's effort to screen passengers on both domestic and international flights. This new funding will help the TSC to handle new requirements, such as the Department of Homeland Security's Secure Flight Program.

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, I rise today out of frustration with H.R. 1268, the Emergency Supplemental Wartime Appropriations Act. I support passage of this legislation, as I believe it is absolutely necessary to continue to fund the important activities of our brave men and women fighting the global War on Terrorism.

Our men and women depend on having the necessary equipment and systems to be successful in mission accomplishment. As a Member of the House Armed Services Committee, I am actively involved in efforts, for example, to better protect our troops while they are in harm's way. With that said, the inclusion of spending projects within this bill that certainly do not qualify as either "emergency" or "wartime" is outrageous.

The issue at hand is not whether or not it is necessary to fund the noble efforts of our soldiers, for that answer is self-evident. Rather, the question is about our responsibility to spend the American people's money wisely, and in a manner consistent with the established process. I do not doubt that the nonwartime, and non-defense related projects in this bill are worthwhile; however, the decision to fund these projects should be made during the established appropriations process. Certainly, it is inappropriate for this body to have to consider legislation under the guise of emergency, wartime spending, when in fact, that description is not completely honest.

Again, I support this funding legislation as it pertains to the support of our military, and our efforts to protect American citizens, and to promote peace and democracy in the Middle East. However, I do not support the inclusion of unrelated projects within this bill, and find it most unfortunate that Members of Congress are forced to vote on such legislation.

Mr. SALAZAR. Mr. Chairman, I rise today in support of our troops serving overseas and H.R. 1268.

I would first like to recognize Mr. LEWIS, Mr. OBEY and the Appropriations Committee for their work on this bill.

This past weekend, Colorado welcomed home the 143rd Signal Company of the Colorado Army National Guard. We honor the sacrifices these men and women have made and welcome them home.

We must ensure the safety and well being of the brave men and women who are still serving our country overseas.

By passing this budget supplemental, we send a message to our troops that, "we support you in your cause to bring freedom and democracy to the world."

I commend the committee for proposing to increase funding for vehicle armor kits, new trucks and night vision equipment above and beyond the administration's request.

This money will ensure our troops are safe in the line of fire.

I am also very pleased that H.R. 1268 proposes to increase benefits for military personnel.

For too long, life insurance and death gratuity benefits have not been enough to take care of families who lost a loved one.

I urge my colleagues to support these two important provisions and not allow them to be stripped from the bill.

Although I will be voting for this supplemental, I hope in the future we will not have to vote for supplemental appropriations.

I hope in the future we will vote on the funding of military operations during the budgeting process.

We are dealing with known and fixed costs in this supplemental.

It is time for the Congress to send a message to the Administration that we must include future funding for the war on terrorism in the federal budget.

Mr. Chairman, I urge my colleagues to support our troops and pass H.R. 1268. I yield back the balance of my time.

Ms. BERKLEY, Mr. Chairman, first, I want to take a moment and commend the gentleman from Texas, Mr. EDWARDS, Ranking Member OBEY, Chairman LEWIS and the Committee on Appropriations for bringing this supplemental appropriation to the floor so quickly. This legislation is extremely important to the lives of servicemembers in Iraq and Afghanistan and their families.

As many of my colleagues know, Las Vegas is home to the Nellis Air Force base and many of the men and women stationed there have been sent overseas. Over 1,000 Nevada reservists and National Guard members have been called to active duty. I have spoken to the parents and families of our men and women who have fallen in the line of duty and I am acutely aware of family conflicts which are exacerbated by the death of a servicemember.

Therefore, I have serious concerns regarding the application of the Servicemember's Group Life Insurance (SGLI) spousal consent requirements in section 1113(b) of the emergency supplemental bill. This section requires

a married servicemember to purchase a particular level of life insurance and to list their spouse as the beneficiary, unless the spouse consents otherwise. At first blush, this proposal sounds great-until you think about it. This "one size fits all" approach could result in the one-time payment of $400,000 to a spouse, at the expense of a servicemember's wishes and the best interest of his orphaned children.

We must remember that not all married servicemembers have the same types of families and relationships with their spouses.

Imagine a servicemember who is married to a man with a serious drug problem. This servicewoman may prefer to name their children as the beneficiaries of her life insurance policy so that in the event of her death, the insurance is spent on he children's school, clothes, and health care. Not her husband's cocaine addiction. I do not believe that this woman should have to receive permission from her husband to name her children as the beneficiaries of her life insurance policy and that the government should be forcing her to do so.

Consider a serviceman who has minor children from a prior marriage. He may want his children to receive the monies, instead of his current wife. A man who wants to be responsible and take care of his children in the event of his death, should not be prevented from doing so. But the spousal consent provision in the emergency supplemental may do just that.

Current law allows a servicemember to designate 50% of his life insurance policy to a spouse and the rest to a child. This flexibility has given servicemembers the opportunity to properly take care of their families upon their deaths, no matter what kind of family situation they have.

The Military Officers Association of America originally supported the provision, but now recognizes that the language is excessively stringent. The organization now supports striking the requirement for spousal consent. I would like to insert in the record a letter from MOAA and a similar letter from The Military Coalition.

Mr. Chairman, the potential of this provision to require that a large one time payment be made to the legal spouse of a deceased servicemember could have serious ramifications for the servicemember's children. It needs to be reconsidered in that light. I do not want to delay passage of this important bill, since it contains many important and urgent provisions. I trust that the conferees will be able to address this issue in conference.

MILITARY OFFICERS
ASSOCIATION OF AMERICA,
March 11, 2005.

Hon. STEVE BUYER,
Chairman, Committee on Veterans Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the 370,000 members of the Military Officers Association of America (MOAA), I am writing to inform you that, after discussing the issue extensively with the Committee's majority and minority staff, MOAA has reconsidered its position on the Servicemen's Group Life Insurance (SGLI) spousal consent requirement, as included in the Appropriations Committee's markup of the FY2005 Defense Supplemental Appropriations Act.

We believe there is merit to the staff's view that the Appropriations Committee's language is excessively stringent and could inappropriately preclude servicemembers' ability to make reasonable insurance decisions—especially in circumstances where it may be reasonable and appropriate for a member to designate children as beneficiaries instead of the current spouse.

MOAA believes Congress is doing the right thing in expediting passage of improved death benefits coverage in the Supplemental Appropriations Act, and we have no wish to slow that process in any way.

Therefore, MOAA urges your support for a floor amendment that would either substitute a provision requiring spousal notification (instead of spousal consent) or strike the spousal consent requirement to allow the Committee to develop more appropriate language that could be offered in conference or another appropriate legislative venue.

Sincerely,

STEVEN P. STROBRIDGE,
Colonel, USAF (Ret),
Director, Government Relations.

THE MILITARY COALITION,
Alexandria, VA, March 15, 2005.

Hon. LANE EVANS,
Ranking Member, Committee on Veteran's Affairs, Washington, DC.

DEAR REPRESENTATIVE EVANS: The Military Coalition (TMC), a consortium of nationally prominent uniformed services and veterans' organizations, representing more than 5.5 million members plus their families and survivors, is writing to inform you that, after discussions with the Veterans Affairs Committee's majority and minority staff, TMC has reconsidered its position on the Servicemen's Group Life Insurance (SGLI) spousal consent requirement, as included in the Appropriations Committee's markup of the FY2005 Defense Supplemental Appropriations Act.

TMC believes there is merit to the staff's view that the bill language is excessively stringent and could inappropriately preclude servicemembers' ability to make reasonable insurance decisions—especially in circumstances where it may be reasonable and appropriate for a member to designate children as beneficiaries instead of the current spouse.

TMC believes Congress is doing the right thing in expediting passage of improved death benefits coverage in the Supplemental Appropriations Act, and we have no wish to slow that process in any way.

Therefore, TMC urges your support for a floor amendment that would either substitute a provision requiring spousal notification or strike the spousal consent requirement to allow the Committee to develop more appropriate language that could be offered in conference or another legislative venue.

Sincerely,

Signed by the representatives of the following organizations:

Air Force Association.
Air Force Sergeants Association.
Air Force Women Officers Associated.
American Logistics Association.
AMVETS (American Veterans).
Army Aviation Assn. of America.
Assn. of Military Surgeons of the United States.
Assn. of the US Army.
Commissioned Officers Assn. of the US Public Health Service, Inc.
Enlisted Association of the National Guard of the US.
Fleet Reserve Assn.
Gold Star Wives of America, Inc.
Marine Corps Reserve Association.
Military Officers Assn. of America.
Military Order of the Purple Heart.
National Association for Uniformed Services.
National Military Family Assn.
National Order of Battlefield Commissions.
Naval Enlisted Reserve Assn.
Naval Reserve Assn.
Non Commissioned Officers Assn. of the United States of America.
Reserve Officers Assn.
The Military Chaplains Assn. of the USA.
The Retired Enlisted Assn.
United Armed Forces Assn.
USCG Chief Petty Officers Assn.
US Army Warrant Officers Assn.
Veterans of Foreign Wars of the US.

Mr. HASTINGS of Florida. Mr. Chairman, I rise to oppose the Iraqi Supplemental Appropriations Bill for Fiscal Year 2006. To call this legislation a travesty is to put it nicely. It is nothing but $81 billion of chaos blanketed in lofty-sounding phrases like "tsunami relief" and "supporting our troops." Actually, this bill represents a mockery of the democratic process.

Calling this bill an "Emergency Supplemental" implies that the Bush Administration and Congress were somehow not aware of these costs. That is ridiculous. The only unforeseen cost contained in this $81 billion dollar boondoggle is the $656 million for tsunami relief.

Both Congress and the Administration have known for months that $75 billion in the bill for the wars in Iraq and Afghanistan would be needed, but we didn't put it in the budget. The real story is that the Bush Administration is attempting to hide from the American people the real costs of a mismanaged war.

The Administration once claimed the war in Iraq would cost $1.7 billion. This Supplemental alone is almost 50 times that amount. Is the Administration out to lunch?

Tomorrow, the House is going to consider a budget resolution that, like the previous year, fails to include adequate funding for the war in Iraq. I'm not a soothsayer, Mr. Speaker, but dare I warn, "Beware of the Ides of March." If tomorrow's Republican budget is passed, we're going to be here next March writing the Bush Administration another check to cover the costs of its campaign of nation building.

The Bush Administration is hiding behind the rhetoric of supporting our troops to escape accountability for the war in Iraq, and the American people should be outraged. We should be embarrassed that Members in this body are so willing to write blank checks to a President who has yet to justify how the $175 billion in already appropriated money in Iraq and Afghanistan has been spent.

Mr. Chairman, I am even more appalled by the manner in which funding for clandestine operations is being carried out in this bill. This bill allocates a massive amount of money for covert operations, yet the Department of Defense did not see fit to go through either of the two House authorizing committees of jurisdiction. Congress is creating a private bank account for Secretary Rumsfeld without any oversight or permission from the United States Congress. Is this what the American people want—government by fiat?

Mr. Chairman, our government has a process, and this process is vital to preserving the nature of our democracy. I shouldn't have to explain that. All of the Bush Administration's rhetoric about global freedom apparently does not extend to the United States Capitol Building. What is more important for the Bush Administration is that they get their money at all and any costs. I guess that means they will sell this bill on the altruistic notions of patriotism and humanitarianism in a snide attempt to drum up support.

Why is this bill being dubbed a tsunami relief effort when the entire Supplemental is over 120 times the amount allocated for the tsunami? What about the six hundred million dollars to build the world's biggest embassy in Baghdad? What are they building this thing out of—pure lead? That same amount of money could go towards vital security upgrades at other embassies and consulates around the world.

Why don't we just make things easier on everyone by throwing this bill out the window and opening up everyone's bank accounts to the United States Executive Branch? Now that's privatization.

This isn't a question of patriotism, nor is it a question of our commitment to helping tsunami victims recover. This is an issue with short and long-term constitutional and budgetary ramifications.

I realize that the Bush Administration feels it would be easier to simply govern without any input or oversight, but the first three Articles of the Constitution suggest otherwise.

I cannot in good conscience support legislation that, for all we know, might pour billions in the pockets of Halliburton while depriving our troops of necessary resources. And I can't imagine why the United States Congress, led by the Appropriations Committee, is handing a leash to the White House and waiting to be taken out for a walk.

Mr. Chairman, I am outraged by this crass attempt to shirk congressional responsibility, and I urge my colleagues to vote against this legislation.

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

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

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

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

The Clerk will read.

The Clerk read as follows:

H.R. 1268

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2005, and for other purposes, namely:

TITLE I—DEFENSE-RELATED APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF DEFENSE

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $11,779,642,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $534,080,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $1,251,726,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $1,473,472,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $40,327,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $11,111,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $4,115,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $130,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $430,300,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $91,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $17,366,004,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $3,030,801,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $982,464,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $5,769,450,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $3,061,300,000, of which—

(1) not to exceed $25,000,000 may be used for the Combatant Commander Initiative Fund, to be used in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

(2) up to $1,220,000,000, to remain available until expended, may be used for payments to reimburse Pakistan, Jordan, and other key cooperating nations, for logistical, military, and other support provided, or to be provided, to United States military operations, notwithstanding any other provision of law: *Provided*, That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the Committees on Appropriations on the use of funds provided in this paragraph: *Provided further*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

AMENDMENT OFFERED BY MR. TIERNEY

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

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

The Clerk read as follows:

Amendment offered by Mr. TIERNEY:

Page 7, after line 10, insert the following new title:

TITLE VII—ESTABLISHMENT OF SELECT COMMITTEE TO INVESTIGATE THE AWARDING AND CARRYING OUT OF CONTRACTS TO CONDUCT ACTIVITIES IN AFGHANISTAN AND IRAQ AND TO FIGHT THE WAR ON TERRORISM

MEMBERSHIP AND FUNCTIONS

SEC. 701. The select committee is to be composed of 15 Members of the House, to be appointed by the Speaker (of whom 7 shall be appointed upon the recommendation of the minority leader), 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. Any vacancy occurring in the membership of the select committee shall be filled in the same

manner in which the original appointment was made. The select committee shall conduct an ongoing study and investigation of the awarding and carrying out of contracts by the Government to conduct activities in Afghanistan and Iraq and to fight the war on terrorism and make such recommendations to the House as the select committee deems appropriate regarding the following matters—

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

(2) oversight procedures;

(3) forms of payment and safeguards against money laundering;

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

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

(6) subcontracting under large, comprehensive contracts;

(7) inclusion and utilization of small businesses, through subcontracts or otherwise; and

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

RULES AND PROCEDURE

SEC. 702. (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 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 COMMITEE 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.

ADMINISTRATIVE PROVISIONS

SEC. 703. (a) APPOINTMENT OF STAFF.—The select committee staff shall be appointed, and may be removed, by the chairman and shall work under the general supervision and direction of the chairman.

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

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

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

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

REPORTS

SEC. 704. The select committee shall from time to time report to the House the results of its study and investigation, with its recommendations. Any report made by the select committee when the House is not in session shall be filed with the Clerk of the House. Any report made by the select committee shall be referred to the committee or committees that have jurisdiction over the subject matter of the report.

Mr. TIERNEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. TIERNEY. Mr. Chairman, my amendment mirrors in most respects a bipartisan bill that has been filed by the gentleman from Iowa (Mr. LEACH) and me.

It establishes a select committee of the House to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight terrorism.

The select committee is to be composed of 15 Members of the House, appointed by the Speaker, with seven being made upon the recommendation of the minority leader.

The select committee will make such recommendations to the House as it deems appropriate regarding the bidding, contracting, and auditing standards in the issuance of government contracts; oversight procedures; forms of payment and safeguards against money laundering; accountability of contractors and government officials involved in procurement; penalties for violations of law and abuses in the awarding and carrying out of government contracts; subcontracting under large, comprehensive contracts; inclusion and utilization of small businesses through subcontracts or otherwise; and such other matters as the select committee deems appropriate.

Mr. Chairman, according to the Congressional Research Service, the $81.9 billion that is before us today in the supplemental appropriations bill is in addition to the approximately $200 billion that has been spent so far since the 9/11/2001 attacks on combat operations, on the occupation and on the support of military personnel deployed or supporting operations in Iraq and Afghanistan.

Congress has recognized that we must meet our operational, technical, and equipment needs of our troops; and we should acknowledge that the funds for those purposes, particularly those for the safety of our troops, remains paramount. But when it comes to ensuring that the funds are properly managed and monitored, we have been largely silent. Horror stories abound. We just heard some by the gentleman from Wisconsin (Mr. OBEY) as he was talking about yesterday's news about Halliburton, and there is ample cause to carefully scrutinize the procurement process.

Just in January, the special Inspector General for the Iraqi reconstruction reported that the Coalition Provisional Authority, CPA, could not account for $8.8 billion. The report said: ''Severe inefficiencies and poor management by the CPA have left auditors with no guarantees the money would be properly used.''

That same report indicated that auditors were unable to verify that the money for which they can account was spent for the intended purposes.

The report raises the possibility of so-called ''ghost'' employees, citing 8,206 guards identified as on the payroll at one ministry, although only 602 could be verified. At another ministry, payroll listed 1,471 security guards when only 642 were working.

A Center for Strategic and International Studies analysis, which was cited in an October 6 Washington Post story, indicated that as little as 27 cents of every dollar spent in the Iraqi reconstruction is actually filtered down to projects that benefit Iraqis.

According to the testimony of Steve Ellis of the Taxpayers for Common Sense, who was citing a KPMG study, the Commander's Emergency Response Program, which is in effect a program designed to allow United States military officers to quickly fund small reconstruction projects, maintained little documentation of how taxpayers' dollars were spent.

The study found that 42 cases were worth $13 million where there were no contracts on file and for 142 cases totaling $40 million where there was no proof that the work was even done.

Quoting former Coalition Provisional Authority official Frank Willis, a February 14 story in The Washington Post told us of how the United States officials in post-war Iraq paid a contractor by stuffing $2 million worth of crisp bills into his gunny sack and routinely making cash payments around Baghdad from a pick-up truck. Even if we accept one Member's argument that this was because there were no normal payment procedures, it certainly cries out for better monitoring and better oversight.

We all may have substantive differences about the merits of the military policy, but there should be unanimous agreement about the congressional role in ensuring that our constituents' tax dollars are being effectively and judiciously spent; and that is what this amendment does, Mr. Chairman.

It is modeled after the original Truman Committee that the gentleman from Wisconsin (Mr. OBEY) mentioned a minute ago.

As Members know, in February 1941, concerned about possible waste and favoritism, then-Senator Harry Truman introduced legislation creating a congressional committee to investigate how Defense contracts were being awarded and managed.

The Special Committee to Investigate the National Defense Program, as it became known, exposed deficiencies in the bureaucratic procurement process, advocating for more effective coordination among the involved agencies, and raised important questions regarding production and cost of specific war-related materials.

During its tenure from 1941 to 1948, the Truman Committee convened 432 public hearings and heard 1,800 witnesses testify. It is estimated their work saved taxpayers over $15 billion. Mr. Chairman, by successfully identifying and ferreting out other defective weapons and other war supplies, they saved thousands of lives.

The Truman Committee was unanimously respected for its focus on fact-finding and its refusal to succumb to partisanship; and, in fact, the gentleman from Iowa (Mr. LEACH) and I share that view. The Congress has oversight responsibility that can be done without succumbing to partisanship. It is our responsibility in this institution, and we have to maintain this body's integrity by doing that job.

The Acting CHAIRMAN. Does the gentleman from California continue to reserve a point of order?

Mr. LEWIS of California. Mr. Chairman, I do.

Mr. LEACH. Mr. Chairman, I move to strike the requisite number of words.

Out of deference to the chairman, I will be very brief, but I want to thank the gentleman from Massachusetts (Mr. TIERNEY) for raising this at this time; and he has done a wonderful job in leading this effort.

I would just like to stress the dual dimension of bipartisanship of this amendment.

One, its legislative approach was introduced in the last Congress, and with the gentleman from Massachusetts (Mr. TIERNEY) I reintroduced it in this Congress.

Secondly, as we think back to the Truman Commission, which the gentleman from Massachusetts (Mr. TIERNEY) referenced, it is very impressive that that commission was established by the party in power at the time, and so it was the party in power that wanted to look at itself.

Thirdly, the Truman Commission was established at a time that Senator Truman was very concerned that a very small number of contracts were let to a very small number of companies in a very narrow part of the country. At the time, he was concerned about American manufacturing being held by too few in a contract sense. Now we are looking at services where it looks like a very small number of companies have gotten very large contracts. It is more complicated today because, in addition, some contracts are going to foreign firms. So this is a very delicate area.

I personally believe that the only way you can maintain a support for national policy, however controversial, is to have complete confidence that things are being pursued in the most honest way possible.

I think the time has come for this type of approach. I would hope this Congress would look at it.

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

Mr. LEACH. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I just want to clarify one point the gentleman from Massachusetts made about the $8.8 billion, and I just think we Members need to understand we are talking about funds that came not from the United States taxpayers, but those $8.8 billion are funds from the Iraqi fund, which was Iraqi dinars that had been collected as a result of oil sales. It was a chaotic situation at the end of the war, as we all know, and ministries had collapsed. There was no communication. There were no accounting systems. The bureaucrats had not functioned for years. It was very difficult, at the very best, to know how to handle those in the very best way.

It was really a choice of whether or not we were going to get the projects done as quickly as possible and get the country functioning again. So I think, to me, the choice was fairly clear.

I just want to make people understand we are not talking about U.S. dollars when we talk about the 8.8.

Mr. LEACH. Mr. Chairman, I thank the chairman.

Mr. McDERMOTT. Mr. Chairman, we know the right questions to ask: about Iraq, the budget, waste, fraud and abuse by contractors including Halliburton. After seeing scenes from an Iraqi prison, we know what we don't know. What are we going to do about all this?

We know the right questions to ask, but we also know these questions will not be answered—unless we reach back into recent history and reinstitute an independent, bi-partisan internal watchdog.

In the 1940s, the Truman Committee saved the government and the American people $15 billion dollars. They asked the right questions and were empowered to get the answers. The American people got what they paid for and someone made sure of it. There was truth in government. There was trust in government.

We don't have that kind of faith, confidence, or oversight anymore. Instead of scrutiny, there is subterfuge.

Already, America has spent $200 billion for the wars in Iraq and Afghanistan. Yet two years after the start of the war, many troops and their transports still do not have adequate protection.

This week, the Administration will use the supplemental process to obtain new billions for Iraq. The fact is, the supplemental process carries less scrutiny than the normal budget process.

We know the right questions to ask, but getting the answers is a different story.

Billions of dollars have been awarded in non-competitive contracts. Recently, the military acknowledged that 8 billion in cold, hard cash is missing in Iraq. It's happened before in Iraq, and unless something changes, there is no reason to believe it won't happen again.

Halliburton has already been found to have overcharged the Pentagon by billions of dollars for providing meals to soldiers and importing fuel. They're still getting paid and no one really knows if we are getting what the American people are paying for.

On a rare occasion, the Defense Secretary admits there is an issue; quoting Secretary Rumsfeld: "According to some estimates, we (DOD) cannot track $2.3 trillion in transactions." The Pentagon's own auditors admit that the military cannot account for as much as ¼ of what it spends. Defense makes up half of all the discretionary spending in the budget.

Standard issue Republican rhetoric decries waste, fraud and abuse. Well, it's time to turn the rhetoric into a plan of action.

The Truman Committee eliminated corruption, profiteering and mismanagement. It uncovered defective systems, improved efficiencies in existing programs, and freed up billions of dollars for more crucial procurement.

POINT OF ORDER

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

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

The amendment gives affirmative direction in effect.

I ask a ruling from the Chair.

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

If not, the Chair finds that this provision includes language imparting direction to an executive official.

The provision, 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. TIERNEY

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

The Clerk read as follows:

Amendment offered by Mr. TIERNEY:

On page 6, line 7, insert after the dollar figure ''(increased by $5,000,000).''

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

Mr. TIERNEY. Mr. Chairman, this amendment adds $5 million to the operation and maintenance defense-wide account.

The Secretary of Defense, using existing transfer authority, may transfer that money to the legislative branch for the purpose of establishing a select committee, in essence along the outlines of the amendment that I just reviewed moments ago, and I will not belabor that point by going over all of that information, except to say that it would be a select committee for the purposes of investigating contracts and related materials with respect to things being spent in Iraq and Afghanistan and the issue of terrorism.

As I mentioned earlier, this is and should be a bipartisan effort. I think the gentleman from Iowa (Mr. LEACH) should be commended for his leadership on this and for pointing out the fact that, in fact, when Harry Truman did it years ago, he was a Democrat and the President was a Democrat, and he still found it the patriotic and judicious thing to do with respect to the responsibilities of the House of Representatives; and if we are to maintain the integrity of this Congress and our responsibility of oversight of such huge sums of money, it would be the appropriate thing for us to do now in a bipartisan way.

Critics may say that there is no need to create a select committee when Congress has standing committees to perform this role. Regrettably, those standing committees have not done that, not exercised their institutional responsibilities to the extent they could in this particular Congress.

□ 1330

The gentleman from Connecticut (Mr. SHAYS) and the Committee on Government Reform has tried, but the full Committee on Government Reform has only met four times on related hearings. Similarly, the House Committee on Armed Services has taken up this issue once in June of 2004 at a Readiness Subcommittee hearing, but beyond that it has not delved into the issue.

Mr. Chairman, there is certainly a need with the billions and billions of dollars being spent. The gentleman from California (Mr. WAXMAN) has been vocal about his attention to this matter. The gentleman from Wisconsin (Mr. OBEY) spoke earlier about the $100 million found in contracts that were questioned just yesterday, and the fact that report was kept from us at a time when our taxpayers, our constituents and our citizens want to know about these enormous sums of money, and want us to do our job.

There is a need. We in Congress have a responsibility. The institution's integrity demands it, and the American taxpayer and our troops deserve it. They deserve no less.

Mr. LEWIS of California. Mr. Chairman, I rise in opposition to the amendment in no small part because essentially the Tierney amendment would be changing the rules of the House. That is above the purview of the Committee on Appropriations, at least of this chairman of the Committee on Appropriations. Because of that, I would oppose the amendment.

Mr. Chairman, I withdraw my point of order.

The Acting CHAIRMAN (Mr. TERRY). The point of order is withdrawn.

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

Mr. Chairman, I rise to support the gentleman's amendment. As the gentleman has made quite clear, this is his second choice. He would prefer to offer an amendment which directly establishes a Truman-like committee to investigate profiteering in Iraq. The fact is that the majority has chosen to use the technicalities of the rules to prevent that from happening. Given the fact that they have done that, the gentleman's only choice is to proceed in the manner he has proceeded in the amendment he has just offered.

It seems to me that the purpose of the amendment is clear. The purpose is to see to it that a committee is formed which will have as its sole responsibility the reviewing of the use and misuse of taxpayer funds in Iraq. This bill seems to me to be a perfectly appropriate vehicle to accomplish the end that the gentleman seeks. This bill appropriates over $80 billion of taxpayer money. I think the taxpayers, many of whom have substantial doubt, not just about the war but about the conduct of some of the contractors during and after the war, I think the taxpayers would like to know that if we are going into their pockets for an additional $80 billion today, at least we are doing the utmost possible to see to it that that $80 billion is spent in accordance with the law and is spent in accordance with good judgment.

I, for the life of me, do not understand what the problem is with the gentleman's efforts. It seems to me if this Congress is looking for ways to achieve the maximum support for the administration's policy, they would certainly support efforts to see to it that that policy is being conducted in such a manner that embarrassment is not eventually brought to the President, to this Congress and to our effort in the country and in the region.

So while this certainly is not our preferred solution, it is far better than doing nothing and I would urge support for the gentleman's amendment.

Mr. CARNAHAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in support of the bipartisan amendment offered by the gentleman from Massachusetts (Mr. TIERNEY) and the gentleman from Iowa (Mr. LEACH). I support this amendment because it will address an issue that is of paramount importance to the people in my district and I think across the country, supporting our troops while being fiscally responsible.

I recently returned from Iraq and a bipartisan delegation led by the gentleman from Oklahoma (Mr. COLE). My visit convinced me that the reestablishment of the Truman committee is the right thing for our troops, for the taxpayers and for our country. The original Truman committee was a special committee formed on March 1, 1941 to investigate the national defense program. It was chaired by Missouri's U.S. Senator at that time, Harry Truman.

Its specific directive was to investigate the terms of defense-related contracts, the methods of awarding them, the effect on labor and the geographic distribution of contracts and facilities. During World War II, the committee's principal concern was to monitor and improve production programs and contract procedures.

Its work resulted in the discovery and exposure of waste and mismanagement in the wartime production program. By convening public hearings at that time and receiving testimony and studying this issue, the Truman commission is estimated to have saved American taxpayers $15 billion.

Similarly today, we owe it to our troops to carefully watch how we are funding the Iraq initiative. It is our responsibility to ensure that every man and woman in uniform has the necessary equipment to do the job with the best possible support.

We have an obligation to every troop that no appropriated money is misspent or wasted. While the morale of our troops is high and their optimism apparent after the recent elections in Iraq, it is imperative that we do everything in our power to ensure that they are brought home as quickly as possible. Ensuring that there is no waste or mismanagement in any of our funding, I have no doubt that a modern day Truman committee will help bring our troops home quickly, safely and in a fiscally responsible way. I believe we can support our troops, give them what they need, and help them return home soon. I strongly support this amendment for the funding of the Truman committee.

Mr. SKELTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment which is offered by the gentleman from Massachusetts (Mr.

TIERNEY) and the gentleman from Iowa (Mr. LEACH).

This is a strong amendment that adds a modest amount of funding for an important function, the function of creating a select committee to investigate the award and carrying out of contracts as it relates to Iraq and Afghanistan.

Mr. Chairman, we are at war. Taxpayers are looking to Congress to spend their money wisely and well. This is an idea that is rich in history. As my colleague from Missouri pointed out, this is not the first time this has been done. This was modeled after the committee created by then-Senator Harry Truman back in 1941, known as the Special Committee to Investigate the National Defense Program. This committee was bipartisan, and I might point out it was created by a Congress controlled by the same party with the same party in control at the White House. That is the situation today, and that is why it would be well to have a bipartisan committee to do just this.

We have seen reports in the news media of contract abuse, and I think a committee such as this would help tremendously. We could benefit from similar oversight as we had in Harry Truman's day today. Outstanding committees like the Committee on Armed Services, on which I am privileged to serve, have looked at some issues relating to contracting in Iraq and Afghanistan.

We have an extraordinary set of mandates at a time of war. At the same time, there is a significant amount of money in contracting in both those countries. We would benefit from a select committee to review the contracting process, and most of all, the accountability of the contractors. I thank the gentleman from Massachusetts (Mr. TIERNEY) and the gentleman from Iowa (Mr. LEACH) for their foresight, and urge serious support for this amendment.

Ms. KAPTUR. Mr. Chairman, I move to strike the requisite number of words.

I rise in strong support of the Tierney amendment, and frankly think it would be irresponsible not to vote for the Tierney amendment. All the gentleman is asking for is fiscal accountability on over $200 billion that is being spent far beyond these shores. The gentleman is asking for accountability. To not pass the Tierney amendment is to be fiscally irresponsible and to continue to be unaccountable to the taxpayers of this country.

Let me remind Members, the amount of money we have now spent in Iraq is over $200 billion. We do more checking on the books of churches around this country than we do on the expenditure of $200 billion. According to a 2003 GAO report, ''Iraq appears to be the first case where the United States Government has used private contractors extensively for protecting persons and property in potentially hostile or hostile situations.''

Indeed, it is estimated there are as many as 20,000 private military personnel in Iraq. What are they all doing? Why are private companies protecting some of the highest level officials we have there rather than our U.S. military? Who is writing those contracts? What about Abu Ghraib? What kind of contract was struck there? What kind of accountability existed? Well, it did not, why not? We ought to be investigating as a Nation.

Mr. Chairman, what happens with $200 billion, our people have a right to know. Never have we had a military conflict where so many private contractors are involved. We should be concerned about this and concerned about who is writing these contracts. A recently Congressional Quarterly article indicated, ''Neither the Defense Department nor private industry says it has exact numbers of how many people are on private payrolls under contracts paid by U.S. tax dollars.''

We should do what is right with the money of the American people. There does not appear to be any legal framework in place to handle and deal with the role of nonmilitary personnel in a war zone. Indeed, the liability of contractors who violate the law operating in Iraq, Afghanistan, and Guantanamo Bay is ambiguous so we have more responsibility to have strong oversight over these dollars that are being expended.

I cannot think of a better amendment to pass than this one. Federal procurement data suggests that money allocated to military contractors via Federal procurement has jumped by more than $70 billion in the last 3 fiscal years. Someone here should care. We should do what we would do within our own families and look at every single line in these accounts. There is an awful lot of slippage.

In January, the Special Inspector General for the Iraqi reconstruction reported that the Coalition Provisional Authority could not account for over $8.8 billion.

Mr. Chairman, I want to commend the gentleman from Massachusetts (Mr. TIERNEY) for doing what is right, what is fiscally responsible, what provides the accountability that we have responsibility for.

I heard another reference on the radio this morning that Iraq is going to be a generational commitment like World War II was. If we are going to spend that kind of money, we ought to make doggone sure that every dollar is properly accounted for.

I was pretty upset when I saw big photos of big stacks of money being handed out on the streets over there. I asked one of the top generals the other day if we are paying for the training of the Iraqi National Guard and these troops that are supposed to replace our troops. He said, no, Congresswoman, someone else is paying for that. I am still looking and want to know who is paying for some of these units.

I say congratulations to the gentleman from Massachusetts (Mr. TIERNEY), who has an uphill struggle here. But he is doing what is right for America in order to make sure that we are responsible to the taxpayer and accountable for every single dollar being expended. Please support the Tierney amendment.

□ 1345

Mr. MURTHA. Mr. Chairman, I move to strike the requisite number of words, and I rise to oppose the amendment. I have to say what I say about the administration, about the Defense Department many times. Just because you say it, does not mean it is so. Just because we say we are going to put $5 million in does not mean it is going to be a Truman Commission. We have bill language which says they have to report to us at a certain date, and they did not do it. So there is no doubt in my mind this is not something that is going to happen. I do not say we are wasting time because there is no question accountability is our responsibility. But we are not going to get any responsibility this way. As far as I am concerned, what we are saying, this language is not bill language. It does not mean that they are going to do it. And so I oppose the amendment. And I think we ought to get rid of this amendment and get on with the rest of the business on the floor.

Mr. COOPER. Mr. Chairman, I move to strike the requisite number of words. Mr. Chairman, I rise in strong support of the Tierney amendment. This is a lot of money we are talking about. As the late Everett Dirksen said, a billion here, a billion there, pretty soon you have got some real money.

We are talking about $200 billion. And we all support our warfighters. We support our men and women in uniform, but we should not throw money at any problem. And all this amendment asks is that we copy the Truman Commission where a Democratic Senator investigated a Democratic President. This should not be a partisan issue at all. Both parties should unite.

And I congratulate the gentleman from Iowa (Mr. LEACH) for his strong work in this worthy effort. Republicans should want a real-time bipartisan look at what is really going on.

I had the good fortune of being in Baghdad last Christmas. Our C-130 was broken, so we spent a little extra time at the Baghdad airport. A shipment came in that our military did not want us to see. But I had my video camera handy, and I took pictures. What was it? Six large pallets, off-loaded from U.S. aircraft, beautifully packaged, you could tell, lots of small boxes on each pallet, very heavy to lift. What was in those boxes? Answer, $1.4 billion, billion with a B as in ''boy,'' $1.4 billion of U.S. currency shipped in allegedly to replenish the Iraqi central bank. Well, I hope and pray that was true. But when our own Paul Bremer says he really cannot account for $9 billion of money, when eyewitnesses

see 300 million in U.S. cash being flown out of the country, allegedly to buy arms for the good guys, you have got to wonder. All we are asking for here is accountability.

And I want to pay special tribute to my friend, the gentleman from California (Mr. THOMPSON), a leading member of the Blue Dog Coalition. What we want is accountability. We are fiscal and defense hawks, but we need to know where the money goes. The taxpayers of this country deserve no less. This is as far from a partisan issue as you can get. All we want is accountability because catching fraud, waste, and abuse is the most bipartisan of issues. So I congratulate my friend, the gentleman from California (Mr. THOMPSON), also the gentleman from Massachusetts (Mr. TIERNEY). This needs to be in the bill because these supplementals, they are becoming a habit, guys. Every year we are going to have a major supplemental. And it is high time that we find out where the money went. Support the Tierney amendment.

The Acting CHAIRMAN (Mr. TERRY). The question is on the amendment offered by the gentleman from Massachusetts (Mr. TIERNEY).

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

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

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

AMENDMENT OFFERED BY MS. WOOLSEY

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

The Clerk read as follows:

Amendment offered by Ms. WOOLSEY:

Page 3, line 10, after the dollar amount, insert the following: ''(increased by $31,000,000)''.

Page 3, line 16, after the dollar amount, insert the following: ''(increased by $31,000,000)''.

Page 3, line 22, after the dollar amount, insert the following: ''(increased by $31,000,000)''.

Page 4, line 5, after the dollar amount, insert the following: ''(increased by $31,000,000)''.

Page 4, line 11, after the dollar amount, insert the following: ''(increased by $31,000,000)''.

Page 4, line 18, after the dollar amount, insert the following: ''(increased by $31,000,000)''.

Page 51, line 6, after the dollar amount, insert the following: ''(reduced by $124,100,000)''.

Page 51, line 13, after the dollar amount, insert the following: ''(reduced by $2,800,000)''.

Page 51, line 20, after the dollar amount, insert the following: ''(reduced by $30,000,000)''.

Page 52, line 3, after the dollar amount, insert the following: ''(reduced by $29,150,000)''.

Ms. WOOLSEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

The Acting CHAIRMAN. Is there objection to returning to that portion of the bill?

There was no objection.

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

The Acting CHAIRMAN. The gentleman reserves a point of order.

Ms. WOOLSEY. Mr. Chairman, I rise to offer an amendment to H.R. 1268, the $81 billion supplemental appropriations bill before the House today, that will continue to fund the President's misadventure in Iraq. My amendment would cut funds that should never have made it into the supplemental in the first place, millions of dollars to finance the regular operations of the Department of Defense, which should be paid for through normal defense budget negotiations, not through a supplemental spending bill that does not even count towards the President's incredible budget deficit.

Once again, by funding the war through another supplemental, the Bush administration is pulling a fast one on the budget and on the American people.

My amendment would take $186 million from DOD's operations and management, money that is funded every year in the defense appropriations bill, and split the $186 million evenly between the National Guard and Reserve personnel in the Army, Navy, Air Force, and Marine Corps to augment the meager funds that have been allocated for each of these branches.

I offer this amendment today because I support the troops and because I have deep admiration for their courage. Our brave soldiers are being used as pawns by their civilian superiors whose wastefulness and incompetence is betraying their duty to keep us safe. My amendment demonstrates the very wastefulness that runs rampant at the Pentagon. The fact that the Pentagon depends on an extra $200 billion for its regular operations and maintenance at the expense of our troops in the field is arrogant, incompetent, wasteful, and downright immoral. Let us not forget that Secretary of Defense Donald Rumsfeld himself has stated that there is $22 billion of waste in the Pentagon's budget every year.

The Bush administration, and in particular the leaders at the Pentagon, have demonstrated a potent lack of support for the troops through poor planning for the long military occupation of Iraq, by neglecting to provide every soldier with the equipment needed to survive military combat, and by failing to adequately support our soldiers once they return home.

Hundreds of lives could have been saved if our troops had not been left as sitting ducks on the battlefield for over a year without enough body armor and plated armor for Humvees that can save their lives during battle.

Worse, our troops are neglected when they finally get home. Veterans health care continues to suffer under the administration's reckless fiscal policies, and America has not kept its promise to properly provide for the health care of our soldiers once they have returned home from the war.

The most disturbing thing about the President's request for more Iraq funding is the lack of accountability. Why are we writing another check for a mission that has been so badly botched? Who is being held responsible for the misuse of the money we have already approved?

This practice of funding a war through supplemental spending bills underscores the lack of planning and arrogance that have characterized this war. A total of $200 billion appropriated for Iraq after Congress approves this latest bill, that is about $675 for every American man, woman and child.

So where is this money going? How much of it is enriching war profiteers? Why did the Army waive its usual procedures and make full payment to Halliburton despite legitimate questions about overbilling and financial mismanagement? And why can we not get a congressional investigation into the $9 billion that mysteriously disappeared from the books at the Coalition Provisional Authority?

If the President wants more money for this war, he can take it out of something he cares about, instead of taking it out of the hides of the American people. No more blank checks. If we are going to spend billions, let us at least spend billions on the people who deserve it, the brave troops in the field, and especially members of the National Guard and Reserve who are receiving less for their sacrifices. It is time we honor their commitment and that of their families by providing them with the resources they need and deserve.

Mr. MURTHA. Mr. Chairman, I rise in opposition to the amendment.

I would hope that the gentlewoman would withdraw this amendment. This is a very important amendment. I see what she is trying to do here. But the regular forces are just as short. As a matter of fact, this bill actually does not provide enough money for the regular forces. I understand the technicalities of it, that it should not be in a supplemental, it should be in a regular bill; but to put all the O&M money in the National Guard would do a disservice to the regular forces.

I just visited three bases. All three bases were short in O&M money. They were short in almost every category. So I wish the gentlewoman would withdraw her amendment. We will take a look in the conference to see if the National Guard needs more O&M money, and we will see what we can do.

Ms. WOOLSEY. Mr. Chairman, I will withdraw my amendment. I hope that my message has been heard. I thank the Chair for letting me speak out of order.

The Acting CHAIRMAN (Mr. TERRY). Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. MORAN OF VIRGINIA

Mr. MORAN of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MORAN of Virginia:

Page 6, line 7, after the dollar amount, insert the following: ''(reduced by $1,000,000) (increased by $1,000,000)''.

Mr. MORAN of Virginia (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MORAN of Virginia. Mr. Chairman, this amendment is based upon two facts that I think we agree on on both sides of the aisle. One was very articulately expressed by the chairman of the defense appropriations committee earlier today when he asserted the fact that we are a coequal branch of government. We are equally responsible for what military activity we engage in. We will be held equally accountable. And the fact that we hold the purse strings makes it incumbent upon us that we have some expectation of how much a war is going to cost, how we can budget for it, and particularly what measurable criteria are we seeking to enable us to complete our mission.

The second fact is one that has been expressed time and again, particularly by our senior military officers, that we ought not engage in military activity, that we ought not go to war without a plan to win the peace. That is what this amendment addresses. It would give nominal resources to the Secretary of Defense to be able to give us the kind of information that we need to work with the executive branch to evaluate how we are doing in terms of succeeding in our mission in Iraq.

For example, what level of physical infrastructure reconstruction does the administration feel is necessary for the Iraqi economy to be viable. We have invested billions of dollars in reconstruction. How much more might be necessary?

In terms of political stability, are we waiting for ratification of the constitution and then a subsequent election? And if that election goes well, will that mean that we can gradually begin completing our mission at least in terms of the proportion of the troops that are currently committed?

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And, particularly, what level of Iraqi security forces will be necessary? We have been given wildly varying numbers, 40,000 to 160,000 to over 200,000. What does it mean for Iraqi security forces to be adequately trained and equipped? Does it mean a 6-week training course in human rights, which some have suggested meant that they could be considered security forces, or does it mean the kind of intensive training for many months that is comparable to what we give our troops so that they can engage in battle and can show leadership in the face of military confrontation? Those are things we need to discuss together.

What we want are the measurable criteria. It is not an unreasonable expectation. And when we pass a supplemental that contains $600 million for a new embassy that maintains our substantial force in Iraq, we want to make sure we do not give any credence to our enemies who, in Secretary Rumsfeld's expression, seem to be able to recruit insurgents greater in number than we could ever possibly kill. They are able to do so by accusing us of being permanent occupiers, thereby denying Iraqis of true sovereignty over their own country.

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

Mr. MORAN of Virginia. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, I think the gentleman has good criteria for success, and the chairman and I have talked about this, and I think he has got a good idea here.

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

Mr. MORAN of Virginia. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I do not want to extend this conversation for too much longer. I think it is an amendment that we can accept. I think it is the amendment that takes out $1 million and puts $1 million back in. I am very happy with that.

Mr. MORAN of Virginia. Mr. Chairman, reclaiming my time, it would remain in the bill that the administration would have to detail and share with us what is their strategy for success.

Mr. LEWIS of California. Of course.

The Acting CHAIRMAN (Mr. TERRY). The question is on the amendment offered by the gentleman from Virginia (Mr. MORAN).

The amendment was agreed to.

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

Yesterday I went before the Committee on Rules and offered four amendments to this supplemental appropriations bill. I rarely offer more than one amendment on an appropriation bill, and I understand these amendments will be subject to a point of order. However, the issues that these amendments address need to be raised.

First I want to say thanks to the gentleman from California (Mr. LEWIS), the gentleman from Wisconsin (Mr. OBEY), the gentleman from Pennsylvania (Mr. MURTHA), and the gentleman from Florida (Mr. YOUNG) for putting together this bill and for their hard work. I am pleased that this bill increases the military death benefits and subsidized life insurance benefits for families of soldiers who have died while on active duty. However, there is still more that needs to be done for our troops and their families.

While the troops who are deployed face the horrors of war abroad, far too many of their families face tremendous struggles to make ends meet here at home.

As a symbol of our appreciation for their bravery and sacrifice, I believe Congress should grant a one-time $1,500 bonus to our servicemen and women deployed under Operation Iraqi Freedom and Operation Enduring Freedom. This is the same amendment I offered on the last Iraq supplemental bill.

Not since Vietnam has such a large number of our troops had such long deployments, especially our National Guard and Reservists, who make up approximately 40 percent of the fighting force in Iraq. Forty-nine percent of the married Guard members and Reservists who report to duty have lost more than $1,000 a month from their civilian jobs. According to USA Cares, requests have been coming in from military families. Twenty-four percent of them are asking for help to pay the utility bills, 30 percent are asking for help for housing, and 70 percent request money for food.

As Members of Congress, we may have differing ideas about U.S. involvement in Iraq, but we can all agree that our servicemen and women deserve our severe recognition for their courageous effort. In the coming years, thousands of our young men and women will not see their families. A record number of Reservists and Guardsmen and women will put their private sector jobs and opportunities on hold, and thousands of children from every part of America will pray for their parents' safe return. Give our troops the $1,500 bonus they deserve.

The second amendment I would have offered ensures that the U.S. citizens who were prisoners of war in the first Gulf War, 1991, receive the court-awarded compensation that is due to them. Currently, this administration is fighting former American prisoners of war in court, trying to prevent them from collecting nearly $1 billion from frozen Iraqi assets that a Federal judge awarded them as compensation for torture at the hands of Saddam Hussein's regime. Many of these POWs were tortured in the same prison, Abu Ghraib, where American soldiers allegedly abused Iraqis. Those Iraqi victims, according to this administration, deserve compensation from the United States. Why then are our own brave men and women not being compensated for their suffering using the Iraqi assets that the U.S. has already frozen? These Americans must now fight its own government for compensation legally due them.

It is imperative that we make sure our 1991 Gulf War POWs are fully compensated. My proposal would ensure that any money expended under this Act, our American troops who were victims of torture and hostage taking, receive the compensation courts have already awarded them from frozen

Iraqi assets. It does not take an act of Congress to do this. All it does take is a compassionate President to release those assets.

Lastly, I also went to the Committee on Rules to offer two amendments that deal with the domestic helicopter industry. The first allows for $15 million in assistance to small domestic helicopter manufacturers who produce helicopters with not less than 60 percent U.S. content so they can compete with foreign-owned and foreign-subsidized helicopter manufacturers. The second amendment reinstates the Buy American provision requiring at least 50 percent American content in government purchases of civilian aircraft. Over the past 20 years, the helicopter industry in the United States has dwindled due to competition from the foreign helicopter industry which receives government funding for product development. It has become increasingly difficult for the U.S. helicopter industry to compete against its heavily subsidized foreign competition. The end result is a blow to the U.S. economy and our workers.

In my district Enstrom Helicopter Corporation recently lost a bid to Eurocopter, a company owned by a French-German conglomerate. The Department of Homeland Security awarded a $75 million contract to Eurocopter to build 55 helicopters for the U.S. Customs and Border Patrol. This contract came at the expense of American companies and American workers. This contract not only hurt the workers in my district but also 44 other States that supply parts and services to the helicopter industry. My amendment would provide financial support for the U.S. helicopter industry to try to level the playing field, while also reinstating the Buy American provisions.

I have been informed that these amendments will not be made in order; therefore, I will not offer them. I submit for the RECORD an article from the ''LA Times'' dated February 15.

[From the Los Angeles Times, Feb. 15, 2005]

WHITE HOUSE TURNS TABLES ON FORMER AMERICAN POWS

(By David G. Savage)

WASHINGTON—The latest chapter in the legal history of torture is being written by American pilots who were beaten and abused by Iraqis during the 1991 Persian Gulf War. And it has taken a strange twist.

The Bush administration is fighting the former prisoners of war in court, trying to prevent them from collecting nearly $1 billion from Iraq that a federal judge awarded them as compensation for their torture at the hands of Saddam Hussein's regime.

The rationale: Today's Iraqis are good guys, and they need the money.

The case abounds with ironies. It pits the U.S. government squarely against its own war heroes and the Geneva Convention.

Many of the pilots were tortured in the same Iraqi prison, Abu Ghraib, where American soldiers abused Iraqis 15 months ago. Those Iraqi victims, Defense Secretary Donald H. Rumsfeld has said, deserve compensation from the United States.

But the American victims of Iraqi torturers are not entitled to similar payments from Iraq, the U.S. government says.

''It seems so strange to have our own country fighting us on this,'' said retired Air Force Col. David W. Eberly, the senior officer among the former POWs.

The case, now being appealed to the U.S. Supreme Court, tests whether ''state sponsors of terrorism'' can be sued in the U.S. courts for torture, murder or hostage-taking. The court is expected to decide in the next two months whether to hear the appeal.

Congress opened the door to such claims in 1996, when it lifted the shield of sovereign immunity—which basically prohibits lawsuits against foreign governments—for any nation that supports terrorism. At that time, Iraq was one of seven nations identified by the State Department as sponsoring terrorist activity. The 17 Gulf War POWs looked to have a very strong case when they first filed suit in 2002. They had been undeniably tortured by a tyrannical regime, one that had $1.7 billion of its assets frozen by the U.S. government.

The picture changed, however, when the United States invaded Iraq and toppled Hussein from power nearly two years ago. On July 21, 2003, two weeks after the Gulf War POWs won their court case in U.S. District Court, the Bush administration intervened to argue that their claims should be dismissed.

''No amount of money can truly compensate these brave men and women for the suffering that they went through at the hands of this very brutal regime and at the hands of Saddam Hussein,'' White House Press Secretary Scott McClellan told reporters when asked about the case in November 2003.

Government lawyers have insisted, literally, on ''no amount of money'' going to the Gulf War POWs. ''These resources are required for the urgent national security needs of rebuilding Iraq,'' McClellan said.

The case also tests a key provision of the Geneva Convention, the international law that governs the treatment of prisoners of war. The United States and other signers pledged never to ''absolve'' a state of ''any liability'' for the torture of POWs.

Former military lawyers and a bipartisan group of lawmakers have been among those who have urged the Supreme Court to take up the case and to strengthen the law against torturers and tyrannical regimes.

''Our government is on the wrong side of this issue,'' said Jeffrey F. Addicott, a former Army lawyer and director of the Center for Terrorism Law at St. Mary's University in San Antonio. ''A lot of Americans would scratch their heads and ask why is our government taking the side of Iraq against our POWs.''

The POWs' journey through the court system began with the events of Jan. 17, 1991—the first day of the Gulf War. In response to Hussein's invasion of Kuwait five months earlier, the United States, as head of a United Nations coalition, launched an air attack on Iraq, determined to drive Iraqi forces from the oil-rich Gulf state. On the first day of the fighting, a jet piloted by Marine Corps Lt. Col. Clifford Acree was downed over Iraq by a surface-to-air missile. He suffered a neck injury ejecting from the plane and was soon taken prisoner by the Iraqis. Blindfolded and handcuffed, he was beaten until he lost consciousness. His nose was broken, his skull was fractured, and he was threatened with having his fingers cut off. He lost 30 pounds during his 47 days of captivity.

Eberly was shot down two days later and lost 45 pounds during his ordeal. He and several other U.S. service members were near starvation when they were freed. Other POWs had their eardrums ruptured and were urinated on during their captivity at Abu Ghraib.

All the while, their families thought they were dead because the Iraqis did not notify the U.S. government of their capture.

In April 2002, the Washington law firm of Steptoe & Johnson filed suit on behalf of the 17 former POWs and 37 of their family members. The suit, Acree vs. Republic of Iraq, sought monetary damages for the ''acts of torture committed against them and for pain, suffering and severe mental distress of their families.''

Usually, foreign states have a sovereign immunity that shields them from being sued. But in the Anti-Terrorism Act of 1996, Congress authorized U.S. courts to award ''money damages . . . against a foreign state for personal injury or death that was caused by an act of torture, extrajudicial killing, aircraft sabotage [or] hostage taking.''

This provision was ''designed to hold terrorist nations accountable for the torture of Americans and to deter rogue nations from engaging in such actions in the future,'' Sens. Susan Collins (R-Maine) and George Allen (R-Va.) said last year in a letter to Atty. Gen. John Ashcroft that urged him to support the POWs' claim.

The case came before U.S. District Judge Richard W. Roberts. There was no trial; Hussein's regime ignored the suit, and the U.S. State Department chose to take no part in the case.

On July 7, 2003, the judge handed down a long opinion that described the abuse suffered by the Gulf War POWs, and he awarded them $653 million in compensatory damages. He also assessed $306 million in punitive damages against Iraq. Lawyers for the POWs asked him to put a hold on some of Iraq's frozen assets.

No sooner had the POWs celebrated their victory than they came up against a new roadblock: Bush administration lawyers argued that the case should be thrown out of court on the grounds that Bush had voided any such claims against Iraq, which was now under U.S. occupation. The administration lawyers based their argument on language in an emergency bill, passed shortly after the U.S. invasion of Iraq, approving the expenditure of $80 billion for military operations and reconstruction efforts. One clause in the legislation authorized the president to suspend the sanctions against Iraq that had been imposed as punishment for the invasion of Kuwait more than a decade earlier.

The president's lawyers said this clause also allowed Bush to remove Iraq from the State Department's list of state sponsors of terrorism and to set aside pending monetary judgments against Iraq.

When the POWs' case went before the U.S. Court of Appeals for the District of Columbia Circuit, the three-judge panel ruled unanimously for the Bush administration and threw out the lawsuit.

''The United States possesses weighty foreign policy interests that are clearly threatened by the entry of judgment for [the POWs] in this case,'' the appeals court said.

The administration also succeeding in killing a congressional resolution supporting the POWs' suit. ''U.S. courts no longer have jurisdiction to hear cases such as those filed by the Gulf War POWs,'' then-Deputy Secretary of State Richard L. Armitage said in a letter to lawmakers. ''Moreover, the president has ordered the vesting of blocked Iraqi assets for use by the Iraqi people and for reconstruction.''

Already frustrated by the turn of events, the former POWs were startled when Rumsfeld said he favored awarding compensation to the Iraqi prisoners who were abused by the U.S. military at Abu Ghraib.

''I am seeking a way to provide appropriate compensation to those detainees who suffered grievous and brutal abuse and cruelty

at the hands of a few members of the U.S. military. It is the right thing to do,'' Rumsfeld told a Senate committee last year.

By contrast, the government's lawyers have refused to even discuss a settlement in the POWs' case, say lawyers for the Gulf War veterans. ''They were willing to settle this for pennies on the dollar,'' said Addicott, the former Army lawyer.

The last hope for the POWs rests with the Supreme Court. Their lawyers petitioned the high court last month to hear the case. Significantly, it has been renamed Acree vs. Iraq and the United States.

The POWs say the justices should decide the ''important and recurring question [of] whether U.S. citizens who are victims of state-sponsored terrorism [may] seek redress against terrorist states in federal court.''

This week, Justice Department lawyers are expected to file a brief urging the court to turn away the appeal.

Ms. LEE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as the daughter of a veteran, 25 years in the Army, I want to express my profound respect and appreciation for our brave men and women serving on the ground in Iraq. They have a very difficult job, and all of us pray for their safe return, and many of us want them home very quickly.

The administration's request for an additional $82 billion brings the total war funding to nearly $300 billion. We must continue to ask just where has this money gone? For example, the Coalition Provisional Authority was unable to account for about $9 billion, and that is just what we know. Where did that money go? We deserve to know. The American people deserve to know what our tax dollars have paid for. Did that $9 billion go, for example, to protect our troops? We have no idea.

Another important question is, are we safer today than when this war began? The answer is plainly no. If one believed the administration, the goal of the war was to prevent weapons of mass destruction from falling into the hands of terrorists and that Iraq posed an immediate threat to the United States. Now it appears that this unnecessary war may have actually increased that threat.

Instead of stopping terrorism, this administration's policies have allowed it to expand. According to the National Intelligence Council, this administration's war has turned Iraq into a breeding ground for Islamic terrorists. Before the war on Iraq, there was no connection, no connection, between Saddam Hussein and al Qaeda. Now there is.

Congress requires the administration to give a thorough accounting of how our tax dollars have been spent pursuing these policies in Iraq and what the administration's expectations are for future expenses. And despite this law, the administration has flatly refused to make this accounting to us, to the American people, or to determine what the future costs will be. We know, however, what has been overlooked. There is a documented failure to provide our troops with both body armor and armored vehicles. There are documented cases of waste and fraud perpetrated by contractors like Halliburton.

Mr. Chairman, it is the height of hypocrisy for Members of Congress to say that they support our troops and then fail to insist on the accountability of how these funds are being spent and whether or not the previous resources allocated were spent to protect our troops. If one asks me, the Bush administration just wants another blank check. No oversight, no accountability, and they have failed to provide a concrete plan for how our troops will stabilize the situation in Iraq and to bring our troops home.

Mr. Chairman, this administration has much to account for. There have been too many blank checks and not enough accountability. I will vote against the supplemental and urge my colleagues to do the same.

Mr. LEWIS of California. Mr. Chairman, I ask unanimous consent that the remainder of title I be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the remainder of title I from page 7, line 11 to page 35, line 14 is as follows:

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $8,154,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $75,164,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $24,920,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $188,779,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For an additional amount for ''Overseas Humanitarian, Disaster, and Civic Aid'', $10,000,000, to remain available until September 30, 2006: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

AFGHANISTAN SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Afghanistan Security Forces Fund'', $1,285,000,000, to remain available until September 30, 2006: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Forces Command-Afghanistan, or the Secretary's designee to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this section is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That the Secretary of Defense may transfer the funds provided herein to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: *Provided further*, That the Secretary of Defense shall, not fewer than 5 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: *Provided further*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

IRAQ SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Iraq Security Forces Fund'', $5,700,000,000, to remain available until September 30, 2006: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Multi-National Security Transition Command—Iraq, or the Secretary's designee to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this section is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That the Secretary of Defense may transfer the funds provided herein to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds so

transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: *Provided further*, That, notwithstanding any other provision of law, from funds made available under this heading, up to $99,000,000 may be used to provide assistance to the Government of Jordan to establish a regional training center designed to provide comprehensive training programs for regional military and security forces and military and civilian officials, to enhance the capability of such forces and officials to respond to existing and emerging security threats in the region: *Provided further*, That assistance authorized by the preceding proviso may include the provision of facilities, equipment, supplies, services, training and funding, and the Secretary of Defense may transfer funds to any Federal agency for the purpose of providing such assistance: *Provided further*, That the Secretary of Defense shall, not fewer than 5 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: *Provided further*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $458,677,000, to remain available until September 30, 2007: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $340,536,000, to remain available until September 30, 2007: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $2,678,747,000, to remain available until September 30, 2007: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $532,800,000, to remain available until September 30, 2007: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OTHER PROCUREMENT, ARMY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Other Procurement, Army'', $6,634,905,000, to remain available until September 30, 2007, of which $85,000,000 shall be derived by transfer from ''Iraq Freedom Fund'': *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $200,295,000, to remain available until September 30, 2007: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $71,600,000, to remain available until September 30, 2007: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $141,735,000, to remain available until September 30, 2007: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $78,372,000, to remain available until September 30, 2007: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $3,588,495,000, to remain available until September 30, 2007: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $279,241,000, to remain available until September 30, 2007: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $6,998,000, to remain available until September 30, 2007: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $2,658,527,000, to remain available until September 30, 2007: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $646,327,000, to remain available until September 30, 2007: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $25,170,000, to remain available until September 30, 2006: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test, and Evaluation, Navy'', $202,051,000, to remain available until September 30, 2006: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $121,500,000, to remain available until September 30, 2006: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $159,600,000, to remain available until September 30, 2006: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $1,411,300,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

NATIONAL DEFENSE SEALIFT FUND

For an additional amount for ''National Defense Sealift Fund'', $32,400,000, to remain available until expended: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $257,000,000, to remain available until December 31, 2005: *Provided*, That these funds may be used for such activities related to Afghanistan and the Central Asia area: *Provided further*, That the Secretary of Defense may transfer the funds provided herein only to appropriations for military personnel; operation and maintenance; procurement; and

research, development, test and evaluation: *Provided further*, That the funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That not to exceed $70,000,000 of the funds provided herein may be used to reimburse fully this account for obligations incurred for the purposes provided under this heading prior to enactment of this Act: *Provided further*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for ''Office of the Inspector General'', $148,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

RELATED AGENCIES

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For an additional amount for ''Intelligence Community Management Account'', $250,300,000, of which $181,000,000 is to remain available until September 30, 2006: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

GENERAL PROVISIONS—THIS CHAPTER

(TRANSFER OF FUNDS)

SEC. 1101. Upon his determination that such action is necessary in the national interest, the Secretary of Defense may transfer between appropriations up to $2,000,000,000 of the funds made available to the Department of Defense in this chapter: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to this authority: *Provided further*, That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the authority in this section is subject to the same terms and conditions as the authority provided in section 8005 of the Department of Defense Appropriations Act, 2005, except for the fourth proviso: *Provided further*, That the amounts made available by the transfer of funds in or pursuant to this section are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

SEC. 1102. Section 8005 of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 969), is amended by striking ''$3,500,000,000'' and inserting ''$5,500,000,000'': *Provided*, That the amounts made available by the transfer of funds in or pursuant to this section are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

(TRANSFER OF FUNDS)

SEC. 1103. During fiscal year 2005, the Secretary of Defense may transfer amounts in or credited to the Defense Cooperation Account, pursuant to section 2608 of title 10, United States Code, to such appropriations or funds of the Department of Defense as he shall determine for use consistent with the purposes for which such funds were contributed and accepted: *Provided*, That such amounts shall be available for the same time period as the appropriation to which transferred: *Provided further*, That the Secretary shall report to the Congress all transfers made pursuant to this authority: *Provided further*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

SEC. 1104. (a) AUTHORITY TO PROVIDE SUPPORT.—Of the amount appropriated by this Act under the heading, ''Drug Interdiction and Counter-Drug Activities, Defense'', not to exceed $34,000,000 may be made available for support for counter-drug activities of the Government of Afghanistan, and not to exceed $4,000,000 may be made available for support for counter-drug activities of the Government of Pakistan: *Provided*, That such support shall be in addition to support provided for the counter-drug activities of said Governments under any other provision of the law.

(b) TYPES OF SUPPORT.—(1) Except as specified in subsections (b)(2) and (b)(3) of this section, the support that may be provided under the authority in this section shall be limited to the types of support specified in section 1033(c)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85, as amended by Public Law 106–398 and Public Law 108–136) and conditions on the provision of support as contained in section 1033 shall apply for fiscal year 2005.

(2) The Secretary of Defense may transfer vehicles, aircraft, and detection, interception, monitoring and testing equipment to said Governments for counter-drug activities.

(3) For the Government of Afghanistan, the Secretary of Defense may also provide individual and crew-served weapons, and ammunition for counter-drug security forces.

SEC. 1105. The paragraph under the heading ''Operation and Maintenance, Defense-Wide'' in title II of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 954), is amended in the first proviso by striking ''$32,000,000'' and inserting ''$40,000,000''.

SEC. 1106. For fiscal year 2005, the limitation under paragraph (3) of section 2208(l) of title 10, United States Code, on the total amount of advance billings rendered or imposed for all working capital funds of the Department of Defense in a fiscal year shall be applied by substituting ''$1,500,000,000'' for ''$1,000,000,000''.

SEC. 1107. Section 1201(a) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2077), as amended by section 102 of title I of division J of the Consolidated Appropriations Act, 2005 (Public Law 108–447), is further amended by striking ''$500,000,000'' in the matter preceding paragraph (1) and inserting ''$854,000,000''.

SEC. 1108. Section 8090(b) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287), is amended by striking ''$185,000,000'' and inserting ''$210,000,000''.

SEC. 1109. (a) During calendar year 2005 and notwithstanding section 5547 of title 5, United States Code, the head of an Executive agency may waive the limitation, up to $200,000, established in that section for total compensation, including limitations on the aggregate of basic pay and premium pay payable in a calendar year, to an employee who performs work while in an overseas location that is in the area of responsibility of the Commander of the U.S. Central Command, in support of, or related to—

(1) a military operation, including a contingency operation, or

(2) an operation in response to a declared emergency.

(b) To the extent that a waiver under subsection (a) results in payment of additional premium pay of a type that is normally creditable as basic pay for retirement or any other purpose, such additional pay shall not be considered to be basic pay for any purpose, nor shall it be used in computing a lump-sum payment for accumulated and accrued annual leave under section 5551 of title 5, United States Code.

(c) The Director of the Office of Personnel Management may issue regulations to ensure appropriate consistency among heads of executive agencies in the exercise of authority granted by this section.

SEC. 1110. Section 1096(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458) is amended—

(1) in the matter preceding paragraph (1), by striking ''in the fiscal year after the effective date of this Act'' and inserting ''during fiscal years 2005 and 2006''; and

(2) in paragraph (1), by striking ''500 new personnel billets'' and inserting ''a total of 500 new personnel positions''.

SEC. 1111. Section 1051a(e) of title 10, United States Code, is amended by striking ''September 30, 2005'' and inserting ''December 31, 2005''.

SEC. 1112. Notwithstanding subsection (c) of section 308e of title 37, United States Code, the maximum amount of the bonus paid to a member of the Armed Forces pursuant to a reserve affiliation agreement entered into under such section during fiscal year 2005 shall not exceed $10,000, and the Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard, may prescribe regulations under subsection (f) of such section to modify the method by which bonus payments are made under reserve affiliation agreements entered into during such fiscal year.

SEC. 1113. (a) INCREASE IN SGLI MAXIMUM.—Section 1967 of title 38, United States Code, is amended—

(1) in subsection (a)(3)(A)(i), by striking ''$250,000'' and inserting ''$400,000 or such lesser amount as the member may elect in increments of $50,000'';

(2) in subsection (a)(3)(B), by striking ''member or spouse'' in the last sentence and inserting ''member, be evenly divisible by $50,000 and, in the case of a member's spouse''; and

(3) in subsection (d), by striking ''of $250,000'' and inserting ''in effect under subsection (a)(3)(A)(i)''.

(b) SPOUSE CONSENT AND BENEFICIARY NOTIFICATION.—Section 1967(a)(3)(B) of such title is amended—

(1) by inserting ''(i)'' after ''(B)''; and

(2) by adding at the end the following new clauses:

''(ii) A member who is married may not, without the written concurrence of the member's spouse—

''(I) elect not to be insured under this subchapter or to be insured under this subchapter in an amount less than the maximum amount provided for under subparagraph (A)(i); or

''(II) designate any other person as a beneficiary under this program.

''(iii) Whenever a member who is not married elects not to be insured under this subchapter or to be insured under this subchapter in an amount less than the maximum amount provided for under subparagraph (A)(i), the Secretary concerned shall provide a notice of such election to any person designated by the member as a beneficiary or designated as the member's next-

of-kin for the purpose of emergency notification, as determined under regulations prescribed by the Secretary of Defense.''.

(c) LIMITATION ON SPOUSE COVERAGE TO AMOUNT OF MEMBER COVERAGE.—Section 1967(a)(3)(C) of such title is amended by inserting before the period at the end the following: ''as applicable to such member under subparagraph (A)(i)''.

(d) CONFORMING AMENDMENTS TO VGLI PROVISIONS.—Section 1977 of such title is amended by striking ''$250,000'' each place it appears and inserting ''$400,000''.

(e) MILITARY DEATH GRATUITY.—Section 1478 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''$12,000 (as adjusted under subsection (c))'' and inserting ''$100,000''; and

(2) by striking subsection (c).

(f) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to deaths occurring on or after the date of the enactment of this Act.

SEC. 1114. (a) SPECIAL DEATH GRATUITY FOR CERTAIN PRIOR DEATHS IN SERVICE.—In the case of the death of a member of the uniformed services that is a qualifying death (as specified in subsection (b)), the Secretary concerned shall pay a death gratuity of not more than $238,000. Of that amount—

(1) $150,000 shall be paid in the manner specified in subsection (c); and

(2) $88,000 shall be paid in the manner specified in subsection (d).

(b) QUALIFYING DEATHS.—The death of a member of the uniformed services is a qualifying death for purpose of this section if—

(1) the member died during the period beginning on October 7, 2001, and ending on the day before the date of the enactment of this Act; and

(2) for the purpose of section 1114(a)(2), the death was a direct result of an injury or illness (or combination of one or more injuries or illness) incurred in Operation Enduring Freedom or Operation Iraqi Freedom, as determined under regulations prescribed by the Secretary of Defense; and

(3) for the purpose of section 1114(a)(1), the death was a direct result of an injury or illness (or combination of one or more injuries or illness) incurred by any active duty military member in the performance of duty.

(c) SGLI BENEFICIARIES.—A payment pursuant to subsection (a)(1) by reason of a covered death shall be paid—

(1) to a beneficiary in proportion to the share of benefits applicable to such beneficiary in the payment of life insurance proceeds paid on the basis of that death under the Servicemembers Group Life Insurance program under subchapter III of chapter 19 of title 38, United States Code; or

(2) in the case of a member who elected not to be insured under the provisions of that subchapter, in equal shares to the person or persons who would have received proceeds under those provisions of law for a member who is insured under that subchapter but does not designate named beneficiaries.

(d) MILITARY DEATH GRATUITY BENEFICIARIES.—A payment pursuant to subsection (a)(2) by reason of a covered death shall be paid equal shares to the beneficiaries who were paid the death gratuity that was paid with respect to that death under subchapter II of chapter 75 of title 10, United States Code.

(e) STATUS OF PAYMENTS.—A death gratuity payable under this section by reason of a qualifying death is in addition to any other death gratuity or other benefit payable by the United States by reason of that death.

(f) DEFINITION.—For the purposes of this section, the term ''Secretary concerned'' has the meaning given that term in section 101 of title 37, United States Code.''.

SEC. 1115. Funds appropriated in this chapter, or made available by transfer of funds in or pursuant to this chapter, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

SEC. 1116. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal year 2004 and 2005 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

CHAPTER 2

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For an additional amount for ''Military Construction, Army'', $930,100,000, to remain available until September 30, 2006: *Provided*, That $669,100,000 of such additional amount may not be obligated until after that date on which the Secretary of Defense submits to the Committees on Appropriations of the House of Representatives and Senate the comprehensive master plans for overseas military infrastructure required by House Report 108–342: *Provided further*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for ''Military Construction, Navy and Marine Corps'', $92,720,000, to remain available until September 30, 2006: *Provided*, That $32,380,000 of such additional amount may not be obligated until after that date on which the Secretary of Defense submits to the Committees on Appropriations of the House of Representatives and Senate the comprehensive master plans for overseas military infrastructure required by House Report 108–342: *Provided further*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', $301,386,000, to remain available until September 30, 2006: *Provided*, That $301,386,000 of such additional amount may not be obligated until after that date on which the Secretary of Defense submits to the Committees on Appropriations of the House of Representatives and Senate the comprehensive master plans for overseas military infrastructure required by House Report 108–342: *Provided further*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $1,542,100,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $66,300,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $175,550,000 for operation and maintenance: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

Ms. PELOSI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as the Members know, all of us in our country want to have our troops to have what they need when they go into harm's way. Sadly, that was not the case in the last 2 years. I hope that the $82 billion in this bill will redress some of those shortcomings, shortfalls, that our troops have had to suffer because they did not have the proper equipment. Never again should America send our troops into harm's way without the equipment they need to keep them safe and to bring them home as soon as they have finished their job.

I rise, Mr. Chairman, to commend the gentleman from Massachusetts (Mr. TIERNEY) and the gentleman from Iowa (Mr. LEACH) for putting forth a very critical amendment to appropriate funds for a select committee to study the awarding and carrying out of government contracts in Iraq and Afghanistan. As I said, we want our troops to have what we need. We must be sure that the taxpayer's dollar is spent wisely.

In their bipartisan work, the gentleman from Massachusetts (Mr. TIERNEY) and the gentleman from Iowa (Mr. LEACH) have made clear that accountability in government is not a partisan issue. Their leadership has set the right tone for this vital debate.

In 1941, Mr. Chairman, Senator Harry Truman got in his car and drove all across the United States, making unannounced visits to defense plants and corporate offices. The people running the plants did not recognize then Senator Truman. They did not bother to hide the corruption and waste that characterized their operations.

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This was at a time when Senator Truman was in a Democratic-majority Senate, there was a Democratic majority in the House, there was a Democrat in the White House, and our country was in a world war. But when he came home to Washington, Truman called the trip ''an eye opener,'' and he soon

introduced a resolution to create the Special Committee to Investigate the National Defense Program. I repeat, at a time of a Democratic House and Senate and White House, this Democratic Senator said we must subject this spending to investigation. It was estimated that by spending only $400,000 at the time, this Truman committee saved $15 billion. And it earned Senator Truman the gratitude of the entire Nation.

Today we are considering whether to appropriate another $80 billion to the war effort in Iraq and Afghanistan. This is in addition to the more than $200 billion that has already been made available. Spending of this magnitude demands strict accounting.

Today it would be impossible to walk into a defense plant unannounced, of course; but while security measures have changed, our American values of accountability have not. There are honest differences about defense policy, but we should all agree in a bipartisan way that taxpayer money should always be spent efficiently and effectively.

Sadly, the stories of abuse on contracts in Iraq are everywhere:

Nearly $9 billion spent on Iraq reconstruction is unaccounted for because of inefficiencies and bad management.

The Pentagon's own auditors have now concluded that Halliburton overcharged by more than $100 million under its no-bid Iraqi oil contract. $100 million.

A firm was paid $15 million to provide security for civilian flights into Baghdad, even though no planes flew during the term of the contract. This is a disgrace.

This may be just the tip of the iceberg, though. We simply do not know. That is what we want to find out. We do know who has paid the price for this waste and corruption: American troops and American taxpayers.

Our first priority must always be to force protection; yet sloppy contracting has meant that money has been wasted that could have been spent to provide our troops the equipment they need to do their jobs and protect themselves.

Recently, we learned that a contract for bulletproof ceramic plate inserts was awarded to a contractor who had no practical means of producing them. It took 167 days for troops in Iraq to start receiving the insert, 167 days. How many injuries? How many deaths? We do not know.

For taxpayers, every dollar that is wasted on corruption, and that is what this is, profiteering on the war is corruption, and incompetence, is one less dollar to pay down record deficits or to make Social Security solvent.

Harry Truman led the way for a Democratic Congress to conduct oversight of a Democratic administration. In doing so, he created a bipartisan consensus that gave the public confidence in the war effort. We can and we must do the same today.

The amendment offered by the gentleman from Massachusetts (Mr. TIERNEY) and the gentleman from Iowa (Mr. LEACH) would allow Congress to monitor the contracting process better, to meet the needs of our troops better, and to safeguard taxpayer dollars better.

I urge my colleagues to support this amendment and in doing so to support accountability in government spending and to stop the profiteering on the war in Iraq.

Mrs. CAPPS. Mr. Chairman, I move to strike the last word.

(Mrs. CAPPS asked and was given permission to revise and extend her remarks.)

Mrs. CAPPS. Mr. Chairman, I wish to discuss one critically important component of this bill, the $200 million in aid to the Palestinians. The President has requested $350 million for the Palestinians, and he asks that $200 million be included in today's supplemental bill.

The President believes, as do I, that it is imperative to deliver U.S. assistance quickly to improve Palestinians' quality of life and empower their democratically elected leadership. I am pleased this bill funds the Palestinian assistance request. This money will be used on critical projects, such transportation infrastructure, drinking water, business and trade, education and democratic and legal reforms.

Mr. Chairman, on January 9, I was privileged to witness the remarkable Palestinian presidential election firsthand. I saw democracy taking hold in Palestine. I saw the mandate being handed to President Abbas. The Palestinian people support their new president's goals, to end the armed intifadah and to create a viable state living in peace alongside Israel.

Mr. Chairman, the Arafat era is over. The new Palestinian president and his government are making great strides. They are committed to political reform. Their financial reform efforts, which are led by Minister Salaam Fayyad, have produced profound accountability and transparency.

On the critical question of security, President Abbas is also off to a good start. He has clearly and unequivocally condemned terrorism. With the exception of one horrific bombing in Tel Aviv, the cease-fire has held. The Palestinian security forces have begun to fight terror and incitement. They have arrested terrorists for the first time in many years.

Yesterday, here on Capitol Hill, the ambassador of Israel sat next to the Palestinian ambassador and praised the Palestinian Authority for their security efforts. Prime Minister Sharon has welcomed the Palestinian moves as well.

Mr. Chairman, the real question before us today is not whether to keep the $200 million for Palestinian assistance in this bill. Clearly, this package serves U.S. national interests and will enhance Israel's security and the quality of life for the Palestinians. But the real question is whether the U.S. Congress is serious about working with President Bush, Prime Minister Sharon, and President Abbas to seize this historic opportunity.

The excessive conditions and limitations placed on this package may undermine progress toward peace. Of course, we must secure transparency and accountability; but the requirements in this legislation go far beyond what we demanded in the Arafat era.

Imagine that. President Bush and Prime Minister Sharon are helping to strengthen and empower President Abbas, but at the same time Congress will slap more conditions on them than they ever did on Arafat.

One especially troubling provision in the bill strikes the national security waiver under which the President could provide some of this aid directly to the Palestinian Authority. President Bush has decided in the past that some U.S. aid be directed to the authority. This bill would prevent him from doing that, tying his hands at the very moment that he most needs flexibility to promote our interests in the Middle East.

My colleagues should understand this bill puts more restrictions on the President than we ever placed on President Clinton.

Mr. Chairman, there is a broad consensus in the American pro-Israel community in support of the President's aid request for the Palestinians. The Jewish Council For Public Affairs, the umbrella group of 13 prominent national organizations and 122 local Jewish communities, has recently urged Congress to fund the Palestinian request in its entirety.

The Union For Reform Judaism, representing 1.5 million American Jews, believes the aid should go directly to the Palestinian Authority.

Americans for Peace Now wants us to support this package and remove the excessive conditions that the committee has placed on it.

In asking us to support a clean aid package, M.J. Rosenberg of the Israel Policy Forum states the following: ''Israel wants a strong Palestinian Authority that can and will liquidate the suicide bombers and build a democracy that will live in peace with Israel.''

The Arafat years are over. Fragile as it may be, a new flame of hope and optimism has been kindled in the Middle East. Shame on us as Americans if we do not do whatever we can to seize this historic opportunity.

Mr. Chairman, I urge my colleagues to support the $200 million in Palestinian assistance, I urge us to reject any amendments to strip this aid, and I hope in the conference with the Senate that we can give back to the President the flexibility he needs to promote U.S. security interests in the region.

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

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

Mr. BUYER. Mr. Chairman, I have some concerns about provisions in section 1113 of the bill relating to Service Members Group Life Insurance, which I will now referral to as SGLI.

Neither the Department of Veterans Affairs nor the House Committee on Veterans' Affairs, the authorizing committee with jurisdiction over VA insurance programs, was consulted prior to the administration's submitting the insurance proposals in the war supplemental. I recognize that it placed the gentleman from California (Mr. LEWIS) and the gentleman from Wisconsin (Mr. OBEY) in very difficult positions, because they always come to the floor to talk about authorizing on appropriations bills; but that is what you are doing exactly here.

There are two primary points of concern with regard to these sections. Number one, it would authorize retroactive insurance coverage in cases of servicemembers who die having declined insurance coverage; and, second, it would require a spouse to concur with the servicemember's insurance coverage election.

The administration proposed to provide for a retroactive payment to give the same level of benefits proposed for prospective maximum SGLI to those who have died since the beginning of combat operations on October 7, 2001. At the appropriations markup, the gentleman from Wisconsin (Mr. OBEY) offered an amendment, which was accepted, to limit retroactive payment to those who died in performance of duty.

By restricting payments to deaths that the Service Secretary concerned determines in the performance of duty, we would then expect that deaths which occurred during the performance of an assigned military duty would be compensated, but that deaths not associated with assigned military duties would not qualify.

Another qualifier, though, that perhaps should have been considered during this markup, would have been in addition to dying in performance of military duties, the servicemember must have had maximum insurance coverage at the time of death. The Committee on Veterans' Affairs has established a record in this regard.

When we increased the SGLI coverage from $200,000 to $250,000 with a delayed effective date in Public Law 106–419, then in reaction to the terrorist attack on the USS *Cole* we did, in fact, make a retroactivity in Public Law 107–14 for servicemembers who died in performance of duty that had maximum SGLI at the time of their death. We should not be providing the maximum amount of insurance posthumously if the servicemember declined coverage, hence, never paid premiums, or elected a lesser amount.

This is a policy change that could have detrimental effects. The bottom line is that it changes the identity and substance of the SGLI program. SGLI is neither an indemnity nor a gratuity program. It is an insurance program.

Second, I have great concern regarding the administration's proposal to include in H.R. 1268 that a spouse must concur with a servicemember's insurance election. Life insurance is a contract. Requiring a spouse who is not a party to the contract to assent to a servicemember's decision concerning whether to enter into a contract and the amount of that contract violates the principles of contractual law and the nature of life insurance. Requiring the spouse to concur with the servicemember's decision, as included in H.R. 1268, would in fact make SGLI a volunteer program for single servicemembers, and an involuntary program for married servicemembers.

Life insurance policies are fundamentally different from the protection to surviving spouses rightfully provided under some other retirement programs.

There are plenty of substantive concerns with regard to this provision: one, giving the spouse veto power over the amount of insurance that gives him or her greater say than the servicemember. Number two, SGLI would in fact be a voluntary program for singles, involuntary for married. Three, the concurrence policy would force the servicemember to pay premiums and keep the spouse as a beneficiary, even in situations of pending divorce, spousal abuse, drug abuse, child abuse. I mean, let your mind go. Fourth, the spousal concurrence as drafted in the bill would prevent a servicemember from naming children, children from a previous marriage, parents, grandparents, guardians of grandchildren, let your mind go, from participating in insurance.

The Supreme Court has upheld the right of the insured to name whoever he or she wants as a beneficiary, even if it is in violation of a State court divorce decree.

There are administrative concerns as well, the substantial administrative costs that would be added in the day-to-day running of this program, as well as has been added to its greater complexity. If a servicemember there says that there is no spouse or names another beneficiary and declines coverage, a spouse could come forward after the servicemember's death.

Another concern is the program may be liable to pay maximum amounts if no premiums were collected or if a separate beneficiary already had been paid. And if there is a delay in getting a spouse to agree to insurance coverage or the amount and the servicemember dies, then who receives the benefits?

These are many, many issues that need to be resolved, and I look forward to working with the gentleman from California (Chairman LEWIS) as we proceed forward to the conference to address many of these issues.

Mr. Chairman, I include the following letter from the Military Officers Association of America for the RECORD.

MILITARY OFFICERS ASSOCIATION OF AMERICA,
Alexandria, VA, March 11, 2005.

Hon. STEVE BUYER,
Chairman, Committee on Veterans Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the 370,000 members of the Military Officers Association of America (MOAA), I am writing to inform you that, after discussing the issue extensively with the Committee's majority and minority staff, MOAA has reconsidered its position on the Servicemen's Group Life Insurance (SGLI) spousal consent requirement, as included in the Appropriations Committee's markup of the FY2005 Defense Supplemental Appropriations Act.

We believe there is merit to the staff's view that the Appropriations Committee's language is excessively stringent and could inappropriately preclude servicemembers' ability to make reasonable insurance decisions—especially in circumstances where it may be reasonable and appropriate for a member to designate children as beneficiaries instead of the current spouse.

MOAA believes Congress is doing the right thing in expediting passage of improved death benefits coverage in the Supplemental Appropriations Act, and we have no wish to slow that process in any way.

Therefore, MOAA urges your support for a floor amendment that would either substitute a provision requiring spousal notification (instead of spousal consent) or strike the spousal consent requirement to allow the Committee to develop more appropriate language that could be offered in conference or another appropriate legislative venue.

Sincerely,

STEVEN P STROBRIDGE,
Colonel, USAF (Ret),
Director, Government Relations.

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

Mr. Chairman, if the previous speaker is going to describe something I did in committee, I wish he would get his facts straight. The fact is, contrary to what the gentleman said, when the majority brought its recommendations to the full committee with respect to the provision in the bill which raised life insurance benefits from $250,000 to $400,000, with respect to that provision, the committee had applied it retroactively only to those persons who died in Iraq and Afghanistan.

□ 1430

Contrary to what the gentleman said, my amendment did not restrict what the committee was doing, it expanded what the committee was doing. We added coverage for what was estimated to be 2,400 additional American service people who died but were not in Iraq or Afghanistan. We did that, for instance, on the theory that if you are a member of the Reserve, you are called up to go to Iraq, but you are killed in a training accident before you can get there, that you are just as dead, your family is just as much in need as would be the case with someone who went to Iraq and then died in an accident.

Now, the gentleman is the chairman of the Committee on Veterans' Affairs. I respect his responsibilities. I hope he respects ours. I would simply say that what the committee has tried to do is to take a vehicle which is going to spend $80 billion of the taxpayers'

money, and use that as an opportunity to expand benefits to deserving servicemen and women. I make no apology whatsoever for doing that.

Dick Bolling, who was my mentor when I came here and chaired the Committee on Rules, used to talk disdainfully of people who looked at this House through the prism of what he called ''dung hill politics''; in other words, focusing on jurisdiction of different committees, forgetting that we have a larger responsibility to the body as a whole and to the country as a whole.

Now, I make no apology for the fact that the Committee on Appropriations might have stepped on a few toes in expanding benefits for deserving servicemen and women. I am glad they did. I hope the toes did not hurt too much. But the fact is if the gentleman has objections to what the administration has suggested then I would suggest the majority party needs to get its act together rather than risking these expanded benefits by doing what they almost did in the Committee on Rules today, which is to make these two sections of the bill subject to a point of order which could have lost those benefits for deserving servicemen and women.

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

Mr. OBEY. I yield to the gentleman from Indiana.

Mr. BUYER. I had a very good discussion with the gentleman from California (Mr. LEWIS). I did not come here to the floor to strike these provisions from the bill. I will work with the administration. I will work with the Committee on Appropriations. I am going to do that as an authorizer. I am not claiming jurisdictional grounds. I am not going to play games with the gentleman from Wisconsin (Mr. OBEY) at all.

Mr. OBEY. With all due respect, the gentleman just misquoted.

Reclaiming my time, with all the due respect, the gentleman misquoted and mischaracterized my amendment in committee. The gentleman described it as an amendment limiting benefits when in fact it expanded them, and I do not appreciate that.

Mr. BUYER. I thought what the gentleman from Wisconsin (Mr. OBEY) did by making a performance of duty was a wise thing. I think that was a wise move of the gentleman. I do not know why the gentleman would be upset with regard to my remarks on performance of duty because what the gentleman from Wisconsin (Mr. OBEY) did is followed what we, the gentleman from Illinois (Mr. EVANS) and I, had also recommended. Performance of duty is a good thing.

Mr. OBEY. That is what we tried to do.

Mr. BUYER. I do not have a problem with the performance of duty. I have come to the floor to express some concerns with regard to the identification of an insurance product. We are turning it into an indemnity and a gratuity with regard to an insurance product. We have to be smart about our business with regard to how we proceed. That is my purpose of being here. It is not to reach into the Treasury and just say we are going to give this money out.

Mr. OBEY. Reclaiming my time, let me simply say I appreciate that. My only point is if the gentleman is going to come to the floor and characterize what I did please do so accurately. What the gentleman said, he may not have meant to but what he said was my amendment limited—I believe the word used was ''restricted.'' We did not. We expanded it.

Mr. BUYER. But it does and I gave the example because you can have someone who has an accidental death or a duty nonperformance in the service.

Mr. OBEY. Reclaiming my time, with all due respect, the effect of my amendment as scored by CBO was to add $95 million in costs.

The Acting CHAIRMAN (Mr. SHIMKUS). The time of the gentleman from Wisconsin (Mr. OBEY) has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 1 additional minute.)

Mr. OBEY. What we did was to provide $95 million in additional benefits to persons who had died who were not living in Iraq and Afghanistan. That was the effect of my amendment. The gentleman may be talking about restrictions that the committee action took.

Mr. BUYER. No, the gentleman's amendment.

Mr. OBEY. My amendment expanded. It did not restrict, and the gentleman needs to reread it if he does not understand that.

Mr. BUYER. I will be more than happy to get the gentleman legal counsel so he can understand what he has written.

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

I do so in order to have a very brief discussion with the gentleman who is chairman of the authorizing committee. I think many of you in the House know that I spent a lot of years in my life making an honest living in the life and health insurance business so I know a little bit about this subject.

The gentleman is raising a number of questions that are very legitimate questions. I do not think there is a conflict here. I just wanted the gentleman to know that it is my intention to examine these serious questions between now and the time we go to conference. I am absolutely certain we can at least clear the air on any remaining problems between now and then.

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

Mr. LEWIS of California. I yield to the gentleman from Indiana.

Mr. BUYER. I thank the gentleman. What the gentleman from Wisconsin (Mr. OBEY) did with regard to performance——

Mr. LEWIS of California. Reclaiming my time, let us not describe what the gentleman from Wisconsin (Mr. OBEY) did. We will be here for hours. Either we do this my way or we do not.

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

Mr. LEWIS of California. I yield to the gentleman from Indiana.

Mr. BUYER. I believe that the performance of duty that is in the bill, what it does, it does identify with regard to who will receive payment and who do not receive payments. That was why I used the word ''limited'' or ''restricted'' because you could have an individual, Mr. Chairman, of whom died in an auto accident, was murdered, or something happened to them and they do not qualify.

Mr. LEWIS of California. Reclaiming my time, the gentleman can then, in this complex field, understand when he used the term ''restrict'' that the gentleman from Wisconsin (Mr. OBEY) might be a bit disconcerted.

Does the gentleman see what I am saying?

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

Mr. LEWIS of California. I yield to the gentleman from Indiana.

Mr. BUYER. Absolutely. That is why what we have here are two individuals of whom understand what we are talking about but probably have a, well, anyway, let us not use semantics.

What I do wish to do as we proceed forward as we go to conference working with the Senate is work also with the administration, work with the Department of Defense, the VA and OMB to make sure that we bring a proper identity with regard to service and group life insurance that also subsidizes veterans group life insurance, and that is what I want to work with the chairman on.

Mr. LEWIS of California. Reclaiming my time, it would be my intention for us to have serious discussions including the gentleman from Wisconsin (Mr. OBEY) and his staff and our people so that we know that the air is cleared.

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

Mr. LEWIS of California. I yield to the gentleman from Wisconsin.

Mr. OBEY. Let me simply say that I find it ironic, Mr. Chairman, and I thank the gentleman for yielding, because the entire history of the development of this expanded benefit demonstrates that both the gentleman from California (Mr. LEWIS) and this gentleman from Wisconsin were aiming to expand benefits, not to contract them.

When I first drafted my first proposal we were told that the Committee on Veterans' Affairs itself was concerned that we might have gone too far in providing benefits to people because, for instance, the example used to me was we do not want to pay someone who was killed in a drunken driving accident because he had five martinis at a bar. We want to make sure that this

occurred in the line of duty. So that is the way we drafted the amendment. But the overall effect of the amendment was to add benefits for 2,400 people who had died, who had not been killed in Iraq and Afghanistan, and that was estimated to cost $95 million.

How an expansion of benefits can be described as a restriction is beyond me. It certainly does not fit my definition.

Mr. LEWIS of California. Reclaiming my time, I appreciate the gentleman from Wisconsin's (Mr. OBEY) point. In the meantime, I believe we will have some work to do in the weeks ahead and I look forward to working with the gentleman and with the gentleman from Wisconsin (Mr. OBEY) and others to solve this problem.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE II—INTERNATIONAL PROGRAMS AND ASSISTANCE FOR RECONSTRUCTION AND THE WAR ON TERROR

CHAPTER 1

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

For an additional amount for ''International Disaster and Famine Assistance'', $44,000,000, to remain available until expended, for emergency expenses related to the humanitarian crisis in the Darfur region of Sudan: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

AMENDMENTS OFFERED BY MR. JACKSON OF ILLINOIS

Mr. JACKSON of Illinois. Mr. Chairman, I offer two amendments and ask unanimous consent they be considered en bloc.

The Clerk read as follows:

Amendments offered by Mr. JACKSON of Illinois.

Page 35, line 25, after the dollar amount, insert ''(increased by $50,000,000)''.

Page 38, line 5, after the dollar amount, insert ''(increased by $50,000,000)''.

Mr. JACKSON of Illinois (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Acting CHAIRMAN. Is there objection to reaching ahead in the bill?

There was no objection.

The gentleman from Illinois (Mr. JACKSON) is recognized.

Mr. JACKSON of Illinois. Mr. Chairman, my amendment is very simple. It adds $50 million for disaster assistance and $50 million for refugee assistance in Sudan and other African countries.

If this amendment passes, the House product would still be $550 million below the President's request. So for colleagues that argue we are spending too much money, this amendment is fiscally prudent. But more importantly, adopting this amendment is quite frankly the right thing to do.

Mr. Chairman, my amendment could be the most decent, moral and effective $100 million spent in this bill. This $100 million in disaster relief and refugee assistance would go very far in alleviating the multiple disasters and refugee crisis in Africa. Most of Africa's urgent humanitarian needs are shockingly affordable. Sadly, what we have been missing is the political will to stand up and do something.

Mr. Chairman, the President speaks often about ending evil, about reaching into your heart and doing the right thing. The number of deaths, over 1,300 a day in Sudan and the Democratic Republic of the Congo, that could be prevented would truly be ending evil and we know this is the right thing to do.

Mr. Chairman, the only way for evil to succeed is for good people to do nothing. I urge a ''yea'' vote on the Jackson amendment.

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

As the gentleman from Illinois (Mr. JACKSON) knows, I spoke in committee against this amendment which was then part of a larger amendment and these two were combined at that point. I made the point that I was not at all sure that this additional money was needed in Darfur, Sudan in light of the amount of money that is already in the 2005 bill and the amount of money that is in the supplemental for this region.

However, I understand the gentleman from Illinois (Mr. JACKSON) feels very strongly about this. He and I traveled together to the Darfur region. We saw the terrible, terrible suffering that the people there are going through.

We are in complete agreement on our need to take every step that we can to provide not only for a peaceful solution in the area, but also to provide for humanitarian relief for the people who live in that region, and therefore I am prepared today with concurrence of the chairman of the committee to accept this en bloc amendment, and we will take a very good look at this in the conference with the Senate and see where we are at that point. We will be a little bit further down the road and have some time to get a better handle on this at that point.

I again want to commend the gentleman for his commitment, his dedication, his passion in offering this amendment today.

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

I want to thank the gentleman from Arizona (Mr. KOLBE) for addressing this important amendment that my friend, the gentleman from Illinois (Mr. JACKSON), introduced. I feel strongly about the urgency of this issue and I look forward to working with the gentleman in the committee as we approach conference to ensure that this emergency that the gentleman has addressed in his amendment is certainly placed in the conference and we can provide the needed assistance.

I thank the gentleman so much for his willingness to work with us to make sure that this happens.

Mr. JACKSON of Illinois. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The Acting CHAIRMAN. Without objection, the gentleman from Illinois is recognized for 5 minutes.

There was no objection.

Mr. JACKSON of Illinois. Mr. Chairman, I would like to thank the gentleman from Arizona (Mr. KOLBE) for his extraordinary leadership on this issue. I would like to thank the gentleman from Virginia (Mr. WOLF) for his extraordinary steadfast commitment to encouraging Members of this Congress to stand up and do the right thing. This would not be possible without the leadership of the chairman of the Committee on Appropriations, the gentleman from California (Mr. LEWIS), and the thoughtful consideration that the ranking member, the gentleman from Wisconsin (Mr. OBEY), has given to this very critical part of the world.

I thank the gentlemen for their support of this bipartisan amendment.

□ 1445

The gentlewoman from New York (Mrs. LOWEY), my ranking member, for her commitment throughout this project and throughout this process has been nothing short of stellar, and extraordinary as well. I thank the gentlewoman, and I do apologize for interrupting the regular order.

The Acting CHAIRMAN (Mr. SHIMKUS). The question is on the amendments offered by the gentleman from Illinois (Mr. JACKSON).

The amendments were agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For an additional amount for ''Operating Expenses of the United States Agency for International Development'', $24,400,000, to remain available until September 30, 2006.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

OFFICE OF INSPECTOR GENERAL

For an additional amount for ''Operating Expenses of the United States Agency for International Development Office of Inspector General'', $2,500,000, to remain available until September 30, 2006.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

For an additional amount for ''Economic Support Fund'', $684,700,000, to remain available until September 30, 2006, of which up to $200,000,000 may be provided for programs, activities, and efforts to support Palestinians.

AMENDMENT OFFERED BY MRS. MALONEY

Mrs. MALONEY. Mr. Chairman, I offer an amendment.

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

The Clerk read as follows:

Amendment offered by Mrs. MALONEY:

In chapter 1 of title II of the bill, in the item relating to the ''ECONOMIC SUPPORT

FUND'', after the first dollar amount, insert ''(reduced by $3,000,000)''.

In chapter 1 of title IV of the bill, in the item relating to the ''TSUNAMI RECOVERY AND RECONSTRUCTION FUND'', after the first dollar amount, insert ''(increased by $3,000,000)''.

Mrs. MALONEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. MALONEY. Mr. Chairman, my amendment moves $3 million from the Economic Support Fund, which has over $1 billion available, to the Tsunami Recovery and Reconstruction Fund, which now has over $600 million available. It is not subject to a point of order and is both budget authority and outlay neutral.

The reason for this amendment is very simple. It is to help pregnant women impacted by the tsunami. The intent of my amendment is to give $3 million to the U.N. Population Fund to assess tsunami victims in Indonesia, Sri Lanka, and the Maldives for very specific, pressing needs that I am very sure we can all agree are absolutely necessary at this time.

Mr. KOLBE. Mr. Chairman, will the gentlewoman yield?

Mrs. MALONEY. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, can the gentlewoman clarify which amendment we are talking about here?

Mrs. MALONEY. Yes.

Mr. KOLBE. Mr. Chairman, I think I heard the reading of two amendments. Which one are we on here at this point? Are we on the one that is $3 million or the one that was the larger one that I heard read first?

Mrs. MALONEY. Mr. Chairman, $3 million.

Mr. KOLBE. Is that the one we are considering? Is that the understanding of the Chair?

The Acting CHAIRMAN. The gentleman will suspend. Without objection, the Clerk will re-report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mrs. MALONEY: In Chapter I of title II of the bill, in the item relating to the ''ECONOMIC SUPPORT FUND'', after the first dollar amount, insert ''(reduced by $3,000,000)''.

Mr. KOLBE. Mr. Chairman, I am now clear which amendment we are talking about. I appreciate the gentlewoman yielding for that purpose.

The Acting CHAIRMAN. Without objection, the further reading is waived.

There was no objection.

The Acting CHAIRMAN. The gentlewoman from New York (Mrs. MALONEY) may proceed.

Mrs. MALONEY. Mr. Chairman, more than a 150,000 women are currently pregnant in the tsunami-affected areas, including 50,000 anticipated to give birth during the next 3 months.

UNFPA is determined to enhance the likelihood of deliveries occurring in safe and clean conditions by providing emergency care, basic supplies, and helping to rebuild health care facilities. They are uniquely qualified to provide these services. In fact, they are and have been on the ground since that tragic day, helping save the lives of women, children, and families.

With these funds, UNFPA can provide safe delivery kits, such as the one I have here. It includes basic supplies such as soap, plastic sheeting, razor blades, string and gloves, laundry detergent, dental supplies. These are supplies that are needed to prevent and treat cases of violence against women and youth. They also offer psychological support and counseling and promote access of unaccompanied women to vital services.

Each of these areas is a serious problem and will go a long way towards helping save the lives of thousands of women and their children.

Disasters put pregnant women at greater-than-normal risk because of the sudden loss of medical support.

Mr. KOLBE. Mr. Chairman, will the gentlewoman yield?

Mrs. MALONEY. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I have looked at the amendment, and I understand what the gentlewoman is talking about, what her intentions or how it would be used in the Tsunami Recovery Fund. It does not, of course, specifically provide for that, and I am prepared to accept this amendment if the gentlewoman would be willing to move the discussion along as quickly as possible.

Mrs. MALONEY. Mr. Chairman, I thank the gentleman for accepting the amendment, and I would like to note that because of the tsunami most of the midwives lost their lives. Fully 30 percent of them died in the tsunami, and many of those who survived are still dealing with personal trauma.

So it is incredibly important that this funding be moved to UNFPA, the U.N. Population Fund, to help the tsunami victims and particularly those who need maternal health care services.

Many of my colleagues, including the gentlewoman from New York (Mrs. LOWEY), who has worked so hard on helping women and children, she traveled to the region early this year and was able to witness firsthand the horror along with the gentleman from New York (Mr. CROWLEY) and the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) and others, and they were able to see the work UNFPA has been doing to help these people.

I thank the leadership for accepting the amendment. It is an important one. We appreciate the consideration.

My amendment moves $3 million from the Economic Support Fund, which has $1.06 billion available to the Tsunami Recovery and Reconstruction Fund, which now has $656 million available. It is not subject to a point of order and is both budget authority and outlay neutral.

The reason for this amendment is very simple: it is to help pregnant women impacted by the tsunami.

The intent of my amendment is to give $3 million to the U.N. Population Fund UNFPA, to assist tsunami victims in Indonesia, Sri Lanka, and the Maldives for very specific, pressing needs that I am sure we can all agree are absolutely necessary at this time. More than 150,000 women are currently pregnant in the tsunami-affected areas, including 50,000 anticipated to give birth during the next three months.

UNFPA is determined to enhance the likelihood of deliveries occurring in safe and clean conditions by providing emergency care, basic supplies and helping to rebuild health care facilities. They are uniquely qualified to provide these services. In fact, they are and have been on the ground since that tragic day, helping save the lives of women and children.

With these funds, UNFPA can provide safe delivery kits: soap, plastic sheeting, razor blades, string and gloves; personal hygiene kits: sanitary napkins, soap, laundry detergent, dental supplies; reestablish maternal health services; prevent and treat cases of violence against women and youth offer psychological support and counseling; and promote access of unaccompanied women to vital services.

Each of these areas is a serious problem and will go a long way toward helping save the lives of thousands of women and their children.

Disasters put pregnant women at greater than normal risk because of the sudden loss of medical support, compounded in many cases by trauma, malnutrition, disease or exposure to violence.

In times of high stress, pregnant women are more prone to miscarriage or to premature labor, both of which require medical care.

The infrastructure for helping pregnant women in the tsunami region is severely damaged. 1,650 of the Indonesian Midwife Association's 5,500 members—fully 30 percent—died in the tsunami. Many of those who survived are still dealing with personal trauma and the loss of equipment used to safely deliver babies.

About 15 percent of pregnancies under normal conditions require urgent assistance from midwives or doctors to ensure the health and survival of the babies and mothers. Many maternity hospitals, women's health clinics, and other infrastructure for providing health services to women, maternal health assistance, safe delivery, contraceptives, emergency obstetric care, and preventing sexually transmitted diseases have been destroyed by the tsunami.

Mr. Chairman, to date, the United States has provided no funding to the U.N. Population Fund to help tsunami victims. The last time the United States contributed resources to UNFPA was $600,000 for similar kinds of emergency assistance in Afghanistan in 2001.

We have several colleagues who traveled to the region earlier this year and witnessed the horror of the tragedy. They were able to see the work UNFPA has been doing to help these women. I hope that they will be able to relay their experiences today.

It is time to put politics aside. These people have suffered enough. We must do everything we can to help them.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. LOWEY. Mr. Chairman, I thank the chairman for accepting this amendment, and I rise in support of the Maloney amendment.

With experience and success in saving lives and helping to ensure the safe delivery of tens of thousands of babies in more than 50 countries and territories, UNFPA is uniquely qualified to assist victims of the tsunami devastation. A small transfer of $3 million to the UNFPA would go a long way in making an immediate and tangible impact on the lives of women and children in Indonesia, Sri Lanka, and the Maldives.

I again thank the chairman for accepting this language, and I thank my colleague, the gentlewoman from New York (Mrs. MALONEY), for placing the language.

The UNFPA currently has a flash appeal for $28 million, of which they have received almost 70 percent. Our contribution would represent approximately 11 percent, bringing them much closer to meeting five pressing needs in the region.

First, UNFPA is providing safe delivery kits, hygiene kits, medicines and supplies, including soap and sanitary napkins. These basic items help stem the transmission of HIV/AIDS and ensure safe childbirth and emergency obstetric care. In communities ravaged by natural disaster, the lack of such important and simple supplies as these can result in serious life threatening health crises.

Second, UNFPA works to reestablish maternal health care clinics and services destroyed by the tsunami such as prenatal care and delivery assistance and post-natal care. As we know, disasters put pregnant women at much greater risk for miscarriage or premature labor. Approximately 150,000 women in the tsunami affected region are pregnant. Fifty thousand women alone will give birth in the next 3 months.

Third, UNFPA would work to prevent and treat cases of violence against women. It is a sad fact that women are more likely to be victims of sexual assault and violence in times of crisis. We have already heard disturbing cases of widespread sexual violence in Sri Lanka. UNFPA programs help to provide emergency response, security and legal services to better protect women and children.

UNFPA programs would also offer psychological counseling to women and children still suffering from the horror of the tsunami. In countless cases, mothers are dealing with the nearly unfathomable pain of losing their husbands and children or, conversely, children are trying to make sense of a world without their families. Many women are now faced with being the head of their household and their mental well-being will be paramount as they gather the strength to rebuild their communities.

And finally, UNFPA will help unaccompanied women and other vulnerable people access vital services such as water, food, health care and sanitation facilities.

UNFPA is especially well placed to do this life-saving work as it already has offices in all the tsunami-affected countries and long-standing relationships with local governments and non-governmental organizations. We all know that confusion and discord often stymies our efforts to get relief and support to those who need it most. Supporting organizations with a proven track record and programs in place is one of the most successful and cost-effective ways to make our generous contributions go farther.

I urge my colleagues to do everything we can to help the women and children who have already been through so much with the destruction brought by the tsunami. Please join me in voting to support UNFPA's important work in saving lives.

Mr. LEWIS of California. Mr. Chairman, I withdraw my point of order so we can accept the amendment.

Ms. JACKSON–LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

I want to rise as well to support the gentlewoman from New York's amendment dealing with the efforts the UNFPA is engaged in because we got a chance to see firsthand in visiting Sri Lanka the work that has been done.

It is true that many children were lost. It is true that 15,000, at the time that we were there, women were expecting; and it is certainly true that they lost a large infrastructure of health care, particularly the women's hospital that we were able to visit. The women's maternity hospital was completely destroyed, and so these dollars will be crucial in helping to ensure good health care, good intervention, and safe deliveries.

I want to commend all of the leadership that is focused on this particularly narrow issue, though it may seem. It is vital that we provide the support, and I would like to encourage our colleagues to support this amendment.

Ms. LINDA T. SÁNCHEZ of California. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of the Maloney-Sánchez-Crowley amendment. Let me tell my colleagues a little bit about what this amendment is about, and I will try to be brief.

It is about providing women with hygiene kits that include soap, aspirin, sanitary napkins. I, like some of my colleagues before me, had a chance to travel there and see what the UNFPA is doing there, and I urge my colleagues to vote ''yes'' on the Sánchez-Crowley amendment.

This is what the UN Population Fund distributes to women devastated by the tsunami. By voting for this amendment, you. will affirm your support for women and children in dire need of our help.

The Maloney Amendment will aid the tsunami recovery effort by providing UNFPA with much-needed funding. It's a shame that the U.S. Government has not offered their support to this organization.

I've traveled to some of the areas hardest hit by the tsunami, and I can attest to their tremendous work. Our support for the UN Population Fund should be a top priority, because it's one of the few organizations that provides resources for the care of women and newborn children. Again, we're talking about soap, toothpaste, and sanitary napkins—basic needs.

UNFPA also distributes birthing kits, which are vital. Nearly half of all women give birth without a skilled attendant present, or any medical care whatsoever. These kits are sometimes all that's available to birthing women. For women who have no access to hospitals, we must support organizations that provide these kits. It's a matter of protecting life.

UNFPA provides the bare essentials. These supplies are critical to stopping the spread of diseases, like malaria.

Today, Congress can make a, statement to those hit hardest by the tsunami. We can show our commitment to the recovery effort by supporting UNFPA funding. Today we have a chance to put politics aside and support the' work of an organization that is pro-mother and pro-child care.

Helping those in need is the right thing to do. This shouldn't be a political issue, this is a moral issue. I urge you to vote yes on the Maloney/Sánchez/Crowley Amendment to help the victims of the tsunami.

Mr. SMITH of New Jersey. Mr. Chairman, for the last two decades, the United Nations Population Fund (UNFPA), has shockingly defended the coercive Chinese population control program. By refusing to give American tax dollars to the UNFPA, the United States stands solidly with the victims and against the oppressors. We must continue to do so as long as UNFPA insists on supporting the Chinese program.

Today, Representative MALONEY offered an amendment to H.R. 1268, the ''Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief'', and she described the amendment as something that would give $3 million to UNFPA. Even though she explained it as a UNFPA Amendment, I want to clarify that the language of the amendment could in no way be construed to support or give funding to UNFPA. In fact, the amendment does not even mention UNFPA. The Maloney amendment says,

> In chapter 1 of title II of the bill, in the item relating to the ''Economic Support Fund'', after the first dollar amount, insert ''(reduced by $3,000,000)''.
>
> In chapter 1 of title IV of the bill, in the item relating to the ''Tsunami Recovery and Reconstruction fund'', after the first dollar amount, insert ''(increased by $3,000,000)''.

Since the Maloney amendment simply transferred $3 million from one account to another, thereby providing aid funding without funding UNFPA, I did not oppose the amendment.

Victims of the Chinese one-child-per-couple policy have told me horrific stories. At one religious freedom meeting in China I asked what the participants knew about forced abortion policies. All three women in the group broke down in tears as they shared with me how they all had been forced to have abortions—one woman talked about how she thought God was going to protect her baby, but she was not able to escape the abortion. Other women who have gained asylum in the United States because of China's coercive population control program have told me terrible stories of crippling fines, imprisonment of family members, and destruction of homes and property—

all to force abortion and sterilization upon millions of women. According to last year's State Department Human Rights Report, one consequence of ''the country's birth limitation policies'' is that 56 percent of the world's female suicides occur in China, which is five times the world average and approximately 500 suicides by women per day.

Mrs. Gao Xiao Duan, a former administrator of a Chinese Planned Birth Control Office, testified before Congress about China's policies. She explained, ''Once I found a woman who was nine months pregnant, but did not have a birth-allowed certificate. According to the policy, she was forced to undergo an abortion surgery. In the operation room I saw how the aborted child's lips were sucking, how its limbs were stretching. A physician injected poison into its skull, and the child died, and it was thrown into the trash can. . . . I was a monster in the daytime, injuring others by the Chinese communist authorities' barbaric planned-birth policy, but in the evening, I was like all other women and mothers, enjoying my life with my children. . . . to all those injured women, to all those children who were killed, I want to repent and say sincerely that I'm sorry!''

While Mrs. Gao acknowledged her part in these human rights atrocities and courageously told her story, UNFPA continues to side with the Chinese government.

Since 1979, UNFPA has been the chief apologist and cheerleader for China's coercive one child per couple policy. Despite numerous credible forced abortion reports from impeccable sources, including human rights organizations like Amnesty International, journalists, former Chinese population control officials and, above all, from the woman victims themselves, high officials at UNFPA always dismiss and explain it all away. UNFPA has funded, provided crucial technical support and, most importantly, provided cover for massive crimes of forced abortion and involuntary sterilization.

Time and again, high officials of UNFPA have defended the indefensible and called voluntary that which is anything but. The former Executive Director of UNFPA Nafis Sadik said, ''China has every reason to feel proud of and pleased with its remarkable achievements made in its family planning policy. The country could offer its experiences and special expert to help other countries.'' On CBS Nightwatch she said, ''The UNFPA firmly believes, and so does the government of the People's Republic of China, that their program is a totally voluntary program.'' And Sven Burmester, UNFPA's man in Beijing, gushed over China's achievements, ''In strictly quantitative terms, it was the most successful family-planning policy ever developed.''

Make no mistake that China covets UNFPA financial and verbal support of their program as a ''Good-Housekeeping seal of approval'' to whitewash their human rights violations. I traveled to China and met with the head of their population control program, Peng Peiyun. In our lengthy conversation, Madame Peng Peiyun told me over and over again that there was no coercion in China, and then she cited UNFPA's participation in the program and UNFPA's public statements where UNFPA leaders have defended it. The United States should not help UNFPA cover up China's crimes against women and children.

In 2001, the Department of State determined that UNFPA's activities in China violated our human rights law, thereby making them ineligible for U.S. funding. On July 21, 2001, Secretary of State Powell wrote, ''Regrettably, the PRC has in place a regime of severe penalties on women who have unapproved births. This regime plainly operates to coerce pregnant women to have abortions in order to avoid the penalties and therefore amounts to a 'program of coercive abortion.' . . . UNFPA's support of, and involvement in, China's population-planning activities allows the Chinese government to implement more effectively its program of coercive abortion. Therefore, it is not permissible to continue funding UNFPA at this time.'' The funds that would have gone to UNFPA were instead given to aid organizations.

In 2002, China explicitly stated its Draconian population control program in law, but UNFPA still continues to support the Chinese program. The Bush Administration has consistently found UNFPA ineligible to receive funding, most recently releasing a July 15, 2004 letter where Secretary Powell said, ''China continues to employ coercion in its birth planning program, including through severe penalties for 'out of plan births'. . . . UNFPA continues its support and involvement in China's coercive birth limitation program in counties where China's restrictive law and penalties are enforced by government officials.''

UNFPA remains guilty of shamelessly supporting and whitewashing terrible crimes against humanity, and the United States must have no part in subsidizing them. In refusing to fund UNFPA, President Bush and this Congress have taken the side of the oppressed and have refused to cooperate with the oppressor. UNFPA has aggressively defended a barbaric policy that makes brothers and sisters illegal, and makes women the pawns of the population control cadres. If UNFPA lobbied the Chinese government to stop forced abortion as aggressively as they lobby the United States to overturn human rights policy, there would be less suffering in China today.

An organization like the UNFPA that continues to support China's one-child per couple coerced abortion policy should not be rewarded with any new funding, and the Maloney Amendment provides them no new funding.

Ms. WOOLSEY. Mr. Chairman, I rise in support of the Maloney Amendment because we must break the deadly political impasse that endangers the health of women around the world. The United Nations Population Fund (UNFPA) has the ability to provide health services and promote maternal health globally. Yet we deny them funding, choosing to focus on narrow ideological disagreements and not the lifesaving potential of their work. We simply cannot afford more delay. We must seek common ground and that is what the Maloney Amendment will do.

Disasters put pregnant women at greater than normal risk because of the sudden loss of medical support, compounded in many cases by trauma, malnutrition, disease or exposure to violence. We all know that the tsunami took away valuable medical care for women across the affected areas in southeast asia. Without UNFPA we wouldn't have been able to calculate that 150,000 women are currently pregnant in this region.

Without UNFPA these women would not have the guarantee of safe, clean environments to deliver their babies. They would not have access to the medical support and medicines they need to ensure a healthy birth. Safe and healthy childbirth should not be a political issue. While disagreements about UNFPA will certainly remain, continuing to ensure this program is there to rely on has never been more important.

In such a polarized political environment, we must not sacrifice this opportunity to move forward and renew our commitment to promote the health of women around the world. I urge my colleagues to join me in supporting the Maloney Amendment.

Mr. ISRAEL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in strong support of this Amendment that aims to commit $3 million to the United Nations Population Fund (UNFPA). The UNFPA has asked its donor countries for about $28 million for women who were victims of the tsunami. The money in this amendment is about 11 percent of what they are asking for.

In January, I visited areas devastated by the tsunami. I visited what was left of a three-story maternity hospital. Three hundred women and infants were located here when the first wave hit. The rush of water toppled a high cement fence, knocked down utility polls like toothpicks, and shattered all of the glass windows in the front facade. Of the 300 women and their babies, all but one—a newborn—was saved from the crashing waves. We met with one doctor who finished a C-Section—in absolute darkness, after the generators were underwater, as the rest of the building was evacuated. The hospital was practically destroyed. The beds were pushed and piled against each other by the flooding, and shards of glass crunched under our feet. The sheets were strewn about like wet rags, and saturated packages of medicine were thrown in useless piles.

Natural disasters are particularly harsh on pregnant women. The loss of medical care and its infrastructure is compounded by malnutrition, disease and the trauma of the disaster. These issues can cause miscarriage or early labor, which both require medical care that is unavailable. The result can be maternal death.

The situation that women face in the areas is dire. The Indonesian Midwife Association has also reported that 1,650 of their 5,500 members, that is about 30 percent of their members, died in the tsunami. Many of the surviving midwives are picking up the pieces of their own lives and dealing with their personal loss. Reestablishing maternal health services will be a main use of this money, which is of great concern to the region.

There are 150,000 pregnant women in the tsunami-affected areas—50,000 are scheduled to give birth in the next three months. They need personal hygiene kits in refugee camps; and safe-birthing kits in hospitals, clinics and health centers. They need soap and sterile cotton cloth, antibiotics, emergency obstetric equipment, and drugs for treating sexually transmitted infections. Relief efforts often overlook these supplies, and the UNFPA is uniquely prepared to provide them.

The UNFPA has experience working with women in disaster areas: They have participated in emergency projects in more than 50 countries and territories. They already have offices in tsunami-affected countries, and they understand the distinctive ways that disasters affect women and children. Women are more

vulnerable to sexual assaults during times of disaster. Women who are pregnant, nursing, or caring for small children do not have the capacity to stand in line for long periods of time for supplies.

The funds in this amendment are intended to be used by the UNFPA to help women in these circumstances by: Providing tools and medicines needed for safe childbirth; preventing and treating sexual assault; promoting access to clean water, food and healthcare; providing sanitary supplies; and providing psycho-social counseling.

The tsunami devastated an entire region, and I am glad that this Congress is appropriating funds to help address the many issues that the people in region now face. It is my hope that my colleagues will vote for this amendment, which will help some of the most vulnerable of the region.

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

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For an additional amount for ''Economic Support Fund'', $376,500,000, to remain available until September 30, 2006: *Provided*, That these funds are hereby designated by Congress to be emergency requirements pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

For an additional amount for ''Assistance for the Independent States of the Former Soviet Union'' for assistance for Ukraine, $33,700,000, to remain available until September 30, 2006.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''International Narcotics Control and Law Enforcement'', $594,000,000, to remain available until September 30, 2007, of which not more than $400,000,000 may be made available to provide assistance to the Afghan police: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for ''Migration and Refugee Assistance'', $53,400,000, to remain available until September 30, 2006: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'', $17,100,000, to remain available until September 30, 2006: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for the ''Foreign Military Financing Program'', $250,000,000.

PEACEKEEPING OPERATIONS

For an additional amount for ''Peacekeeping Operations'', $10,000,000, to remain available until September 30, 2006: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2101. Section 307(a) of the Foreign Assistance Act of 1961 is amended by striking ''Iraq,''.

(RESCISSION)

SEC. 2102. The unexpended balance appropriated by Public Law 108–11 under the heading ''Economic Support Fund'' and made available for Turkey is rescinded.

SEC. 2103. Section 559 of division D of Public Law 108–447 is amended by adding at the end the following:

''(e) Subsequent to the certification specified in subsection (a), the Comptroller General of the United States shall conduct an audit and an investigation of the treatment, handling, and uses of all funds for the bilateral West Bank and Gaza Program in fiscal year 2005 under the heading 'Economic Support Fund'. The audit shall address—

''(1) the extent to which such Program complies with the requirements of subsections (b) and (c), and

''(2) an examination of all programs, projects, and activities carried out under such Program, including both obligations and expenditures.''.

SEC. 2104. The Secretary of State shall submit to the Committees on Appropriations not later than 30 days after enactment, and prior to the initial obligation of funds appropriated under this chapter, a report on the proposed uses of all funds on a project-by-project basis, for which the obligation of funds is anticipated: *Provided*, That up to 10 percent of funds appropriated under this chapter may be obligated before the submission of the report subject to the normal notification procedures of the Committees on Appropriations: *Provided further*, That the report shall be updated and submitted to the Committees on Appropriations every six months and shall include information detailing how the estimates and assumptions contained in previous reports have changed: *Provided further*, That any new projects and increases in funding of ongoing projects shall be subject to the prior approval of the Committees on Appropriations: *Provided further*, That the Secretary of State shall submit to the Committees on Appropriations, not later than 210 days following enactment of this Act and annually thereafter, a report detailing on a project-by-project basis the expenditure of funds appropriated under this chapter until all funds have been fully expended.

SEC. 2105. The Comptroller General of the United States shall conduct an audit of the use of all funds for the bilateral Afghanistan counternarcotics and alternative livelihood programs in fiscal year 2005 under the heading ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'': *Provided*, That the audit shall include an examination of all programs, projects and activities carried out under such programs, including both obligations and expenditures.

SEC. 2106. No later than 60 days after the date of enactment of this Act, the President shall submit a report to the Congress detailing:

(1) information regarding the Palestinian security services, including their numbers, accountability, and chains of command, and steps taken to purge from their ranks individuals with ties to terrorist entities;

(2) specific steps taken by the Palestinian Authority to dismantle the terrorist infrastructure, confiscate unauthorized weapons, arrest and bring terrorists to justice, destroy unauthorized arms factories, thwart and preempt terrorist attacks, and cooperate with Israel's security services;

(3) specific actions taken by the Palestinian Authority to stop incitement in Palestinian Authority-controlled electronic and print media and in schools, mosques, and other institutions it controls, and to promote peace and coexistence with Israel;

(4) specific steps the Palestinian Authority has taken to ensure democracy, the rule of law, and an independent judiciary, and transparent and accountable governance;

(5) the Palestinian Authority's cooperation with U.S. officials in their investigations into the late Palestinian leader Yasser Arafat's finances; and

(6) the amount of assistance pledged and actually provided to the Palestinian Authority by other donors:

Provided, That not later than 180 days after enactment of this Act, the President shall submit to the Congress an update of this report: *Provided further*, That up to $5,000,000 of the funds made available for assistance to the West Bank and Gaza by this title under ''Economic Support Fund'' shall be used for an outside, independent evaluation by an internationally recognized accounting firm of the transparency and accountability of Palestinian Authority accounting procedures and an audit of expenditures by the Palestinian Authority: *Provided further*, That the waiver authority of section 550(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (Public Law 108–447) may not be exercised with respect to funds appropriated for assistance to the Palestinians under this chapter: *Provided further*, That the waiver detailed in Presidential Determination 2005–10 issued on December 8, 2004, shall not be extended to funds appropriated under this chapter.

CHAPTER 2

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for ''Diplomatic and Consular Programs'', $748,500,000, to remain available until September 30, 2006: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for ''Embassy Security, Construction, and Maintenance'', $592,000,000, to remain available until expended: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Contributions for International Peacekeeping Activities'', $580,000,000, to remain available until September 30, 2006: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress): *Provided further*, That up to $55,000,000 provided under this heading may be transferred to ''Peacekeeping Operations'', to be

available for costs of establishing and operating a Sudan war crimes tribunal.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for ''International Broadcasting Operations'' for activities related to broadcasting to the broader Middle East, $4,800,000, to remain available until September 30, 2006: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

CHAPTER 3

DEPARTMENT OF AGRICULTURE

FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 TITLE II GRANTS

For an additional amount for ''Public Law 480 Title II Grants'', $150,000,000, to remain available until expended: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

TITLE III—DOMESTIC APPROPRIATIONS FOR THE WAR ON TERROR

CHAPTER 1

DEPARTMENT OF ENERGY

NATIONAL NUCLEAR SECURITY ADMINISTRATION

DEFENSE NUCLEAR NONPROLIFERATION

For an additional amount for ''Defense Nuclear Nonproliferation'', $110,000,000, to remain available until expended: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

CHAPTER 2

DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'', $111,950,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for ''Acquisition, Construction, and Improvements'', $49,200,000, to remain available until September 30, 2007: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

AMENDMENT NO. 3 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON–LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Ms. JACKSON-LEE of Texas:

Page 46, after line 20, insert the following:

IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', hereby derived from the amount provided in this Act for ''UNITED STATES COAST GUARD—OPERATING EXPENSES'', $40,000,000.

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

□ 1500

Ms. JACKSON–LEE of Texas. Mr. Chairman, let me acknowledge the full committee and the members of the appropriate subcommittee dealing with Homeland Security and, as well, the full committee chairman's just recent statement on this issue.

But Mr. Chairman, I would hope that if a point of order is in order, I would hope that that point of order could be waived. And let me share with you why. This amendment is a very narrow amendment, very limited in its request. But it is documented and based upon testimony given by the very principals who are entrusted with the responsibility of Homeland Security.

Former outgoing DHS Deputy Secretary James Loy indicated that in testimony to the House Appropriations Subcommittee on Homeland Security, that ICE, the Immigration, Customs and Enforcement, needed an additional 300 million in order to finish the fiscal year 2004. This is an emergency.

Officer Callahan came before the Judiciary Committee just a few days ago on March 10 and indicated that in 5 days we might see the closing of the operations of ICE. That is the internal enforcement agency that deals with protecting the homeland internally.

Now, I have stood on the floor of this House over and over again, and I have said that immigration does not equate to terrorism. There are hard working individuals who are undocumented in this country who clearly have come here for economic reasons.

But we also know that coming across the southern border there are what we call OTMs, Other Than Mexicans, and they come across the border. They are not detained. They are given a document to retain to come back to court for a court date, and they are released on their own recognizance.

And do you realize that many of them, some who are coming from countries that have terrorist activities and attitudes toward the United States, and they are able to come up through the southern border, cross into the United States with absolutely no punitive measures whatsoever. Why? Because we are shortened at the border and we are shortened in terms of immigration enforcement inside the country, and there are no detention beds.

And so I rise today to be able to submit an amendment to ask for $40 million, that is all, to be able to carry this entity for a few more days and to be able to respond to the need for more Immigration, Customs and Enforcement Officers.

Immigration Enforcement Agent Randy Callahan testified on ICE's financial difficulties, and I realize that there is still a need to be able to fix the financial problems at ICE. But fixing the financial problems, which I understand the agency is proceeding under the new Secretary of Homeland Security, does not in any way give reason to deny extra funds for an organization that is entrusted with the security of this Nation. We can find common ground on security and immigration. This happens to be one, to provide the resources for this agency in order for it to avoid closing its doors.

His description of the problems ICE is having financially confirm the concern that I have had for some time. We do not have enough officers. We do not have enough training, and certainly we do not have enough staff in order to do their job.

Training programs have been postponed. They have halted training for approximately 2000 former Detention Enforcement Officers who are reclassified and combined with the Immigration Agent position called Immigration Enforcement Agent.

Do you realize, Mr. Chairman, that these officers are still carrying the old IDs and old ID cards and old badges? Why? Because we do not have enough money to give them new badges and new cards. Can we not include them in this emergency supplemental? This is an emergency.

You have officers who are carrying incorrect identification and officers who have not been trained who have been transferred into Homeland Security who are now supposed to be Immigration, Customs Enforcement Officers.

Tragically, one of our officers lost his life in the Atlanta courthouse killings, a man who had served for a good number of years. We owe officers who are willing to put their life on the line, no matter what way they have lost it, to be able to provide them with the resources necessary.

ICE has approximately 900 agents who have not yet been trained. Without this training, ICE cannot use these officers for any type of law enforcement function except transportation officer and possibly some computer work. And as I said to you, they have no badges, and they have no ID cards.

There is no money for uniforms, so un-uniformed Immigration Enforcement Agents are not able to order replacement uniforms. In fact, the uniforms being used nationwide right now still have Immigration Naturalization Service patches on them despite the fact that the INS no longer exists. Lack of funds appears to be causing detention facilities problems in San Diego, California and other places.

Let me just simply say we have the documentation, Mr. Chairman. I rise to ask my colleagues to support this amendment to ICE, and I also will add that I support the Palestinian money and the Sudan money. But I hope that we will know that we have to secure the homeland by providing extra dollars to respond to the needs of our own staff here in the Department of Homeland Security.

Mr. Chairman, as the ranking member of the Subcommittee on Immigration, Border Security, and Claims, I have learned of a budget

crisis in the Homeland Security Department's Bureau of Immigration and Customs Enforcement, ICE. At a hearing last week on Interior Immigration Enforcement Resources, Immigration Enforcement Agent Randy Callahan testified on ICE's financial difficulties. His description of the problems ICE is having financially confirms the concern I have had for some time now.

For instance, training programs have been postponed. This has halted training for approximately 2,000 former Detention Enforcement Officers who were reclassified and combined with Immigration Agent into a position called, ''Immigration Enforcement Agent,'' IEA. ICE has approximately 900 agents who have not been trained yet. Without this training, ICE cannot use these officers for any type of law enforcement function, except transportation officer and possibly some computer work.

There is no money for uniforms, so uniformed Immigration Enforcement Agents are not able to order replacement uniforms. In fact, the uniforms being used nationwide right now still have Immigration and Naturalization Service, INS, patches on them despite the fact that INS no longer exists.

Lack of funds appears to be causing a detention facility in San Diego, CA, to release detainees from custody. Apparently, ICE management told its employees that the office had to reduce its adult detentions from several hundred to around 100. Additional funding is needed nationwide to maintain the approximately 17,000 detention beds currently in use.

ICE's financial problems have resulted in a hiring freeze since last March and severe spending restrictions. In September, ICE ordered its offices to refrain from nonessential spending such as travel, temporary duty assignments, equipment and supply purchases, and permanent change-of-station moves.

ICE is a bureau in financial crisis. They do not have enough money to hold people in custody, buy new uniforms and equipment for employees, or even issue badges and credentials with the correct department on them. Emergency funds are essential to correct this problem.

Former DHS Deputy Secretary James Loy said recently that ICE needs $280 million to finish out the year. It is not feasible to address that entire need with the emergency supplemental, H.R. 1268. My amendment, therefore, just seeks $40 million, which can be offset in the Coast Guard allotment.

For the reasons stated above, Mr. Chairman, I ask that my colleagues accept the Jackson-Lee amendment to fund the Immigration and Customs Enforcement needs. It is a shame that this amendment could not get a waiver of the point of order for the crisis in our Department of Homeland Security.

POINT OF ORDER

Mr. LEWIS of California. Mr. Chairman, reluctantly I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed a suballocation on budget totals for fiscal year 2005 on July 22, 2004. The amendment would provide new budget authority in excess of the committee allocations and is not permitted under section 302(f) of the act. I ask for the ruling of the Chair.

Ms. JACKSON-LEE of Texas. Will the gentleman yield for just a moment?

Mr. LEWIS of California. I have asked for a ruling of the Chair.

The Acting CHAIRMAN (Mr. SHIMKUS). The Chair will hear each member on his or her own time. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE) to speak on the point of order.

Ms. JACKSON-LEE of Texas. Mr. Chairman, my understanding of an emergency supplemental is to deal with emergency funding situations in the government. I realize that the present language speaks directly to Coast Guard, which is part of now the Department of Homeland Security. This amendment amends that section and asks and has a viable offset and asks simply to allow $40 million of that amount to be able to be utilized for the underfunded ICE agents that do not have uniforms, that do not have badges, that do not have IDs.

Frankly, I believe if we are to do our work in Iraq, whether we agree or disagree with the war in Iraq, we do know that it is represented to us by the administration to be a war on terror. How can we fight the war on terror in Afghanistan and Iraq and not fight the war on terror in this country within our boundaries?

The Immigration Customs and Enforcement helps us do that. It separates out those who intend to do us harm from those who are here who may be undocumented but are here simply for economic reasons.

We need to be able to thwart those who may come across the border to do us harm and are not caught at the border. We need to be able to have the agency well equipped to protect us by securing those individuals and detaining them. Without those resources they cannot even continue.

Do not take my word. Take the word of Admiral Loy, who indicated that they needed more dollars to finish out the fiscal year in question.

I would ask my colleague, and I would also ask at this moment, that if he pursues his point of order, whether or not we will have the opportunity, whether in conference or as we continue the appropriations process, to focus on the lack of funding for the Immigration and Enforcement Officers, Immigration, Customs and Enforcement Officers, the Border Patrol, which I think you are aware of, and the detention beds.

I would like very much to yield to the chairman, and on this issue I think we are all in common agreement about the need to secure our homeland.

The Acting CHAIRMAN. Does the gentleman from California wish to be head further on the point of order?

Mr. LEWIS of California. Mr. Chairman, I would simply say it is our intention to pursue the questions the gentlewoman is asking. It may very well be in conference on the supplemental that it is appropriate, but frankly in some ways we take from Peter to pay Paul. We can pursue this is regular order, and I prefer to use the supplemental process for those emergencies that we cannot deal with in regular order. Because of that, I am not pursuing the recommendations at this time. We will follow through, however, on the questions that the gentlewoman is asking.

Mr. Chairman, I insist on my point of order.

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

The Chair is authoritatively guided under section 312 of the Budget Act by an estimate of the Committee on the Budget that an amendment providing any net increase in new discretionary budget authority would cause a breach of pertinent allocation of such authority.

The amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) will increase the level of new discretionary budget authority in the bill. As such, the amendment violates section 302(f) of the Budget Act.

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

The Clerk will read.

The Clerk read as follows:

CHAPTER 3

DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $78,970,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses,'' $7,648,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

TITLE IV—INDIAN OCEAN TSUNAMI RELIEF

CHAPTER 1

FUNDS APPROPRIATED TO THE PRESIDENT

OTHER BILATERAL ASSISTANCE

TSUNAMI RECOVERY AND RECONSTRUCTION FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Foreign Assistance Act of 1961, for emergency relief, rehabilitation, and reconstruction aid to countries affected by the tsunami and earthquakes of December 2004, and for other purposes, $656,000,000, to remain available until September 30, 2006: *Provided*, That these funds may be transferred by the Secretary of State to any Federal agency or account for any activity authorized under part I (including chapter 4 of part II) of the Foreign Assistance Act, or under the Agricultural Trade Development and Assistance Act of 1954, to accomplish the purposes provided herein: *Provided further*, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That funds appropriated under this heading may be used to reimburse fully accounts administered by the United States Agency for International Development for obligations incurred for the purposes provided under this

heading prior to enactment of this Act, including Public Law 480 Title II grants: *Provided further*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress): *Provided further*, That of the amounts provided herein: up to $10,000,000 may be transferred to and consolidated with the Development Credit Authority for the cost of direct loans and loan guarantees as authorized by sections 256 and 635 of the Foreign Assistance Act of 1961 in furtherance of the purposes of this heading; up to $15,000,000 may be transferred to and consolidated with ''Operating Expenses of the United States Agency for International Development'', of which up to $2,000,000 may be used for administrative expenses to carry out credit programs administered by the United States Agency for International Development in furtherance of the purposes of this heading; up to $500,000 may be transferred to and consolidated with ''Operating Expenses of the United States Agency for International Development, Office of Inspector General''; and up to $5,000,000 may be transferred to and consolidated with ''Administration of Foreign Affairs Emergencies in the Diplomatic and Consular Service'' for the purpose of providing support services for U.S. citizen victims and related operations.

GENERAL PROVISION

SEC. 4101. Amounts made available pursuant to section 492(b) of the Foreign Assistance Act of 1961 to address relief and rehabilitation needs for countries affected by the tsunami and earthquake of December 2004, prior to the enactment of this Act, shall be in addition to the amount that may be obligated in fiscal year 2005 under that section.

SEC. 4102. The Secretary of State shall submit to the Committees on Appropriations not later than 30 days after enactment, and prior to the initial obligation of funds appropriated under this chapter, a report on the proposed uses of all funds on a project-by-project basis, for which the obligation of funds is anticipated: *Provided*, That up to 10 percent of funds appropriated under this chapter may be obligated before the submission of the report subject to the normal notification procedures of the Committees on Appropriations: *Provided further*, That the report shall be updated and submitted to the Committees on Appropriations every six months and shall include information detailing how the estimates and assumptions contained in previous reports have changed: *Provided further*, That any proposed new projects and increases in funding of ongoing projects shall be reported to the Committees on Appropriations in accordance with regular notification procedures: *Provided further*, That the Secretary of State shall submit to the Committees on Appropriations, not later than 210 days following enactment of this Act, and every six months thereafter, a report detailing on a project-by project basis, the expenditure of funds appropriated under this chapter until all funds have been fully expended.

CHAPTER 2

DEPARTMENT OF DEFENSE—MILITARY

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $124,100,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $2,800,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $30,000,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $29,150,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For an additional amount for ''Overseas Humanitarian, Disaster, and Civic Aid'', $36,000,000, to remain available until September 30, 2006: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

CHAPTER 3

DEPARTMENT OF DEFENSE

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $3,600,000 for operation and maintenance: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

CHAPTER 4

DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'', $350,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

CHAPTER 5

DEPARTMENT OF THE INTERIOR

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for ''Surveys, Investigations, and Research'', $8,100,000, to remain available until September 30, 2006: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

CHAPTER 6

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for ''Operations, Research, and Facilities'', $4,830,000, to remain available until September 30, 2006, for United States tsunami warning capabilities and operations: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for ''Procurement, Acquisition and Construction'', $9,670,000, to remain available until September 30, 2007, for United States tsunami warning capabilities: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

TITLE V—GENERAL PROVISIONS AND TECHNICAL CORRECTIONS

SEC. 5001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

(INCLUDING TRANSFERS OF FUNDS)

SEC. 5002. Notwithstanding any other provision of law, upon enactment of this Act, the Secretary of Defense shall make the following transfers of funds previously made available in the Department of Defense Appropriations Act, 2005 (Public Law 108–287): *Provided*, That the amounts transferred shall be made available for the same purpose and the same time period as the appropriation to which transferred: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the amounts shall be transferred between the following appropriations, in the amounts specified:

To:

Under the heading, ''Research, Development, Test and Evaluation, Air Force, 2005/2006'', $500,000;

From:

Under the heading, ''Other Procurement, Air Force'', $500,000.

To:

Under the heading, ''Other Procurement, Air Force, 2005/2007'', $8,200,000;

From:

Under the heading, ''Other Procurement, Navy, 2005/2007'', $8,200,000.

SEC. 5003. Funds appropriated by this Act may be obligated and expended notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) and section 10 of Public Law 91–672 (22 U.S.C. 2412), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 5004. The last proviso under the heading ''Operation and Maintenance'' in title I of division C of Public Law 108–447 is amended by striking ''Public Law 108–357'' and inserting ''Public Law 108–137''.

SEC. 5005. Section 101 of title I of division C of Public Law 108–447 is amended by striking ''per project'' and all that follows through the period at the end and inserting ''for all applicable programs and projects not to exceed $80,000,000 in each fiscal year.''.

SEC. 5006. The matter under the heading ''Water and Related Resources'' in title II of division C of Public Law 108–447 is amended by inserting before the period at the end the following: '': *Provided further*, That $4,023,000 of the funds appropriated under this heading shall be deposited in the San Gabriel Basin Restoration Fund established by section 110 of title I of division B of the Miscellaneous Appropriations Act, 2001 (as enacted into law by Public Law 106–554)''.

SEC. 5007. In division C, title III of the Consolidated Appropriations Act, 2005 (Public Law 108–447), the item relating to ''Department of Energy—Energy Programs—Nuclear Waste Disposal'' is amended by—

(1) inserting ''to be derived from the Nuclear Waste Fund and'' after ''$346,000,000,''; and

(2) striking ''to conduct scientific oversight responsibilities and participate in licensing activities pursuant to the Act'' and

inserting ''to participate in licensing activities and other appropriate activities pursuant to the Act''.

SEC. 5008. Section 144(b)(2) of title I of division E of Public Law 108–447 is amended by striking ''September 24, 2004'' and inserting ''November 12, 2004''.

SEC. 5009. In the statement of the managers of the committee of conference accompanying H.R. 4818 (Public Law 108–447; House Report 108–792), in the matter in title III of division F, relating to the Fund for the Improvement of Education under the heading ''Innovation and Improvement''—

(1) the provision specifying $500,000 for the Mississippi Museum of Art, Jackson, MS for Hardy Middle School After School Program shall be deemed to read ''Mississippi Museum of Art, Jackson, MS for a Mississippi Museum of Art After-School Collaborative'';

(2) the provision specifying $2,000,000 for the Milken Family Foundation, Santa Monica, CA, for the Teacher Advancement Program shall be deemed to read ''Teacher Advancement Program Foundation, Santa Monica, CA for the Teacher Advancement Program'';

(3) the provision specifying $1,000,000 for Batelle for Kids, Columbus, OH for a multi-state effort to evaluate and learn the most effective ways for accelerating student academic growth shall be deemed to read ''Battelle for Kids, Columbus, OH for a multi-state effort to implement, evaluate and learn the most effective ways for accelerating student academic growth'';

(4) the provision specifying $750,000 for the Institute of Heart Math, Boulder Creek, CO for a teacher retention and student dropout prevention program shall be deemed to read ''Institute of Heart Math, Boulder Creek, CA for a teacher retention and student dropout prevention program'';

(5) the provision specifying $200,000 for Fairfax County Public Schools, Fairfax, VA for Chinese language programs in Franklin Sherman Elementary School and Chesterbrook Elementary School in McLean, Virginia shall be deemed to read ''Fairfax County Public Schools, Fairfax, VA for Chinese language programs in Shrevewood Elementary School and Wolftrap Elementary School'';

(6) the provision specifying $1,250,000 for the University of Alaska/Fairbanks in Fairbanks, AK, working with the State of Alaska and Catholic Community Services, for the Alaska System for Early Education Development (SEED) shall be deemed to read ''University of Alaska/Southeast in Juneau, AK, working with the State of Alaska and Catholic Community Services, for the Alaska System for Early Education Development (SEED)'';

(7) the provision specifying $25,000 for QUILL Productions, Inc., Aston, PA, to develop and disseminate programs to enhance the teaching of American history shall be deemed to read ''QUILL Entertainment Company, Aston, PA, to develop and disseminate programs to enhance the teaching of American history'';

(8) the provision specifying $780,000 for City of St. Charles, MO for the St. Charles Foundry Arts Center in support of arts education shall be deemed to read ''The Foundry Art Centre, St. Charles, Missouri for support of arts education in conjunction with the City of St. Charles, MO'';

(9) the provision specifying $100,000 for Community Arts Program, Chester, PA, for arts education shall be deemed to read ''Chester Economic Development Authority, Chester, PA for a community arts program'';

(10) the provision specifying $100,000 for Kids with A Promise—The Bowery Mission, Bushkill, PA shall be deemed to read ''Kids with A Promise—The Bowery Mission, New York, NY'';

(11) the provision specifying $50,000 for Great Projects Film Company, Inc., Washington, DC, to produce ''Educating America'', a documentary about the challenges facing our public schools shall be deemed to read ''Great Projects Film Company, Inc., New York, NY, to produce 'Educating America', a documentary about the challenges facing our public schools'';

(12) the provision specifying $30,000 for Summer Camp Opportunities Provide an Edge (SCOPE), New York, NY for YMCA Camps Skycrest, Speers and Elijabar shall be deemed to read ''American Camping Association for Summer Camp Opportunities Provide an Edge (SCOPE), New York, NY for YMCA Camps Skycrest and Speers-Elijabar''; and

(13) the provision specifying $163,000 for Space Education Initiatives, Green Bay, WI for the Wisconsin Space Science Initiative shall be deemed to read ''Space Education Initiatives, De Pere, WI for the Wisconsin Space Science Initiative''.

SEC. 5010. In the statement of the managers of the committee of conference accompanying H.R. 4818 (Public Law 108–447; House Report 108–792), in the matter in title III of division F, relating to the Fund for the Improvement of Postsecondary Education under the heading ''Higher Education''—

(1) the provision specifying $145,000 for the Belin-Blank Center at the University of Iowa, Iowa City, IA for the Big 10 school initiative to improve minority student access to Advanced Placement courses shall be deemed to read ''University of Iowa, Iowa City, IA for the Iowa and Israel: Partners in Excellence program to enhance math and science opportunities to rural Iowa students'';

(2) the provision specifying $150,000 for Mercy College, Dobbs Ferry, NY for the development of a registered nursing program shall be deemed to read ''Mercy College, Dobbs Ferry, NY, for the development of a master's degree program in nursing education, including marketing and recruitment activities'';

(3) the provision specifying $100,000 for University of Alaska/Southeast to develop distance education coursework for arctic engineering courses and programs shall be deemed to read ''University of Alaska System Office to develop distance education coursework for arctic engineering courses and programs''; and

(4) the provision specifying $100,000 for Culver-Stockton College, Canton, MO for equipment and technology shall be deemed to read ''Moberly Area Community College, Moberly, MO for equipment and technology''.

SEC. 5011. The matter under the heading ''Corporation for National and Community Service—National and Community Service Programs Operating Expenses'' in title III of division I of Public Law 108–447 is amended by inserting before the period at the end the following: '': *Provided further*, That the Corporation may use up to 1 percent of program grant funds made available under this heading to defray its costs of conducting grant application reviews, including the use of outside peer reviewers''.

SEC. 5012. Section 114 of title I of division I of the Consolidated Appropriations Act, 2005 (Public Law 108–447) is amended by inserting before the period ''and section 303 of Public Law 108–422''.

SEC. 5013. Section 117 of title I of division I of the Consolidated Appropriations Act, 2005 (Public Law 108–447) is amended by striking ''that are deposited into the Medical Care Collections Fund may be transferred and merged with'' and inserting ''may be deposited into the''.

SEC. 5014. Section 1703(d)(2) of title 38, United States Code, is amended by striking ''shall be available for the purposes'' and inserting ''shall be available, without fiscal limitation, for the purposes''.

SEC. 5015. Section 621 of title VI of division B of Public Law 108–199 is amended by striking ''of passenger, cargo and other aviation services''.

SEC. 5016. Section 619(a) of title VI of division B of Public Law 108–447 is amended by striking ''Asheville-Buncombe Technical Community College'' and inserting ''the International Small Business Institute''.

SEC. 5017. (a) Section 619(a) of title VI of division B of Public Law 108–447 is amended by striking ''for the continued modernization of the Mason Building''.

(b) Section 621 of title VI of division B of Public Law 108–199, as amended by Public Law 108–447, is amended by striking '', for the continued modernization of the Mason Building''.

SEC. 5018. The Department of Justice may transfer funds from any Department of Justice account to ''Detention Trustee'': *Provided*, That the notification requirement in section 605(b) of title VI of division B of Public Law 108–447 shall remain in effect for any such transfers.

SEC. 5019. The referenced statement of managers under the heading ''Community Development Fund'' in title II of division K of Public Law 108–7 is deemed to be amended—

(1) with respect to item number 39 by striking ''Conference and Workforce Center in Harrison, Arkansas'' and inserting ''in Harrison, Arkansas for facilities construction of the North Arkansas College Health Sciences Education Center''; and

(2) with respect to item number 316 by striking ''for renovation of a visitor center to accommodate a Space and Flight Center'' and inserting ''to build-out the Prince George's County Economic Development and Business Assistance Center''.

SEC. 5020. The referenced statement of the managers under the heading ''Community Development Fund'' in title II of division G of Public Law 108–199 is deemed to be amended—

(1) with respect to item number 56 by striking ''Conference and Training Center'' and inserting ''North Arkansas College Health Sciences Education Center'';

(2) with respect to item number 102 by striking ''to the Town of Groveland, California for purchase of a youth center'' and inserting ''to the County of Tuolomne for the purchase of a new youth center in the mountain community of Groveland'';

(3) with respect to item number 218 by striking ''for construction'' and inserting ''for design and engineering'';

(4) with respect to item number 472 by striking ''for sidewalk, curbs and facade improvements in the Morton Avenue neighborhood'' and inserting ''for streetscape renovation''; and

(5) with respect to item number 493 by striking ''for land acquisition'' and inserting ''for planning and design of its Sports and Recreation Center and Education Complex''.

SEC. 5021. The referenced statement of the managers under the heading ''Community Development Fund'' in title II of division I of Public Law 108–447 is deemed to be amended as follows—

(1) with respect to item number 706 by striking '' a public swimming pool'' and inserting ''recreation fields'';

(2) with respect to item number 667 by striking ''to the Town of Appomattox, Virginia for facilities construction of an African-American cultural and heritage museum at the Carver-Price building'' and inserting ''to the County of Appomattox, Virginia for renovation of the Carver-Price building'';

(3) with respect to item number 668 by striking ''for the Town of South Boston, Virginia for renovations and creation of a community arts center at the Prizery'' and inserting ''for The Prizery in South Boston, Virginia for renovations and creation of a community arts center'';

(4) with respect to item number 669 by striking ''for the City of Moneta, Virginia for facilities construction and renovations of an art, education, and community outreach center'' and inserting ''for the Moneta Arts, Education, and Community Outreach Center in Moneta, Virginia for facilities construction and renovations'';

(5) with respect to item number 910 by striking ''repairs to'' and inserting ''renovation and construction of''; and

(6) with respect to item number 902 by striking ''City of Brooklyn'' and inserting ''Fifth Ave Committee in Brooklyn''.

SEC. 5022. Section 308 of division B of Public Law 108–447 is amended by striking all after the words ''shall be deposited'', and inserting ''as offsetting receipts to the fund established under 28 U.S.C. 1931 and shall remain available to the Judiciary until expended to reimburse any appropriation for the amount paid out of such appropriation for expenses of the Courts of Appeals, District Courts, and Other Judicial Services and the Administrative Offices of the United States Courts.''.

SEC. 5023. Section 198 of division H of Public Law 108–447 is amended by inserting ''under title 23 of the United States Code'' after ''law''.

SEC. 5024. The District of Columbia Appropriations Act, 2005 (Public Law 108–335) approved October 18, 2004, is amended as follows:

(1) Section 331 is amended as follows:

(A) in the first sentence by striking the word ''$15,000,000'' and inserting ''$42,000,000, to remain available until expended,'' in its place, and

(B) by amending paragraph (5) to read as follows:

''(5) The amounts may be obligated or expended only if the Mayor notifies the Committees on Appropriations of the House of Representatives and Senate in writing 30 days in advance of any obligation or expenditure.''.

(2) By inserting a new section before the short title at the end to read as follows:

''SEC. 348. The amount appropriated by this Act may be increased by an additional amount of $206,736,000 (including $49,927,000 from local funds and $156,809,000 from other funds) to be transferred by the Mayor of the District of Columbia to the various headings under this Act as follows:

''(1) $174,927,000 (including $34,927,000 from local funds, and $140,000,000 from other funds) shall be transferred under the heading 'Government Direction and Support': *Provided,* That of the funds, $33,000,000 from local funds shall remain available until expended: *Provided further,* That of the funds, $140,000,000 from other funds shall remain available until expended and shall only be available in conjunction with revenue from a private or alternative financing proposal approved pursuant to section 106 of DC Act 15–717, the 'Ballpark Omnibus Financing and Revenue Act of 2004' approved by the District of Columbia, December 29, 2004, and

''(2) $15,000,000 from local funds shall be transferred under the heading 'Repayment of Loans and Interest', and

''(3) $14,000,000 from other funds shall be transferred under the heading 'Sports and Entertainment Commission', and

''(4) $2,809,000 from other funds shall be transferred under the heading 'Water and Sewer Authority'.''

□ 1515

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GARRETT of New Jersey:

At the end of title V (relating to general provisions), insert the following:

SEC. ____. (a) OFFSETTING GOVERNMENT-WIDE RESCISSION.—Of the discretionary budget authority for fiscal year 2005 provided in appropriation Acts for fiscal year 2005 (other than this Act), there is rescinded the total amount determined by the Director of the Office of Management and Budget to be required to offset the discretionary budget authority that is provided in titles II and IV of this Act (relating to international programs and tsunami relief) and designated as an emergency requirement.

(b) APPLICATION.—The rescission made by subsection (a)—

(1) shall take effect upon the enactment of this Act;

(2) shall not apply to the discretionary budget authority provided for the Departments of Defense, Homeland Security, and Veterans Affairs; and

(3) shall be applied proportionately to the discretionary budget authority provided for each other department, agency, instrumentality, and entity of the Federal Government.

(c) REPORT.—Within 30 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the reductions made to each account, program, project, and activity pursuant to this section.

Mr. GARRETT of New Jersey (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIRMAN (Mr. SHIMKUS). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

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

The Acting CHAIRMAN. The gentleman reserves a point of order.

Mr. GARRETT of New Jersey. Mr. Chairman, the question before us today, I believe, is how now shall we live within the confines of the budget that we have to deal with? Shall we live within the boundaries that we have set for ourselves and set an example for our generation today and the future, or should we ignore those boundaries that we have imposed upon ourselves and spend in excess?

Right now we are in the process, as we know, of doing the budget for next year, the 2006 budget. We are setting up the framework of what we will be spending for next year. And so I think it is fitting and appropriate that we look at the supplemental today and the amendment that I have presented to see whether or not we will fit within that budget confines, whether or not we will fit within that area or, instead, will we exceed it and say that a budget really is nothing more than a charade and not explain exactly what we will be spending for any point in time.

Let me just say that I applaud the chairman, and I applaud the members of the committee for doing what they said they would do as has been reported in the paper. To use the chairman's own words, they have taken the President's proposal and scrubbed it thoroughly for many points that they thought appropriate to remove from that spending proposal. My question, though, is, can we do a little bit better? Can we go a little bit further? Can we do exactly what we ask families to do back at home?

Think for a moment. What would a family do today if they faced emergency expenditures like we are looking at in the supplemental right now, families who maybe have to see extra car payments or medical expenses? What would a family do? A family would probably have to do what we should be doing right here, and that is limit our spending elsewhere, reduce some other unnecessary spending so that we have that money for the emergency spending.

If we look in the supplemental, there are a number of points in there that have already been raised by others. I will just point to one of them, the aid for tsunami victims. That started at $35 million, went up to $150 million, then $350 million, and now we are looking at $950 million. Some would question whether we can even spend all that before the end of this fiscal year. As a matter of fact, I spoke with people from the World Bank and they said that they are not even sure where the money would all be going to. They do not have an exact figure as to what we should be spending on long-term needs, so we can question whether or not we should be spending that money.

But given that we can argue that back and forth, let us take that as a given that we should spend the entire $950 million for tsunami relief. I would ask this, as we stand here before the world as a body saying that we are going to do the charitable thing and give money to the tsunami victims, are we really exercising any charity there when we, in fact, say, we're not going to be paying for it, we're asking our kids and our grandkids to pay for it in excessive spending and deficit spending in future generations?

Again, I applaud the chairman for the good start that they have done in this committee by scrubbing the budget and trying to find some offsets. I would simply say, can we not do a little bit better and find completely all offsets for all of the spending that we are doing, aside from the military defense spending, for all the excessive spending in the bill? It is around $4 billion. How much would it really come out to be? If you are looking at the budget that we have right now that we are living under, $2.5 trillion, and you are trying to find savings or offsets of around $4 billion, that is only two-

tenths of 1 percent. I would ask, can we not find two-tenths of 1 percent of waste, fraud and abuse in the entire fiscal budget that we are operating under right now? I think we can.

We ask families to do it for their budgets, we ask businesses to do it for their budgets, I think we can find that entire amount of approximately $4 billion of waste, fraud, and abuse in the entire budget, offset it, and then we can truly stand before the world and say that when we are making charitable contributions to the tsunami relief victims, that it is truly coming from this generation and not being passed on to future generations.

I shall end where I began. How now shall we live? We shall live within the means, by the parameters that we have set down upon ourselves. We shall live within the budget that we have set for ourselves and not outside that budget.

POINT OF ORDER

Mr. LEWIS of California. Mr. Chairman, while I am very empathetic to the gentleman's concern, for I have many a grandchild myself, 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.'' In this case, the amendment addresses funds in other acts, and so I have to reluctantly ask the Chair to rule.

The Acting CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. GARRETT of New Jersey. Mr. Chairman, I am sorry, I should have stepped in before the gentleman stood up to say, in light of knowing the rules of the House, that I was about to withdraw the amendment.

Mr. LEWIS of California. Mr. Chairman, in that event, I withdraw my point of order.

The Acting CHAIRMAN. The gentleman from California withdraws the point of order; and without objection, the gentleman from New Jersey withdraws the amendment.

There was no objection.

AMENDMENT OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. FILNER:

At the end of title V (page 69, after line 17), insert the following new section:

SEC. ____. In addition to amounts otherwise appropriated in this Act, there is hereby appropriated for fiscal year 2005, for ''Department of Veterans Affairs—Veterans Health Administration—Medical Services'', $3,100,000,000: *Provided,* That the amounts provided under this section are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

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

The Acting CHAIRMAN. The gentleman reserves a point of order.

Mr. FILNER. Mr. Chairman, I have an amendment which I am labeling an emergency amendment. It is an emergency amendment because the money is needed for the veterans of this Nation, especially those who are returning from the war in Iraq and Afghanistan who may not be able to get the services they need for a variety of wounds, both physical and mental.

Let me first say where I got the number of $3.1 billion. It is not just a figure grabbed from the air. Every year the veterans service organizations of this Nation put together a budget called the Independent Budget for the Department of Veterans Affairs. This is the one for 2006. What it says is that just to keep meeting the needs for our current veterans and those who we expect to see in the coming year, we will need an additional $3.1 billion than was allocated by the President in his budget. We do not know what this House will adopt yet, so this figure is drawn from the inadequacies of the President's budget as he gave it to Congress recently.

This is a supplemental budget for those fighting in Iraq and Afghanistan. At least that is the title. Let me make sure all the people of the House understand the relevance of the veterans budget for the war that we are fighting abroad. Here is what our first President, George Washington, said and it has never been done more eloquently: ''The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional as to how they perceive the veterans of earlier wars were treated and appreciated by their country.''

Mr. Chairman, the morale of our troops overseas depends on how we are going to treat their comrades when they return and how we treat their comrades who served in earlier battles. We are not treating them to the level that is worthy of their sacrifice. Whether you look at the amount of nurses, whether you look at research funds, whether you look at the resources for post-traumatic stress disorder for which virtually every returning soldier, Marine who is in Iraq and Afghanistan may have, wherever you look, there is a deficiency in this veterans budget.

I call that an emergency. I call that important to the struggle that is being waged overseas. If you are voting for that struggle, you have to vote to make sure the veterans who come back from that struggle are well treated.

Right now we have a proposal from the President which advocates a mere one-half of 1 percent increase in the veterans health care budget over the previous year. That is a real cut, because of health inflation and the advancing age and the needs of the population, to about a 14 or 15 percent cut by the administration's own figures. So we are cutting in real terms 15 percent from the veterans health care budget.

How does the administration want to fund that cut? Doubling the copayments for prescription drugs, adding an enrollment fee of up to $250 for those in the so-called lower categories of veterans preference. That is outrageous. That is unconscionable to charge the veterans of this Nation for their own health care and to balance the budget on the backs of these veterans.

The chairman of the Committee on Veterans' Affairs was not satisfied with having a $250 enrollment fee. He proposed doubling it to almost $500 for some of these veterans. These veterans are supposedly in lower categories, either because of the nature of their illness or their income. But, Madam Chairman, this Nation, this Congress has the funds to help all of these veterans to get the care that they need.

Let me remind my colleagues, this is a $2.5 trillion budget that we are operating within our Nation. We have about a $400 billion deficit, a $7.5 trillion debt. We are spending several billion dollars a week in Iraq. Yet someone is going to say that we do not have the $3 billion that is necessary for our veterans? I reject that argument because this is a Nation that is worthy of its veterans. This a Nation that could put the money where it is needed. And this is a Nation that can do what is required for our veterans.

We simply cannot charge these copayments. We simply cannot charge this enrollment fee. We simply cannot continue to have a VA that is gagged from informing veterans of their rights under law. That is what is happening in the VA today. My amendment to provide $3 billion extra will correct that injustice.

POINT OF ORDER

Mr. LEWIS of California. Madam Chairman, I am very empathetic to the concerns of the gentleman from California. We expect fully to address those concerns in regular order. Therefore, 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.'' The amendment includes an emergency designation and as such constitutes legislation in violation of clause 2 of rule XXI.

I ask for a ruling from the Chair.

□ 1530

The Acting CHAIRMAN (Mrs. BIGGERT). Does any Member wish to be heard on the point of order?

Mr. FILNER. Madam Chairman, I know how reluctant the chairman is. This is a supplemental budget. By definition it goes beyond whatever we did in the previous year. That is why it is called a supplemental. And by some technical mumbo jumbo, he has managed to say that this supplemental is not subject to the rule that he just read. Through technicalities, through arcane kinds of things, he is saying that the veterans of this Nation are not

entitled to this care because he is using a rule which is not being used for the $81 billion that we have on the floor but is used for this $3 billion that we are trying to use for our Nation's veterans.

Madam Chairman, I understand these rules, and I understand these technical points of order. They are designed to protect certain amendments and not have others. Fine. But when one uses that rule to shut out the veterans of this Nation, to shut out the troops that are coming back from Iraq and Afghanistan, from the care that they deserve and will need, we are going to shut down PTSD programs, Madam Chairman, all across this Nation, and yet every soldier and Marine is going to come back with potentially that disorder.

So one can use all the rules, but what we are doing here is immoral, it is unconscionable, it is outrageous that we would be treating the veterans in this way.

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

Mr. LEWIS of California. Madam Chairman, speaking further on the point of order, I would simply, calmly say to the gentleman that I very much agree, as the entire House agrees, that we must be responsive to the medical needs of our veterans, especially those who are coming back at this very moment. There is not any doubt that the new Military Quality of Life and Veterans Affairs, and Related Agencies Subcommittee is designed in the fashion to be very responsive to the needs of veterans. I urge the gentleman to recognize that we have begun hearings in connection with that already. It is our intention in regular order to move these bills very quickly, and there is absolutely no doubt that the needs of these veterans, beyond money that is already in the pipeline, will be met as a result of regular order.

Mr. FILNER. Madam Chairman, I understand what the chairman is saying. I have been around here long enough. I do not have confidence in that regular order. I know what is going to happen then. Then we will be accused of legislating on appropriations or some other rule will be brought up. So I do not accept the ruling. I intend to challenge the ruling, and I think we owe this to our veterans.

The Acting CHAIRMAN. If no other Member wishes to be heard, the Chair is prepared to rule.

The Chair finds that this amendment includes an emergency designation. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

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

Mr. FILNER. Madam Chairman, I move to appeal the ruling of the Chair.

The Acting CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the Committee of the Whole?

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

RECORDED VOTE

Mr. FILNER. Madam Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 224, noes 200, not voting 10, as follows:

[Roll No. 71]

AYES—224

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
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
Inglis (SC)
Issa
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Tancredo
Taylor (NC)
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Wamp
Waxman
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—200

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
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
Watson
Watt
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—10

Hyde
Istook
Leach
Millender-McDonald
Oxley
Sullivan
Sweeney
Terry
Walsh
Waters

□ 1602

Ms. PELOSI, Ms. LORETTA SANCHEZ of California and Messrs. HONDA, DAVIS of Florida, STRICKLAND and LYNCH changed their vote from ''aye'' to ''no.''

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

So the decision of the Chair stands as the judgment of the Committee.

The result of the vote was announced as above recorded.

Mr. PUTNAM. Madam Chairman, I move to strike the last word.

Madam Chairman, I wish to extend my gratitude on behalf of the entire Florida delegation to the gentleman from California (Mr. LEWIS) and the gentleman from Kentucky (Mr. MIKE ROGERS) for entering into this colloquy with us regarding a very crucial issue to Florida as well as this Congress.

Last fall the State of Florida withstood an historic four hurricanes causing enormous devastation and damage to property, waterways, homes and individuals' lives. I commend the relief efforts on the ground in the immediate aftermath of the hurricane as well as the willingness of Congress to step forward and offer meaningful relief to hurricane victims. But there are two issues for which the Department of Homeland Security, Federal Emergency Management Agency should recognize under their current statutory authority to effectively address Florida hurricane-related damage.

Congress appropriated funds to respond to the hurricane devastation through the Military Construction Appropriations and Emergency Hurricane Supplemental Appropriations Act 2005, Public Law 108–324, and the Emergency Supplemental of 2004, Public Law 108–303.

At this time, Madam Chairman, I yield to the distinguished chairman, the gentleman from Kentucky (Mr. ROGERS), to ask how was Florida hurricane disaster aid reflected in the designation of FEMA disaster relief funds?

Mr. ROGERS of Kentucky. Madam Chairman, will the gentleman yield?

Mr. PUTNAM. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Madam Chairman, House Report 108–773 which accompanied the Military Construction Emergency Hurricane Supplemental Bill stated, ''The conferees agree to provide an additional $6.5 billion for disaster relief activities associated with declared disasters such as Hurricanes Frances, Ivan and Jeanne.''

Supplemental funds appropriated in the wake of the four hurricanes may be used by FEMA in administering relief to stricken communities and victims in areas such as Florida where the President declared disaster areas that meet current statutory eligibility under the Stafford Act.

Mr. PUTNAM. Reclaiming my time, I thank the chairman.

I would ask the chairman, is it his understanding that the administration has the authority under the Stafford Act to remove debris from the private lands when it is in the public interest?

Mr. ROGERS of Kentucky. Madam Chairman, it is my understanding that the Stafford Act authorizes the removal of wreckage and debris resulting from a major disaster from both public and private lands when the President determines that it is in the public interest.

Mr. PUTNAM. I thank the chairman for his time and attention to this most important effort. It is my hope that this colloquy brings clarity and direction to FEMA as it administers the critical disaster relief funds.

The Acting CHAIRMAN (Mrs. BIGGERT). The Clerk will read.

The Clerk read as follows:

TITLE VI—HUMANITARIAN ASSISTANCE CODE OF CONDUCT

SECTION 6001. SHORT TITLE.

This title may be cited as the ''Humanitarian Assistance Code of Conduct Act of 2005''.

SEC. 6002. CODE OF CONDUCT FOR THE PROTECTION OF BENEFICIARIES OF HUMANITARIAN ASSISTANCE.

(a) PROHIBITION.—None of the funds made available for foreign operations, export financing, and related programs under the headings ''Migration and Refugee Assistance'', ''United States Emergency Refugee and Migration Assistance Fund'', ''International Disaster and Famine Assistance'', or ''Transition Initiatives'' may be obligated to an organization that fails to adopt a code of conduct that provides for the protection of beneficiaries of assistance under any such heading from sexual exploitation and abuse in humanitarian relief operations.

(b) SIX CORE PRINCIPLES.—The code of conduct referred to in subsection (a) shall, to the maximum extent practicable, be consistent with the following six core principles of the United Nations Inter-Agency Standing Committee Task Force on Protection From Sexual Exploitation and Abuse in Humanitarian Crises:

(1) ''Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.''.

(2) ''Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense.''.

(3) ''Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior, is prohibited. This includes exchange of assistance that is due to beneficiaries.''.

(4) ''Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.''.

(5) ''Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.''.

(6) ''Humanitarian agencies are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.''.

SEC. 6003. REPORT.

Not later than 180 days after the date of the enactment of this Act, and not later than one year after the date of the enactment of this Act, the President shall transmit to the Committee on Appropriations and the Committee on International Relations of the House of Representatives and the Committee on Appropriations and the Committee on Foreign Relations of the Senate a detailed report on the implementation of this title.

SEC. 6004. EFFECTIVE DATE; APPLICABILITY.

This title—

(1) takes effect 60 days after the date of the enactment of this Act; and

(2) applies to funds obligated after the effective date referred to in paragraph (1)—

(A) for fiscal year 2005; and

(B) any subsequent fiscal year.

AMENDMENT OFFERED BY MR. TANCREDO

Mr. TANCREDO. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TANCREDO:

Page 72, after line 17, insert the following:

''TITLE VII—ADDITIONAL GENERAL PROVISIONS

''SEC. 7001. None of the funds made available under the heading 'TITLE IV—INDIAN OCEAN TSUNAMI RELIEF—CHAPTER 1—FUNDS APPROPRIATED TO THE PRESIDENT—OTHER BILATERAL ASSISTANCE—TSUNAMI RECOVERY AND RECONSTRUCTION FUND (INCLUDING TRANSFERS OF FUNDS)' may be used to provide emergency relief, rehabilitation or reconstruction aid.''

Mr. TANCREDO. Madam Chairman, my amendment would strike all of the taxpayer funded relief provided in the bill to the countries affected by the Indian Ocean tsunami.

After reviewing information from the Center on Philanthropy at Indiana University detailing the level of private American contributions to the tsunami relief, I am not sure we need to spend extra taxpayer dollars for that purpose. Already some 130 private organizations are providing tsunami relief. Several private companies are also providing relief through their local offices in the region.

According to the report, some $800 million has already been provided by these organizations in cash. In addition, another $101 million has been provided in kind donations. That brings the total to $1 billion already, close to $1 billion, and that total does not include all the person-to-person aid that is not accounted for in the study.

Since the disaster many Americans have looked into their hearts and reached into their wallets in an effort to help alleviate the suffering in Thailand, Indonesia, Sri Lanka, and other affected nations.

One of these companies, as a matter of fact, a company called CH2M Hill, was one of the first on the scene to provide critical services to victims ever since. They partnered with other countries to provide a clean drinking water purification system to people in Indonesia. The quality of the water is equivalent to bottled water and is currently being provided throughout the country, including to the U.N. compound and more than 10 refugee camps.

The system is currently purifying water at the rate of 600 gallons per minute, producing 864,000 gallons of purified water each day, helping nearly a quarter of a million people each day.

I am proud of the efforts of CH2M Hill. I am proud of all of the Americans who have given so much to alleviate the suffering. Their efforts and indeed all of the efforts are to be commended. They help demonstrate that the strength of America's compassion is best measured by the efforts of individual citizens and private organizations and companies, not by the number of government programs we create or the amount of Federal appropriations we dole out.

Given this era of tight budgets and the need to provide for disasters here at home like the hurricanes that ravaged Florida, wildfires that burned through the West, tornados that hit middle America, we simply cannot ask

Americans to be all things to all people.

People have already donated what they can. We should not exact further tax dollars from them for this purpose.

Madam Chairman, I do not approach this in a light or frivolous way. I believe that the issues are significant and serious. I believe that, in fact, if more money is needed, we need to do it as a result of a study and careful examination of exactly what needs are still out there. Recent reports have indicated that in fact NGOs are saying that there is more money than they can even deal with. Some of the NGOs have indicated that people are running into each other essentially. Too many people, too much money flooding the country at the present time.

If more money is needed, I suggest it be provided in a later appropriation under a regular rule. I do not believe that any longer we can consider it to be ''an emergency'' and I certainly do not think that it qualifies for a categorization under this supplemental.

I have no illusions about the possibility of the passage of this amendment. I know it will probably fail and probably fail pretty dramatically. I recognize that entirely. But I do feel it is important to at least bring to the attention of my colleagues and to the Nation that I think a great deal has been done. I am proud of every single American who has donated. It does come from their heart. That is the way we should provide for these things. That is not the way this bill intends to do it.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I strongly oppose this amendment. I think most of my colleagues know that there were at least 225,000, maybe many more than that, people who were killed in the countries affected by the December 2004 tsunami, most particularly Indonesia, Sri Lanka, India and other countries as well. There were 1.1 million displaced persons, 1.1 million displaced persons. This is a disaster and it is an emergency.

The President has outlined a recovery plan. This amendment, although it does not strike the dollars, makes funding ineligible to be spent for these purposes. Some of these funds would go to reimburse accounts already depleted, USAID accounts, emergency disaster relief accounts, that have been previously spent. So it is very important that we retain those accounts and that we retain the money for those.

The rest of the funds are for a reconstruction plan that has been I think fairly well thought out. It is not, I do not think, extraordinary given the size of the catastrophe that we have experienced, $340 million to rebuild infrastructure, roads, ports, bridges, water treatment plants and a signature project which would be the construction of a 250 kilometer stretch of road from the capital, Banda Aceh, at the north end of Sumatra down the west coast to Meulaboh in Indonesia.

This road is the only link that these little communities that are utterly devastated and destroyed by the tsunami—this road is the only link that these communities will have with the outside world.

These reconstruction projects needs to get under way immediately. Until that happens, the only contact, the only way to get relief supplies to these little valleys which on the back side has a very high ridge of mountains and no access by road, the only way to get supplies to them is by air or by sea, a very expensive project. The road needs to be constructed. I think it is an emergency and I believe most of my colleagues would agree with that.

The U.S. has had a history of responding in a very compassionate way to disasters wherever they occur, here in the United States and also abroad, and I believe that this compassion is something that marks Americans and makes us who we are. And I would certainly hope that my colleagues would agree that these funds are a relatively small amount of money, given the total level of devastation of the disaster there, a relatively small amount of money to help this area recover and to replenish the money that was already spent in relief.

Mr. Chairman, I would urge my colleagues to defeat this amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

I heard my good friend from Colorado (Mr. TANCREDO) say that this amendment likely will not pass, but I hope maybe the debate will seek and help to convince him of the enormity of the crisis or at least the need in places like Sri Lanka, Indonesia and many other countries that are impacted by the tsunami.

If I might draw the gentleman's memory to the video that showed a single train that had been the lifeline of Sri Lanka, an opportunity that I took in visiting Sri Lanka with a number of my colleagues, to see the enormous devastation in terms of the infrastructure of these countries, then the gentleman would realize that in addition to the charitable heart that Americans have and the private contributions that have been made, and might I acknowledge the many donations given from the City of Houston and the Houston Tsunami Relief Effort and the Vietnamese Relief Effort and Sri Lankans and those from Thailand and many, many others in the City of Houston and the effort waged by President Clinton and President Bush, and in my community, Jim Mackinvale, and many others who worked hard to draw monies out of Houston, and I know many other cities and States did the same.

□ 1615

But the infrastructure dollars are so very important. So I would hope that my colleagues would oppose this amendment because you cannot imagine, I believe, the depth of the amendment and the need to rebuild those countries, and those dollars will help to do so.

Mr. BLUMENAUER. Mr. Chairman, I move to strike the requisite number of words. I am troubled by the amendment that we have before us today. There is, I think, a wide range of opinion that is available for us to debate the merits of a wide range of things in this bill. And I appreciate that people are coming forward in good spirit. But I appreciate the comment of the gentleman from Arizona. It was, I want to say, I do not want to say it was my privilege, but I had the opportunity to spend time after the tsunami a couple of weeks after it hit with a bipartisan delegation led by the gentleman from Iowa (Mr. LEACH), Senator BROWNBACK, touring the area.

I assure you that the testimony about the devastation is, if anything, understated. The pictures that we saw on CNN did not do justice. But I was struck by the impact of the generosity that was shown by Americans in uniform, civilian employees, members of NGOs who were there.

There was some bad publicity initially, surrounding what appeared to be a lack of compassion on the part of the United States with its initial response. But that never interfered in terms of the publicity with the work that was done by the United States and our agencies. We built amazing goodwill for this country while we helped these traumatized areas heal.

I think what has been offered by the President, by the committee, is the least that we can do. It will pay dividends many times over. I think that it would be unfortunate even to bring this proposal to a vote. It is sending the wrong signal about the United States' intention.

We are certainly, on a per capita basis, not giving more than Australia, Scandinavia, Germany. For us to indicate that there is a sense here could only be interpreted as our being callous and unfeeling, I think, is the wrong message to send to these people in these traumatized countries. I think it is the wrong thing to send to the international community.

I will say, Mr. Chairman, in the course of the visit, I had people who were Americans in business, people from the NGO communities, foreign parliamentarians, all talking about the damaged relationship that the United States has, the image that we have in this region, and how amazing they felt the progress was being made by the work that was being done by our country.

This amendment and any support for it, I think, is sending the wrong signal. And I strongly urge its rejection. I sincerely hope that it is rejected, if necessary, on a voice vote, if not withdrawn. But I hope people make no mistake about how people are watching our actions for the signals we send around the world.

The Acting CHAIRMAN (Mr. CAMP). Is there further debate on the amendment?

The question is on the amendment offered by the gentleman from Colorado (Mr. TANCREDO.)

The amendment was rejected.

Mr. REYES. Mr. Chairman, I have two amendments which I will be sending to the desk, and I move to strike the last word and talk about the issue while they get the amendments up there. Mr. Chairman, last night I testified before the Rules Committee in support of two amendments I had hoped to offer to the supplemental appropriations bill being considered by the House today.

The first of these amendments would add $772 million in funding for border security to hire an additional 1,000 border patrol agents, provide 8,000 beds for immigration and detention removal operations, and install radiation portal monitors at all ports of entry.

As a Member representing a district on the United States/Mexico border, and as the only Member of Congress with a background in immigration and experience in actually defending our Nation's borders, I have firsthand knowledge of the kinds of resources that we need to keep America safe.

Since coming to Congress, I have heard a lot about how we need to crack down on illegal immigration in this country, but have seen very little action when it comes to providing adequate funding for the programs that we know will work in dealing with this problem.

Most recently, with the passage of the Intelligence Reform Bill, Congress promised to provide funding to hire thousands of new border patrol agents and create thousands of beds for immigration detention and removal activities.

Unfortunately, the President proposed his FY 2006 budget and it falls woefully short of meeting these needs. And I fear that Congress will once again fail to keep its commitment.

Meanwhile, every day foreign nationals from over 150 different countries who are here in the United States illegally are being apprehended and turned back on to our streets because we lack the space to detain them. At the same time, we hear of known terrorists who are training recruits to infiltrate our country in order to do us harm. The time has long since come to make good on our border security promises or to continue to risk the safety of the American people.

The second of my amendments deals with funding for veterans health care. Specifically, it would provide an additional 1.3 billion for veterans health care programs for fiscal year 2005.

This increase is required in order to maintain existing service levels within the VA health care system and would bring spending in line with the recommendations of the bipartisan leadership of the Committee on Veterans' Affairs.

The VA is the largest health care network in the United States, and it is increasingly overburdened by a large military retiree population, principally of World War II and Korean veterans. That burden will only increase with new veterans returning from Iraq and Afghanistan.

America's veterans have made great sacrifices for us. Now it is time that we keep our promise to them to ensure that they get the health care they need and that they deserve. The only way to do this is to give the VA the resources they require to get the job done.

Mr. Chairman, I offer these two amendments because I truly believe that funding these two priorities is a matter of urgent need for the good of our Nation, and I ask for my colleagues' support.

AMENDMENTS OFFERED BY MR. REYES

Mr. REYES. Mr. Chairman, I offer two amendments, and I ask unanimous consent they be considered en bloc.

The Acting CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. REYES:

At the end of chapter 2 of title I (page 35, after line 14), insert the following:

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For an additional amount for ''Medical Services'', $1,300,000,000: *Provided*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

At the end of the bill, add the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. (a) In fiscal year 2005, the Secretary of Homeland Security shall increase by not less than 1,000 the number of positions for full-time, active-duty border patrol agents within the Department of Homeland Security above the number of such positions for which funds were allotted for 2004.

(b) There are authorized to be appropriated, and there are appropriated, $180,000,000 to carry out subsection (a).

SEC. 702. (a) The Secretary of Homeland Security shall increase by not less than 8,000, in fiscal year 2005, the number of beds available for immigration detention and removal operations of the Department of Homeland Security above the number for which funds were allotted for fiscal year 2004. The Secretary shall give priority for the use of these additional beds to the detention of individuals charged with removability under section 237(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(4)) or inadmissibility under section 212(a)(3) of that Act (8 U.S.C. 1182(a)(3)).

(b) There are authorized to be appropriated, and there are appropriated, $375,000,000 to carry out subsection (a).

SEC. 703. (a) The Secretary of Homeland Security shall ensure radiation portal monitors are installed at all ports of entry into the United States not later than September 30, 2005.

(b) There are authorized to be appropriated, and there are appropriated, $217,000,000 to carry out subsection (a).

Mr. REYES (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The Acting CHAIRMAN (Mr. CAMP). Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIRMAN. Is there objection to considering the amendments en bloc?

There was no objection.

The Acting CHAIRMAN. Is there objection to returning in the reading to page 35, line 14?

There was no objection.

Mr. KOLBE. Mr. Chairman, I reserve a point of order on the gentleman's amendment, and since the gentleman from Texas has already spoken, I do not know whether he intends to speak again before I make the point of order or whether he is prepared to go forward at this time.

The Acting CHAIRMAN. The point of order is reserved.

The gentleman from Texas (Mr. REYES) is recognized for 5 minutes.

Mr. REYES. Mr. Chairman, I yield to the gentleman from California (Mr. FILNER).

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

I want to thank the gentleman from Texas (Mr. REYES) for bringing us these two amendments. Again, these are for national security emergency issues, border patrol agents at our border.

I represent all the California-Mexico border. I know that we need these agents. The President asked for them, and yet he did not put the money in to pay for them.

In addition, every veterans group and the VA itself say to complete the year, giving the services they need, they need another $1.3 billion. This is truly an emergency.

The rules that will be used once again to say that our national defense at the border, our veterans to get their adequate health care, somehow we violate the rules, but let us not violate common sense. Common sense says we need these funds. We need this protection. We need these services for our veterans.

Let us dispense with the technical objections and fund what we need for our veterans and for our border defense.

POINT OF ORDER

The Acting CHAIRMAN. Does the gentleman wish to be recognized on his point of order?

Mr. KOLBE. Yes, Mr. Chairman. I make the point of order, as the chairman of the full committee has said on several occasions. I am more than sympathetic. He is more than sympathetic to some of these amendments. I especially feel that way with this amendment, given the fact that it deals with something that is very dear to me, the issue of border security.

However, I would make a point of order against the amendment which is not the humdrum of little technicalities. This is the rules of the House.

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 that an amendment to a general appropriation bill shall not be in order if in changing existing law it gives affirmative direction in effect.

This amendment would do that, and I ask for a ruling from the Chair.

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

Mr. FILNER. Mr. Chairman, let me reiterate what I said about nitpicking and arcane rules. This whole bill is a violation of the rules of the House except for the fact that it says in the bill it does not violate the rules. So telling us that we should have respect for the rules, my colleagues ought to show some respect for the good sense of the American people, for common sense. This whole bill is a violation of the rules without a waiver. Is that not true, Mr. Chairman? Would this bill be a violation of the rules if there was not a waiver involved in the rules?

As I said, the rules are being used to damage common sense and to damage our Nation's security and damage our health care to our veterans. I think it is a disgrace to use those rules for these purposes.

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

The Chair finds that this amendment includes language imparting direction to an executive official.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendments en bloc are not in order.

AMENDMENT OFFERED BY MR. UPTON

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

The Clerk read as follows:

Amendment offered by Mr. UPTON:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available in this Act may be used for embassy security, construction, and maintenance.

Mr. LEWIS of California. Mr. Chairman, I ask unanimous consent that debate on this amendment and any amendments thereto be limited to 20 minutes, to be equally divided and controlled by the proponent and myself, the opponent.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIRMAN. The gentleman from Michigan (Mr. UPTON) is recognized for 10 minutes.

□ 1630

Mr. UPTON. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, I offer this amendment with the gentlewoman from North Carolina (Mrs. MYRICK) and the gentleman from Wisconsin (Mr. KIND) in a bipartisan amendment for two main reasons: The first is cost.

What this amendment does, it says that none of the funds made available in this act may be used for embassy security, construction and maintenance. In essence it is about a $592 million savings amendment. I would note in a CRS document printed a couple of weeks ago, it states that the State Department has identified $990 million thus far for the new embassy in Baghdad. Fiscal year 2003 and fiscal year 2004 supplementals provided $35 million from the State's Diplomatic and Consular Program account, another $105 million came from the fourth quarter fiscal year 2004 Coalition Provisional Authority appropriations, and another $184 million of the Iraqi relief and reconstruction funds was designated for the embassy. This bill provides yet another some $590 million for this building.

The second reason that I support the amendment and oppose this provision in the bill is that we knew years ago that we were going to need a new embassy, and yet last summer when plans were laid for construction of this particular site it was not included in the omnibus appropriation bill taken up in November. The 2006 budget request which came up in February, no moneys were included in the President's budget request for that as well.

I would note that the National Taxpayers Union supports this amendment. I would also note that time and time again I supported more support for our troops, body armor, supported the President's request, but this embassy stuck into this bill with this process is not right.

We need regular order and that is why the gentlewoman from North Carolina (Mrs. MYRICK) and the gentleman from Wisconsin (Mr. KIND) and I are offering this amendment on a bipartisan basis.

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

Mr. LEWIS of California. Mr. Chairman, I yield 4 minutes to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Chairman, Members should ask themselves how would they like if their children, their son, their daughter, or their husband or their wife was in this embassy here. Now we have talked a lot, and this committee has done a lot on body armor and Humvee armor. Forty-five people have been killed in the embassy in Iraq. From Irvine, California, Keith Taylor, rocket attack; Tracy Hushin, Long Island, New York, suicide bomber; Leslie Davis from Magnolia, Texas, suicide bomber; Rosharon, Texas, suicide bomber; Astoria, Oregon, suicide bomber; Chickasaw, Alabama, suicide bomber; Myrtle Beach, South Carolina, near Fallujah attack; Cleveland, Ohio; Copperas Cove, Texas; North Branch, Minnesota; South Windham, Connecticut.

This embassy was not built to be an embassy. This was Saddam Hussein's palace. It is a symbol of torture. It is not to be the symbol of the United States Government. We need to act quickly. We need to act quickly. If this amendment, if the Upton amendment passes, there will be a 6-month period whereby they will not have the protection.

I will put this listing out so Members can review them. Fire in a wooded area, electrical fire in Saddam Hussein's palace, again the structure was not built for it. Fire in Saddam's palace, August, 2004. I will not mention the woman's name, blood on the wall of a rocket attack whereby this young woman was killed. And here is a picture of two Americans killed the day before the Iraqi election.

We have had 1,500 military people die in the war in Iraq. It is help bringing about freedom. It is making a difference in the Palestinian area. It is making a difference in Egypt. It is making a difference in Lebanon. It is inappropriate for us not to fund a safe workplace for American citizens who are going to work in harm's way.

Lastly, people say this is an expensive embassy. This is an embassy, but it is a village. There is a power plant. There are housing facilities. The Beijing embassy cost $434 million. There is no threat to American citizens in Beijing. There are no terrorist attacks.

In Lebanon, 1983, 241 Marines were killed in a barracks with no setback. That same year in the American embassy in Lebanon, a number of Americans killed. There was the American bombing of the embassies in Tanzania and Kenya 1989. We have a moral obligation to the people that we are sending in this region to live in a situation and work where they will be protected.

I rise in strong opposition to this amendment. As the gentleman from California (Mr. CUNNINGHAM) said as I was walking down to the well, how would Members like it if your children, your son or daughter or husband or wife had to work in this facility. I urge a no vote on the amendment.

Mr. UPTON. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Chairman, I thank the gentleman for bringing forth this amendment, with myself and the gentlewoman from North Carolina (Mrs. MYRICK).

With all due respect to the previous speaker, this is not about debating the merits of the necessity or the needs for a new embassy in Baghdad. Having traveled to Baghdad twice, certainly there is a strong case that can be made that we do need to be moving forth on a new embassy, but this is how we are going to pay for that new embassy, getting back to regular order and procedure around here, and how we are going to afford the cost of this new embassy rather than just going into deficit spending.

This amendment speaks to a larger issue. The last time I was in Iraq,

which was last fall, I noticed one thing, we are dropping a lot of concrete in Iraq today, which is an indication that we are going to be there for a very, very long time. And year after year coming forward with more multibillion supplemental spending requests, all deficit financing, is not a sustainable policy.

We need to get back to regular procedure and regular order around here, and what better place than to start on a nonemergency creation, the siting of a new embassy to get it to the appropriate committee for proper oversight and hearings of deliberation, and then finding the appropriate offsets to pay for this.

I am going to support the supplemental today, as I have past supplementals. I believe our troops need to get all of the tools and resources to do their job safely and effectively. They have been doing a terrific job under very dangerous circumstances, including our State Department personnel, who are working in the current embassy within the Green Zone in Baghdad which is also at times a free-fire zone.

But at some point we as a Chamber and as a body need to get back to the regular process of starting to anticipate these costs, starting to appropriate it and budget for it so we do not leave a huge legacy of debt for future Congresses and for our children and grandchildren to inherit. That is what this amendment speaks to.

I want to especially commend a couple of units serving us so well from western Wisconsin, the 128th Infantry Guard as well as the 1158th Transportation Unit. In fact, earlier this morning I got up and ran over to Walter Reed Hospital to visit with some of our troops, including Specialist Andrew Carter from the 128th who almost had his foot blown off due to an RPG that was fired at him during one of his passing patrols.

Just last week we lost another member from western Wisconsin who was shot down in the line of duty, Staff Sergeant Andrew Bossert. He will be buried in Wisconsin this Thursday. I am sure Members will join me in sending our thoughts and prayers to his family, his parents, but especially to his wife Olya who lives in Wisconsin.

What we need to start considering at some point is whether or not the ongoing operations in Iraq and Afghanistan should be paid for as part of the normal budgeting process. These are no longer surprises and no longer emergencies. We know we are there. We know what the mission is going to entail and the costs we are facing. I think this is a good place to start by having this embassy go through the regular process where we can find offsets and an ability to pay for it.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am sure all Members are very concerned about the proposed embassy compound in Iraq and the number of dollars that are involved. I think it is very important that I share with Members our discussion with the Secretary of State. She feels it is absolutely critical that we move forward very quickly with this money, first and foremost because we have almost 4,000 American personnel whose lives are in jeopardy under current conditions. Indeed, if this compound goes forward quickly, their security will be assured.

The Secretary has been given great assurance that the compound can be completed in 24 months. There is only one small hook, and that is in order to get a contractor to bid on such a job in this territory, the money has to be there in the pot. So within this bill we are providing the funds to make sure the funds are available and we can move quickly. This embassy and the compound are designed to solidify our mission, allowing us to be successful in Iraq as well as the Middle East. It is very important that we go forward with this money now.

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

Mr. UPTON. Mr. Chairman, I yield 3 minutes to the gentlewoman from North Carolina (Mrs. MYRICK), a coauthor of the amendment.

Mrs. MYRICK. Mr. Chairman, we are all grateful to our troops and those serving in Iraq. We are grateful for what we are seeing happening there, and we want to do what we can to support those efforts and make sure that our troops have what they need.

But every time when I go home, no matter what the subject is that we are talking about in any meeting, the thing that always comes up is the deficit. Somebody always says, ''But what are you doing about the deficit?''

My concern with the embassy being in the supplemental is exactly that, it is over and above the regular process. I have no problem with building an embassy in Iraq. We need an embassy in Iraq, but we have also known we need an embassy in Iraq, and why did it not come through earlier if it is that much of an emergency.

Yes, it is a huge amount of money and I understand it is not just a building, it is a compound, but it is three times what we have spent in Afghanistan already.

If we do not start getting some discipline in this body in what we are doing, we are never going to get back to where we all want to be, and that is what we did in 1997 was start to balance the budget, and we were well on the way. Sure, we have had a lot of problems. We had the war, the recession, other problems which have interfered with that, but we have to have some fiscal discipline and just putting things that are not actual emergencies in a supplemental spending bill in my opinion is not to be done. A supplemental is for emergencies and I do not consider an embassy to be an emergency.

My constituents at home agree with this. As I said before, whenever I am anywhere they always say what are you doing about cutting spending, what are you doing about the deficit?

I hope we can bring this embassy back through regular order and make it happen because we want to be sure the people are protected, and then pass the supplemental today. The other things in the supplemental are needed. There is no question about that. Our chairman has done a very, very good job with this bill, but I have a problem with funding the embassy in a supplemental.

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

I thank my coauthors, the gentleman from Wisconsin (Mr. KIND) and the gentlewoman from North Carolina (Mrs. MYRICK). I want to say it is not an easy task taking on the gentleman from California (Mr. LEWIS).

I too would like to say I am voting for final passage of the supplemental. It is important that we have adequate resources for all of our troops. I have been to Iraq twice. I have been to the current embassy in Baghdad twice as well. I have seen the improvements. We have spent something like $100 million already trying to make that facility safe. It is within the Green Zone.

□ 1645

This new embassy where they want to build is just down the river. Frankly, I would have preferred to see it go where Camp Victory is. I asked that question, in fact, yesterday. I was not very pleased with the answer that I got, but maybe in a few more months we will get it right and put it someplace that would be truly safe for all of our folks that are there. At the end of the day, those are the questions that all of us should be asking.

Whether it be in an authorization bill that came through this Congress the last year or in the omnibus bill or in the President's budget for fiscal year 2006, this bill no matter what train track it is on will not get to the President until May. We ought to take the time to do this right, to ask the right questions and to make sure that all of our people, whether they work for the State Department or whether they work for the armed services, have the right resources; but it ought to go the regular order. That is the way this House ought to operate.

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

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

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

Mr. LAHOOD. Mr. Chairman, I just want to say I think this is about as dumb a thing as we can do. I think to take the money away from people who are doing the hard work, these are our people. These are people that are there because they care about our country and they care about freedom and they care about bringing hope and opportunity to the people of Iraq. And the

idea that we do not want to provide safe haven to them and the idea that we want to micromanage where this place is going to be is nonsense. We cannot do that.

We are asking people to go over there and bring hope and freedom and opportunity. These are Americans. These are people that we sent there. And so we are saying to them that we do not want to give them safe haven; we do not want to give them an opportunity to have a safe place to live and do their work, the work that we have asked them to do? We need an embassy there. I cannot think of a dumber thing that we could do as to take this money away and to try and micromanage the way that we are going to establish an embassy and an opportunity for people to live safely over there.

Those of you that have been there know what a dangerous place it is. These are the people that are doing the hard work. I would urge every Member to vote against this amendment and to send a message to the Americans that are over there, the people that are doing the hard work to bring democracy, we care about their safety, we care about the work they are doing.

Vote against the Upton amendment and say to our friends over there, we care about your safety, we care about what you are doing, and we thank you for the tough, tough job you are doing in an area that is probably as dangerous as anywhere in the world.

Vote against the Upton amendment.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the remarks of my colleague from Illinois. I would suggest that in voting for this amendment, Members would be voting against the view of our Commander in Chief, the President of the United States. The Secretary of State has spoken very strongly about the urgency of this matter. There is little doubt that we have the appropriate place, we have the plans in place, we can get it done quickly. We need the money up front. That is why it is here. Because of that, Mr. Chairman, I urge a ''no'' vote on the Upton amendment.

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

The Acting CHAIRMAN (Mr. CAMP). The question is on the amendment offered by the gentleman from Michigan (Mr. UPTON).

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

Mr. UPTON. 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 Michigan (Mr. UPTON) will be postponed.

AMENDMENT OFFERED BY MR. WEINER

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

The Clerk read as follows:

Amendment offered by Mr. WEINER:

Insert at the end of the bill, before the short title, the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 7001. None of the funds appropriated or otherwise made available in this Act may be obligated or expended to finance any assistance to Saudi Arabia.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that debate on this amendment, and any amendments thereto, be limited to 10 minutes, to be equally divided and controlled by the proponent and myself, the opponent.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

Mr. WEINER. Mr. Chairman, reserving the right to object, just so I understand, I can under this agreement be able to reserve time. Unlike the 5-minute rule, I would be able to reserve portions of my 5 minutes?

Mr. KOLBE. If the gentleman will yield, of his 5 minutes, that is correct.

Mr. WEINER. I thank the gentleman.

Mr. OWENS. If the gentleman will yield, does that mean we cannot rise to strike the last word?

The Acting CHAIRMAN. The gentleman is correct.

Mr. WEINER. I would say to the gentleman from New York, this is just on this amendment.

Mr. OWENS. He said all future amendments. Correct?

Mr. WEINER. Amendments thereto, meaning to this.

Mr. KOLBE. That is correct. When you make the unanimous consent request, it is all amendments to this amendment.

The Acting CHAIRMAN. The Chair would state it would be limited to the Weiner amendment.

Mr. WEINER. Mr. Chairman, I withdraw my reservation of objection.

The Acting CHAIRMAN. Without objection, the gentleman from New York (Mr. WEINER) and the gentleman from Arizona (Mr. KOLBE) each will control 5 minutes.

There was no objection.

The Acting CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. WEINER).

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

Mr. Chairman, this is a similar amendment that we have passed recently, as recently as July of 2004; and it restricts any money in this bill, not a single dollar, not a single dime going to the Kingdom of Saudi Arabia. We have had the debate many times in this Chamber; and on a few occasions some of my colleagues have posited, oh, no, this is not the right time to do it, the Saudis are getting better, they are becoming more cooperative, they are not exporting Wahabism, they are not exporting terrorism, they are not funding terrorism, they are not restricting human rights as much as they had, they are on the path to reform.

I am offering the amendment again today because in the last 7, 8 months since we have offered this amendment last to restrict moneys in the foreign aid bill, it has gotten worse and worse and worse still. Just in recent months, the State Department issued its annual country reports on human rights practices. Here is what it said about Saudi Arabia: ''There were credible reports of torture and abuse of prisoners by security forces, arbitrary arrests and incommunicado detentions. The religious police continue to intimidate, abuse and detain citizens and foreigners. Most trials were closed.''

That was not years ago. That was just in the last couple of months. The State Department also issued its report on anti-Semitism on the 30th of December. Of course, it reports about how there is an explosion of anti-Semitism in Europe and throughout the world funded by the Saudi kingdom.

Just in February of this year, Freedom House, an organization, sent Muslim volunteers to 15 prominent mosques in New York, from New York to San Diego, and collected hundreds and hundreds of books paid for by the Saudi Arabian Government that said things like, quote, any Muslim who believes that, quote, churches are houses of God and that God is worshipped therein is an infidel.

Another quote from these Saudi publications: Be disassociated from the infidels. Hate them for their religion. Leave them. Never rely on them for support. Do not admire them and always oppose them in every way according to Islamic law.

And here is what these Saudi documents say about America: It is forbidden for a Muslim to become a citizen of a country governed by infidels because it is a means of acquiescing to their infidelity and accepting their erroneous ways.

Also, these documents published by the Saudis, this is what it says about war against America, not years ago but weeks ago: ''To be true Muslims, we must prepare and be ready for jihad in Allah's army. It is the duty of every citizen and the government.''

Mr. Chairman, there should not be any money in this bill, and there is not presently any money that specifically says it can go to the Saudis; but we have seen again and again how money gets reprogrammed without a full vote of this Congress. If we vote today to say no aid to the Saudis, the President could not come back and ask for any of this money to be reprogrammed.

I think that the time has come for us to start sending an unambiguous, clear message to the Saudis that we understand, particularly in the post–9/11 world, that we are going to judge people based on what they do, not on what they say, on their record, not just on their glossy public relations campaign.

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

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

Mr. Chairman, I really do not understand the need for this amendment that is offered by the gentleman from

New York. Surely as he knows, there are not any funds in this bill for Saudi Arabia in the foreign operations chapter. Additionally, there are reporting requirements to ensure that the funds are spent exactly as the committee intends. We do not intend that any of the funds should go to Saudi Arabia. So the gentleman from New York is incorrect when he says this is similar to the legislation that was passed last year on the regular appropriation bill. There was some money in last year's bill that went to Saudi Arabia. This bill does not have any money for Saudi Arabia, so it is completely unnecessary. It is a gratuitous kind of amendment. It is an absolute slap in the face to everybody that has been involved. The gentleman himself has talked about the changes that have taken place in Saudi Arabia. When there is no money in this bill, for us to include this kind of provision is not only absolutely unnecessary; it is completely wrong.

I would also point out, as I just mentioned, that we included the prohibition in the 2005 regular appropriation bill. Section 575 of Public Law 108–447 states: ''None of the funds appropriated or otherwise made available pursuant to that act shall be obligated or expended to finance any assistance to Saudi Arabia.'' The prohibition that is in that legislation extends to the fiscal year 2005 supplemental bills. Supplemental legislation includes appropriations that are added on top of the regular appropriations. So the underlying prohibition also applies here.

There are no funds in this bill that could be used for Saudi Arabia. This is simply repeating something that has already been added into the regular legislation. The gentleman from New York is simply wrong when he says that the President could come and reprogram funds for Saudi Arabia. The underlying prohibition would prohibit that. The administration can reprogram funds, but they cannot reprogram them to spend them in Saudi Arabia. The gentleman is simply wrong about that.

I am sure the gentleman is aware of these facts and I am sure he is aware, as he has pointed out, of how helpful Saudi Arabia has been very recently in helping to defuse the situation in Lebanon, the very direct statements that were made to President Assad about how his troops should depart from Lebanon. If the gentleman wants to make his statement, fine, I would encourage him to do so; but the appropriation bills include the substance of what is in his amendment; and since there is no money in this bill for Saudi Arabia, this amendment is not only redundant, it is unnecessary, it is a slap in the face, it is just simply absolutely wrong for us to do this.

I strongly urge the defeat of this amendment.

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

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

Let me just quote what the gentleman from Wisconsin said in the last debate: ''The government of Saudi Arabia has greatly increased its effort to root out terrorism. It has greatly increased its cooperation in intelligence matters and others with the United States.''

The facts that I read just now were within the last months. It is simply not true. Do not believe the hype.

Mr. Chairman, I yield the balance of my time to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Chairman, I rise in strong support of the amendment offered by my colleague from New York. It boggles my mind that the United States provides any funding to the Saudi kingdom. With all of its oil and all of its wealth, it is nothing short of insanity.

It is no secret, in spite of what the last speaker said, that the Saudi regime is a leading exporter of terrorism worldwide; it is a leading financier of terrorism worldwide. The thought that one cent of American money is being spent in Saudi Arabia is an insult to every American taxpayer. The Saudis continue to declare to the world that they are a progressive-thinking nation and they are our partners in the global war on terrorism. That is what their PR firm says, anyway. Nothing could be further from the truth.

This is our partner in peace? Fifteen of the 19 hijackers were Saudi nationals. That did not happen by accident. This is the same Saudi Arabia that has the worst record for religious tolerance on the planet, the same Saudi Arabia that exudes racism and anti-Semitic hatred.

Our partners in peace? How shameful for the United States. The Saudis claim that they are prosecuting terrorists. Who are they kidding? Saudi efforts to prosecute terrorists are inept at best and more accurately nonexistent. If they are doing anything in Lebanon, it is for themselves, not for the people of the United States of America.

I ask everyone to support the Weiner amendment.

Mr. KOLBE. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I rise to oppose my friend's amendment. I will tell you why personally. I spent a lot of time in Saudi. They can either go the wrong way or the right way.

We talk about not putting foreign troops in foreign countries. Do they have problems? Yes. But when you talk about the government itself, I know from the intelligence community, I also know how they are helping us there; but I have been into their banks where they have Canadian and U.S. and British auditors to make sure there is no money laundering. The government itself, I have met with King Aziz, I have met with the crown prince, I have met with almost every one of the Shura council, which is their Congress. The majority of Saudis support the United States.

□ 1700

So to say that their government is against us is wrong. Are there people that preach Wahabism? Yes. But they have changed their inside curriculum. They have arrested and jailed over 1,000 Imams which preach intolerance.

So I would oppose the gentleman's amendment. I did not know when we were on the floor that we had an amendment when I went over there. It really hurts people when we do things, and I think that this could hurt our relationship instead of bettering it with Saudi Arabia. I oppose the gentleman's amendment.

The Acting CHAIRMAN (Mr. CAMP). The gentleman from New York (Mr. WEINER) has 30 seconds remaining.

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

I will close by saying just two things in points of clarification. One, the gentleman, despite the best efforts of this House, is incorrect. Despite our amendment saying no money can go to Saudi Arabia, moneys were allocated to Saudi Arabia; so they are now entitled to discount on purchasing for our military. So our will was not followed.

Secondly, to the previous speaker, this notion that they are not exporting Wahabism has been debunked by the State Department as recently as 1½ months ago. They are exporting terrorism, exporting Wahabism. I would say they are two-faced except they have so many members of the Royal Family, they are several hundred Fahds, and the time has come for us to start judging people on what they do, not what they say.

I have 5 additional seconds to make my punchline point. This amendment will say that we believe that Saudi Arabia should be treated not as an ally but as an enemy in the War on Terror because that is what they have been.

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

I will not even take all that time. I simply want to repeat the arguments against this amendment. There are no funds in this bill that go to Saudi Arabia. There is a prohibition in the fiscal year 2005 Foreign Operations bill that prohibits any funds from going to Saudi Arabia, and that prohibition applies to this bill.

This amendment is totally unnecessary. This amendment has absolutely no bearing. It is simply repeating what is already in the existing law that applies to this bill. To add another prohibition here now is simply to add insult to injury. It is gratuitous. It has absolutely no reason to be in this bill, and I would urge my colleagues to defeat this amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. WEINER).

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

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

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

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:

The amendment offered by the gentleman from Massachusetts (Mr. TIERNEY);

The amendment offered by the gentleman from Michigan (Mr. UPTON); and

The amendment offered by the gentleman from New York (Mr. WEINER).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. TIERNEY

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

The Clerk will designate the amendment.

The Clerk designated 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 191, noes 236, not voting 7, as follows:

[Roll No. 72]

AYES—191

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
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
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne
Pelosi
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
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—236

Aderholt
Akin
Alexander
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
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Cramer
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Doyle
Drake
Dreier
Duncan
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)
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
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pascrell
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Bachus
Kennedy (RI)
Leach
Sweeney
Thornberry
Walsh
Waters

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. DUNCAN) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1729

Messrs. GILCHREST, COBLE, LARSON of Connecticut, TERRY, PASCRELL, ROYCE, STEARNS and HALL changed their vote from ''aye'' to ''no.''

Ms. MOORE of Wisconsin changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. UPTON

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

The Clerk will designate the amendment.

The Clerk designated 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 5-minute vote.

The vote was taken by electronic device, and there were—ayes 258, noes 170, not voting 6, as follows:

[Roll No. 73]

AYES—258

Andrews
Baca
Baird
Baldwin
Bartlett (MD)
Barton (TX)
Bass
Becerra
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Boehlert
Boehner
Bonner
Boucher
Boyd
Bradley (NH)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Buyer
Camp
Cannon
Capps
Cardin
Cardoza
Carnahan
Carson
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Conaway
Conyers
Cooper
Costello
Cuellar
Cummings
Davis (FL)
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dingell
Doggett
Duncan
Ehlers
Emanuel
Etheridge
Evans
Feeney
Filner
Fitzpatrick (PA)
Flake
Foley
Fossella
Foxx
Frank (MA)
Franks (AZ)
Gallegly
Garrett (NJ)
Gibbons
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva

Gutierrez
Gutknecht
Hall
Harman
Hastings (FL)
Hayworth
Hefley
Hensarling
Hinojosa
Holt
Hooley
Hostettler
Hoyer
Hulshof
Inglis (SC)
Inslee
Istook
Jefferson
Jenkins
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kildee
Kilpatrick (MI)
Kind
King (IA)
Kingston
Kucinich
Kuhl (NY)
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Napolitano
Neal (MA)
Neugebauer
Ney
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (NC)
Putnam
Radanovich
Ramstad
Rangel
Reichert
Reyes
Reynolds
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shimkus
Shuster
Slaughter
Smith (TX)
Sodrel
Spratt
Stark
Stearns
Strickland
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Walden (OR)
Wasserman Schultz
Watson
Watt
Weiner
Westmoreland
Whitfield
Wicker
Wilson (NM)
Woolsey
Wu
Wynn
Young (AK)

NOES—170

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Baker
Barrett (SC)
Barrow
Bean
Beauprez
Berkley
Berman
Biggert
Bishop (UT)
Blunt
Bonilla
Bono
Boozman
Boren
Boswell
Boustany
Brady (PA)
Burton (IN)
Calvert
Cantor
Capito
Capuano
Carter
Case
Cole (OK)
Costa
Cox
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Doyle
Drake
Dreier
Edwards
Emerson
Engel
English (PA)
Eshoo
Everett
Farr
Fattah
Ferguson
Forbes
Ford
Fortenberry
Frelinghuysen
Gerlach
Gilchrest
Gillmor
Granger
Graves
Harris
Hart
Hastings (WA)
Hayes
Herger
Herseth
Higgins
Hinchey
Hobson
Hoekstra
Holden
Honda
Hunter
Hyde
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jindal
Johnson (CT)
Johnson (IL)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
LaHood
Lantos
Latham
Lewis (CA)
Lewis (KY)
Lucas
Lungren, Daniel E.
McCarthy
McCrery
McHenry
McHugh
McKeon
McMorris
McNulty
Mica
Mollohan
Murtha
Nadler
Northup
Oxley
Pearce
Pelosi
Pomeroy
Portman
Price (GA)
Pryce (OH)
Rahall
Regula
Rehberg
Renzi
Rogers (AL)
Rogers (KY)
Ross
Rothman
Ruppersberger
Ryan (OH)
Saxton
Schiff
Schwartz (PA)
Schwarz (MI)
Shaw
Shays
Sherman
Sherwood
Simmons
Simpson
Skelton
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Stupak
Taylor (NC)
Thomas
Tiahrt
Visclosky
Wamp
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wilson (SC)
Wolf
Young (FL)

NOT VOTING—6

Bachus
Leach
Sweeney
Thornberry
Walsh
Waters

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. DUNCAN) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1738

Messrs. TAYLOR of North Carolina, NADLER, ENGEL, FORD and ROSS changed their vote from ''aye'' to ''no.''

Mr. LoBIONDO, Mr. ROHRABACHER and Ms. LORETTA SANCHEZ of California changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WEINER

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

The Clerk will designate the amendment.

The Clerk designated 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 5-minute vote.

The vote was taken by electronic device, and there were—ayes 196, noes 231, not voting 7, as follows:

[Roll No. 74]

AYES—196

Andrews
Baca
Baird
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (NY)
Blumenauer
Boren
Boswell
Boyd
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burton (IN)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Chabot
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Cox
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
Delahunt
DeLauro
Dent
Dicks
Doggett
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Ferguson
Filner
Ford
Frank (MA)
Goode
Gordon
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hayworth
Herseth
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Israel
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kennedy (MN)
Kennedy (RI)
Kind
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (KS)
Nadler
Napolitano
Neal (MA)
Oberstar
Olver
Ortiz
Otter
Owens
Pallone
Pascrell
Paul
Payne
Pelosi
Pence
Peterson (MN)
Petri
Platts
Porter
Ramstad
Rangel
Reyes
Rogers (AL)
Rogers (MI)
Rohrabacher
Ross
Rothman
Royce
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (VA)
Sensenbrenner
Serrano
Sherman
Simmons
Slaughter
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tauscher
Thompson (CA)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Wexler
Woolsey
Wu
Wynn

NOES—231

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Baker
Baldwin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boucher
Boustany
Bradley (NH)
Brady (TX)
Burgess
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Case
Castle
Chocola
Coble
Cole (OK)
Conaway
Costello
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (AL)
Davis (KY)
Davis, Tom
Deal (GA)
DeGette
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doolittle
Doyle
Drake
Dreier
Duncan
Ehlers
Emanuel
Emerson
English (PA)
Etheridge
Everett
Feeney
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Granger
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Hinojosa
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (CT)
Johnson, Sam
Kanjorski
Kaptur
Keller
Kelly
Kildee
Kilpatrick (MI)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCrery
McHenry
McHugh
McKeon
McKinney
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Neugebauer

Ney
Northup
Norwood
Nunes
Nussle
Obey
Osborne
Oxley
Pastor
Pearce
Peterson (PA)
Pickering
Pitts
Poe
Pombo
Pomeroy
Portman
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (KY)
Ros-Lehtinen
Roybal-Allard
Ruppersberger
Rush
Ryan (WI)
Saxton
Schwarz (MI)
Scott (GA)
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Stark
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Tiahrt
Tiberi
Turner
Upton
Visclosky
Walden (OR)
Wamp
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Bachus
Leach
Smith (WA)
Sweeney
Thornberry
Walsh
Waters

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1752

Ms. DEGETTE changed her vote from ''aye'' to ''no.''

Mr. BLUMENAUER and Mr. HINCHEY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

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

Mr. OWENS. Mr. Chairman, this bill is filled with many worthwhile expenditures, and I have heard my colleagues all day make various adjustments and amendments. However, the overwhelming amount of this appropriation will be wasted in the continuing financing of the war in Iraq.

The war in Iraq is an expensive blunder with costs now approaching the level of $300 billion. In the name of security, we are throwing dollars at a problem which will yield the least amount of security here in the homeland.

We are left vulnerable within our own borders, while there is no honest accounting for billions which could make our ports safer, which could increase our first response capacities, which could train expert translators, anti-demolition experts, communications personnel and many others that are vital for maximum homeland security.

In general, our Federal expenditures for education, including school construction and modernization, could be increased greatly in order to guarantee that America has the most valuable ingredient to secure its future, that is, an educated population. Nothing is more vital for the existence of this Nation than an educated populace.

We neglect these vital needs while we continue to throw dollars into a bottomless pit. This present appropriation might be justified if there were a timetable and a clear plan for withdrawal.

Through the election process, the Iraqi people let it be known that they reject the suicide bombers. The Iraqi people reject the fanatics and the zealots. The Iraqi people reject the extremists. The extremists can be isolated and paralyzed if we build on this goodwill and desire for freedom among the Iraqi people. They demonstrated that in the election in which they went out to participate.

To build on this foundation, we must offer the Iraqi people justice. Justice means a plan to show them how their oil revenue ought to be used to help their economy, and justice means a clear timetable for the withdrawal of American troops. We must strengthen the partnership with the Iraqi people. Let us stop the waste of dollars and stop the waste of lives of American heroes. We cannot continue to dig blindly down into this deep pit of more war.

I would like to close with a quotation which I hope all of my colleagues will allow to settle on their minds for a few minutes: ''Voice or no voice, the people can always be brought to the bidding of the leaders. That is easy. All you have to do is tell them they are being attacked, and denounce the pacifists for lack of patriotism and exposing their country to danger. It works the same in any country.'' That quote was from Air Marshall Herman Goering.

I urge a ''no'' vote on this entire appropriation bill which is mostly for the continuation of the war in Iraq.

Mr. GREEN of Wisconsin. Mr. Chairman, I move to strike the last word and enter into a brief colloquy with the gentleman from Arizona (Mr. KOLBE).

Mr. Chairman, I believe it is important that all groups and organizations that want to assist in the recovery are allowed to participate. The United States Agency for International Development issued a regulation on October 19, 2004, that ensures religious organizations are allowed to compete on an equal footing with other nongovernmental organizations for USAID funding, in the case of this bill, funding to help tsunami victims.

Can the chairman clarify whether the appropriations under this bill fall under such regulation?

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

Mr. GREEN of Wisconsin. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I appreciate the gentleman raising this point, and I want to make it very clear that religious organizations may compete on an equal footing for USAID funding in this bill, as they may for USAID funding in other bills. So the answer to the gentleman's question is yes.

Mr. GREEN of Wisconsin. Mr. Chairman, reclaiming my time, I thank the gentleman. I appreciate his response, and I am very pleased to know that faith-based groups will have the same opportunity to compete for these important dollars with other nongovernmental entities so that together this funding can be used to alleviate the suffering of the tsunami victims. I thank the gentleman.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the last word.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in opposition to this bill.

One of the solemn honors that I have had as a Member of Congress is to visit our soldiers who have been wounded in Iraq. I have visited with them at Walter Reed Army Hospital here in Washington and at the Veterans Hospital at Palo Alto, California.

It is rewarding and shocking to meet our troops under these circumstances. Theirs are the stories of courage under fire. Their wounds are almost unimaginable to those of us who are not sharing their world of combat.

The treatment that they receive from the moment they are attended to on the battlefield, taken to battlefield hospitals, transported to Germany and stabilized and brought home to the United States for specialized care and rehabilitation is a tribute to our magnificent military and veterans medical system.

Each time that I have left these brave men and women, I have had to confront my role as a policy-maker and whether or not I have done all I can to serve and protect them in their mission.

I voted not to go to war in Iraq because I believed at the time of the vote, and I believe now, that the case had not been made; that the intelligence we had did not support what the Bush administration was telling the American people was the threat that we faced from Iraq.

Tragically, since that time, it has become clear that there was not only no imminent threat to the United States from Iraq, but there was no plan for what our troops would encounter after the war was supposedly won.

The duty this government owed to its soldiers when they were sent into combat was not met: not in the justification, not in the preparation and not in the planning. Our obligation to them was simply not met.

All Americans now understand that the reasons that the Bush administration gave to go to war in Iraq were not true. The evidence did not exist. In spite of the advice of many in our military, in our State Department and among our allies, the administration remained determined to wage a war in Iraq. In short, the administration failed to be truthful with the American people and with the Congress.

As a result, since the first day of that war, Americans have been paying 90 percent of the costs and suffering 95 percent of the casualties beyond those of the Iraqi people.

Today, we are being asked to vote for another $81 billion for the war in Iraq.

This is the third supplemental appropriations bill for Iraq since the war started, totaling nearly $200 billion; and without a change in course, the nonpartisan Congressional Budget Office estimates the war in Iraq and Afghanistan will cost an additional $458 billion over the next 10 years.

Astoundingly, this additional request has no change in strategy forthcoming from the President to address the absence of control and continued violence against our troops and the Iraqi people.

The President and his advisers cling to the idea that America is just one major battle away from victory, or that with just one more capture of a significant insurgent leader we will break the back of the opposition to our occupation and to the formation of a democratic government in Iraq.

Those who continue to attack our troops and the Iraq people have been described in many different ways as the war has dragged on. First, we were told the resistance was under the command and control of Saddam Hussein. Then they were described as disaffected Baathists, and later they were just a bunch of ''bitter enders.''

We were told that a heavy battle attack of Fallujah would break the back of the resistance. What happened instead was that we made 300,000 people homeless by flattening their city with little or no impact on the resistance. In fact, the violence rapidly spread to other major cities.

While it has become clearer to those with both diplomatic and military experience that we must now develop a new strategy for success, it is resisted by the very same top command in the White House and the Pentagon who have made so many errors and so many miscalculations that have continued to place so many of our military in circumstances in which they are not able to prevail.

The opposition to change comes from the very same people that failed to carry out the due diligence to properly plan and prepare for the war and its aftermath.

Their failure to anticipate, plan, and train for the mission that our soldiers were faced with was a failure of the first duty of care owed by the Commander in Chief and the Defense Secretary to our troops, the duty to provide for the protection of our forces. This was not done, and the results have been thousands of wounded and killed, at the same time that the Pentagon resists change and fails to transform its approach to fighting terrorism in Iraq and elsewhere.

So, today, nearly 3 years after 9/11, we still have no comprehensive policy to support the war on terror declared by the President. As a result, both our Nation and our troops continue to face an unacceptable level of threat and danger.

Today, as we consider this request for supplemental appropriations, the dishonesty by the Bush administration continues.

This request itself is dishonest. It is labeled as an emergency, as if somehow the administration did not know what money it was going to need for the war in this year's budget or in next year's budget.

Yet we know the war has been costing between 5 and $7 billion a month and is likely to continue to do so under the current policy.

□ 1800

The administration will not take responsibility for the cost of the war or how to pay for it. At the end of the day, the President and his advisers simply do not have the courage of their convictions. If they did, they would be honest with the American people about the real cost of war and the lack of progress being made on the ground, about the plan for drawing down our troops and about the real reason American soldiers were sent to Iraq in the first place.

I cannot in good conscience vote to approve a supplemental appropriations bill that offers no strategy for success, that has no plan to draw down our troops in a responsible manner, and that fails to makes a compelling case to the American people about why the haunting sacrifices of lives, limbs and money have been necessary.

I know that some of my colleagues, in very good conscience and with honorable intentions, believe that supporting this bill is the equivalent of supporting our troops. I would very respectfully have to disagree with that view today.

Rather, in my view, to vote for this supplemental is to expose our troops to the same leadership in the White House and the Pentagon that refuses to tell the truth, that refuses to take responsibility for its actions, and that refuses to hold a single person accountable for the failed decisions that have been made for this war.

And it exposes them to the same leadership that refuses to provide the kind of change that will start to remove the central organizing principal of the guerrilla war in Iraq—the presence of nearly 150,000 American troops viewed as occupiers by those who oppose us.

To say that we must remain in the current configuration in Iraq because the situation will get worse is to ignore the facts on the ground, facts that have been acknowledged by many of our field commanders, by Members of Congress who have visited Iraq, and by members of the news media covering the war.

This is a very difficult vote, I understand that.

But let us be clear that this is not a vote about whether I or any other Member of Congress supports American troops. Of course we do. And this is not a vote about the heroism shown by the thousands of Iraqis who risked their own lives by voting in the national elections in January. They have my admiration and support.

We support the troops by arguing against the kind of failed preparation and planning that sent National Guard and Reserve troops into battle without flak jackets and reinforced Humvees.

We support our troops by arguing in favor of a strategy for success.

We support our troops by arguing against the President's budget that dishonors our veterans by undermining the system of care and benefits they need and deserve.

But we do not honor our troops simply by approving yet another allegedly emergency bill that offers no promise of success in an area of the world where success is not just critical, it is literally a matter of life and death.

We can provide for the needs of our troops in a bill that also provides for success in this war. Tragically, that bill is not before us today.

AMENDMENT OFFERED BY MRS. KELLY

Mrs. KELLY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. KELLY:

Page 72, after line 17, insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 7001. None of the funds made available in this Act may be used to provide assistance to the Government of the Federal Republic of Nigeria.

Mrs. KELLY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIRMAN (Mr. GILCHREST). Is there objection to the request of the gentlewoman from New York?

There was no objection.

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

The Acting CHAIRMAN. A point of order is reserved.

Mrs. KELLY. Mr. Chairman, my amendment is offered to force the government of Nigeria to transfer the indicted war criminal Charles Taylor to the United Nations Special Court in Sierra Leone. Mr. Taylor is currently residing in Calabar, Nigeria and maintaining his active role fomenting terror and crime throughout West Africa from this base. The United States Government has asked that Mr. Taylor be turned over to the U.N. court, but the government of Nigeria has refused.

Charles Taylor has been the leading force for evil in West Africa since his overthrow of the Doe government in 1990. Hundreds of thousands of Liberians were killed during his reign of terror, or forced to flee. Mr. Taylor enabled Liberia to become a base for international organized crime and has subverted the governments of his neighbors.

In 2003, Mr. Taylor was overthrown by the people of Liberia and sought sanctuary in Nigeria, despite his indictment by the U.N. Special Court for Sierra Leone in the light of his terrorist activities in his own country. The government of Nigeria has promised to keep Mr. Taylor contained, but reliable sources have confirmed political operations in Liberia, transfer assets in Europe and receive funds from crime in West Africa. Recently Mr. Taylor traveled to Burkina Faso to meet with Islamist groups in that country. Most disturbing of all, Charles Taylor organized and paid for an assassination attempt against the President of Guinea earlier this year.

Peace in West Africa will not come until Charles Taylor is brought to justice for his crime and removed as a threat from the region. The Nigerian government must be shown that harboring a war criminal and a terrorist is not in their best interest. I urge the House to join me in passing this amendment and standing for justice and the rule of law in West Africa.

Mr. Chairman, I yield to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Chairman, I thank the gentlewoman from New York (Mrs. KELLY). The gentlewoman is right, Charles Taylor has been responsible for having dealings with al Qaeda and conflict diamonds. Charles Taylor was the one responsible for cutting off arms and legs of young people in Sierra Leone and in Liberia. I think the gentlewoman is right, Nigeria should return Charles Taylor so he can have a fair trial. I think the administration has a moral obligation to ask the Nigerians and get him back to go before the court.

Mrs. KELLY. Mr. Chairman, I yield to the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Chairman, I rise in strong support of the gentlewoman's amendment. It is long overdue that action be taken on this criminal and mass murderer, and I hope all of my colleagues will vote for this amendment.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment.

The gentlewoman has raised some very important points, and I know she has done a great deal of work in this area as it relates to Charles Taylor and West Africa. There is no question it is a very troubled area, and Charles Taylor has certainly contributed to the instability in the region.

There are no funds in the legislation that deal with Nigeria, and there are a lot of circumstances around this issue that I think are difficult in the sense that the United States has played a role in all of this as to where he is at the moment. We do want this person brought to justice, and I know that is the intention of the United States.

I would hope, however, that the gentlewoman would withdraw this amendment because I believe that would be in the best interest of United States foreign policy. We will certainly work with the gentlewoman and her staff to try to resolve the situation, and work with the State Department and the gentlewoman to get a satisfactory explanation of what is being done.

Mr. LEWIS of California. Mr. Chairman, I withdraw my point of order.

The Acting CHAIRMAN. The gentleman withdraws his point of order.

Mrs. KELLY. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

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

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PEARCE) having assumed the chair, Mr. GILCHREST, 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. 1268) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes, had come to no resolution thereon.

LIMITING AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 1268, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND TSUNAMI RELIEF, 2005

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 1268 in the Committee of the Whole pursuant to House Resolution 151, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point by the chairman and ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; amendment 4, which shall be debatable for 20 minutes; and an amendment by Mr. MARKEY regarding combat pay; an amendment by Mr. MARKEY regarding torture; an amendment by Mr. WEINER regarding funds to the Palestinian Authority, which shall be debatable for 20 minutes; an amendment by Mr. OBEY regarding intelligence; an amendment by Mr. FILNER regarding veterans hiring preference for reconstruction of Iraq; and an amendment by Ms. VELÁZQUEZ regarding small business.

Each such amendment may be offered only by the Member named in this request or a designee, or the Member who caused it to be printed in the RECORD or a designee, shall be considered only in the order listed, except in the case of pro forma amendments; shall be considered as read, shall not be subject to amendment except that the chairman and the ranking minority member of the Committee on Appropriations each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent. An amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

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

There was no objection.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND TSUNAMI RELIEF, 2005

The SPEAKER pro tempore (Mr. PEARCE). Pursuant to House Resolution 151 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1268.

□ 1810

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1268) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes, with Mr. GILCHREST (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole House rose earlier today, the bill had been read through page 72, line 17.

Pursuant to the order of House today, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point by the chairman and ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

Amendment 4, which shall be debatable for 20 minutes;

An amendment by Mr. MARKEY regarding combat pay;

An amendment by Mr. MARKEY regarding torture;

An amendment by Mr. WEINER regarding funds to the Palestinian Authority, which shall be debatable for 20 minutes;

An amendment by Mr. OBEY regarding intelligence;

An amendment by Mr. FILNER regarding veterans hiring preference for reconstruction of Iraq; and

An amendment by Ms. VELÁZQUEZ regarding small business.

Each amendment may be offered only by the Member designated in the order of the House or a designee, or the Member who caused it to be printed in the RECORD or a designee, shall be considered only in the order designated in the order of the House, except in the case of pro forma amendments; shall be considered as read, shall not be subject to an amendment, except that the chairman and ranking minority member of the Committee on Appropriations may offer one pro forma amendment for purpose of debate; and shall not be subject to a demand for division of the question.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent.

It is now in order to consider amendment No. 4 by the gentleman from California (Mr. LANTOS).