NOT VOTING—23

Baker
Barton (TX)
Berkley
Berman
Blumenauer
Brady (TX)
Butterfield
Conaway
Everett
Filner
Issa
Johnson, E. B.
Lynch
Maloney
McCrery
McKeon
Meehan
Miller, Gary
Olver
Sanchez, Loretta
Taylor (MS)
Towns
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1616

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 463, on H. Res. 428, I was in route to my Congressional District on official business. Had I been present, I would have voted "yea."

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on rollcall No. 463, had I been present, I would have voted "yea."

MOMENT OF SILENCE COMMEMORATING THE 9/11 ATTACKS

The SPEAKER. In recognition of the approaching anniversary of September 11, 2001, the Chair would ask the Members of the House to stand and observe a moment of silence for the victims of the terrorist attacks that occurred on that date.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Without objection, proceedings will continue with a 5-minute vote.

There was no objection.

RELATING TO THE TERRORIST ATTACKS AGAINST THE UNITED STATES ON SEPTEMBER 11, 2001

The SPEAKER. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 427.

The Clerk read the title of the resolution.

The SPEAKER. The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and agree to the resolution, H. Res. 427, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 6, not voting 26, as follows:

[Roll No. 464]

YEAS—402

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Beauprez
Becerra
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McGovern
McHenry
McHugh
McIntyre
McMorris
McNulty
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (FL)

NAYS—6

Conyers
Lee
McDermott
McKinney
Stark
Woolsey

NOT VOTING—26

Baker
Barton (TX)
Bass
Berkley
Berman
Blumenauer
Brady (TX)
Butterfield
Conaway
DeGette
Everett
Filner
Gordon
Issa
Lynch
Maloney
McCrery
McKeon
Meehan
Miller, Gary
Ney
Olver
Sanchez, Loretta
Taylor (MS)
Towns
Young (AK)

□ 1626

Ms. MCKINNEY changed her vote from "yea" to "nay."

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 464, on H. Res. 427, I was in route to my Congressional District on official business. Had I been present, I would have voted "yea."

Mr. BASS. Mr. Speaker, on Thursday, September 8, 2005, I regrettably missed recorded vote No. 464, on H. Res. 427.

Had I been present, I would have voted "yea" on this measure.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I rise for the purpose of inquiring of the majority whip the schedule for the week to come. Oh, I am sorry. I was told that the leader was not going to be available, but the leader is available. So I am pleased to yield to the gentleman from Texas (Mr. DELAY), my friend, the leader.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding; and as the gentleman knows, once a whip, always a whip.

Mr. HOYER. Mr. Speaker, reclaiming my time, with all due respect, I hope that is not the case.

Mr. DELAY. Mr. Speaker, I understand. I appreciate the gentleman yielding.

Mr. Speaker, the House will convene on Tuesday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to the Members' offices by the end of the week. Any votes called on these measures will be rolled until 6:30 p.m.

On Wednesday and Thursday, the House will convene at 10 a.m. for legislative business. We expect to consider additional legislation under suspension of the rules relating to the Hurricane Katrina relief. In addition, we plan to consider two bills under a rule, H.R. 889, Coast Guard and Maritime Transportation Act of 2005, and H.R. 3132, the Children's Safety Act of 2005.

Mr. HOYER. Mr. Speaker, I thank the leader for the information.

If I might start with perhaps a general question, I noted in the paper that the leader indicated that he thought we would probably be here through at least the week before Thanksgiving, which is what I related to my Members in the whip's meeting this morning; but I wonder perhaps if he could amplify that. The gentleman has had a few days to discuss it with the leadership and with the administration and perhaps the Senate leadership to have some better idea of where we might be going. Obviously, with Katrina and other challenges, I know it is very flexible, but I appreciate and I know the Members would appreciate getting my colleague's further thought on where he sees the possibilities for the balance of the session.

I yield to my friend.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding, and I appreciate the question because if we look at all the work that we need to do, we could probably get finished earlier.

□ 1630

As the gentleman knows, we are sort of at the mercy of the schedule of the Senate. Conversing with the Senate and looking at our schedules, particularly as the gentleman has mentioned, Katrina has risen to the top priority of this House. It has pushed other issues back a week or two.

We still have to get our appropriation process done. There is the entitlement reform process that needs to be done. There are some other issues we would like to get done. And, at the same time, there are not just short-term issues dealing with Hurricane Katrina, but there are intermediate issues we will have to be dealing with, major policy considerations, and who knows what else the hurricane may give us. And trying to put all that together and on a calendar, it is pretty obvious to me that we will be here until at least, at least, the Friday before Thanksgiving.

Mr. HOYER. Mr. Speaker, I thank the leader for those comments.

On a more immediate basis, next week we are scheduled obviously to come in on Tuesday at 12:30, and Friday is on the schedule. Is it the majority leader's expectation that we will probably be in on Friday or is Friday there if we need to be?

Mr. DELAY. If the gentleman will continue to yield, Mr. Speaker, I would say that it is difficult to predict at this point in time.

Clearly, if the only items of the House for the House to consider next week are the ones I just outlined, then we could complete our work by Thursday afternoon. However, if additional legislation relating to Katrina becomes necessary or a conference report becomes available, Members should be prepared to have votes on Friday.

Mr. HOYER. Mr. Speaker, I appreciate the leader's remarks. We have advised our Members to be available for Friday, and they will be, obviously, if we have a session.

In addition, the gentleman has indicated and just reiterated the possibility of doing further legislation as a result of Katrina and responses to Katrina. Can the majority leader give us an idea of what legislation might be possible in response to Katrina next week?

Mr. DELAY. I thank the gentleman for continuing to yield.

I cannot, obviously, give a list like that. I do not have a list with me. Lists are being worked on, and certainly the gentleman will be included, or his side will be included in discussion of these issues.

These are issues that are incredibly important that need to be addressed immediately so that we can do the recovery work that needs to be done for the victims of Katrina. It is a very expedited process, I might say, as to how we can take these simple bills and get everybody signed off on them and bring them to the floor.

So I do not have a list now, but by this afternoon, or tomorrow certainly, the gentleman and his side will be informed as to what we are thinking about. Any ideas that the gentleman and his side of the aisle might have, we would welcome and would consider those. We are working with both sides of the aisle trying to be as bipartisan as we possibly can in considering everybody's ideas.

Mr. HOYER. Reclaiming my time, Mr. Speaker, I appreciate the leader's observations and his comments. Again, we will certainly respond to that.

We have a lot of ideas on this side, as all the Members have, in trying to respond to this and trying to anticipate what the needs will be in this crisis situation. As the leader pointed out in his closing remarks on the supplemental, we have had literally millions of people whose lives have been adversely affected, displaced, moved, and some whose lives have been put at great disruption; so I am sure Members on all sides have ideas of how we can best respond. So we will do that.

Let me say, Mr. Leader, and I appreciate your remarks about working together on this, that there is not a person on this floor on either side of the aisle who does not want to work together to have an effective response so that we can help our brother and sister citizens who have been traumatized. I would hope that we would have an opportunity on whatever the legislation might be that we come up with over the next 48 hours, or by Monday, to have that perhaps reviewed. And because of the crisis and the need to move expeditiously and quickly, even if it is an hour or two notice to have a subcommittee or committee or, frankly, the bipartisan leadership look at a piece of legislation to discuss what is in it and what could be in it and what should be in it, I think that would be very helpful.

The gentleman observed that the American people want us to act together on this, and I agree with him. Not only do I agree with the gentleman, but we want to do that. So that would facilitate that, and I hope we can do that.

Let me ask something else, and I say to the leader that, unfortunately, there was not the kind of discussion that I think would have helped us on this. I agree with you, and every Member here I think agrees with you, that today or tomorrow or next Monday is not the time to look at what went wrong and how do we make it right. What we need to do is respond, rescue, and recover.

On the other hand, it is hurricane season. We still have threats, as the gentleman knows. There is a tropical storm off Florida right now that is forming, so we do need to ensure that we have the best opportunity to respond in an emergency manner.

The Speaker and Mr. FRIST met yesterday and announced a committee. We believe that perhaps a commission might be more appropriate, with both parties participating equally to respond to this and to see how we can do better. Can the gentleman tell me anything about the status of either the joint committee or commission that the gentleman's side might be thinking about?

Mr. DELAY. Mr. Speaker, I appreciate the gentleman continuing to yield, and as he knows and has said, the Speaker and the majority leader of the Senate announced a joint committee to look into the response before and after Hurricane Katrina. I am not privy. It is the responsibility of the Speaker to make those kinds of appointments for that committee and put together the resolution, if it requires one to create the committee. I do know that the Speaker and his staff are working hard to get that up and going as soon as possible.

The gentleman is right, we should not be bogging down those that are trying to make decisions that affect the lives of these victims. At the same time, and the gentleman understands this, the longer we wait around this

place, the longer things take to happen, and it is incumbent upon us to get this joint committee up and running.

I might say to the gentleman that I know he has suggested a commission, but I feel very strongly that it is our responsibility as a Congress in a bipartisan way to look at these issues and have oversight of these issues. And in accepting and understanding that responsibility, and not being relieved by somebody else or some other commission of that responsibility, this was one of the best ways we knew to do this.

We looked back at precedent, even when the gentleman's side of the aisle was in the majority, and found a precedent for doing this in a bipartisan, bicameral way when the Democrats wanted to do it, and we thought it made sense and so that is exactly what we did.

So we feel strongly that we, in a bipartisan way, are responsible for looking at these issues, and I would imagine by next week we will address this by whatever means is necessary to get it up and going. And also next week, I would assume that the Speaker would make those appointments that are necessary to fill that joint committee.

Mr. HOYER. Mr. Speaker, I thank the leader, and reclaiming my time, I think I have suggested this before, but I believe it would be useful, perhaps at some point in time in the near term, that the Speaker convene the leadership of both sides of the aisle to discuss how we are going forward.

I understand there were precedents for the action that was taken, but it was not taken after discussions with this side of the aisle. And as the majority leaders know, both on the Senate side that was the case and on the House side it was the case.

Again, I agree with the gentleman's proposition that the public wants to see us move ahead together and respond to this crisis together because those who have suffered are our focus, not party politics or ideological differences, but helping those who are hurting and making sure that we protect those who may still yet be vulnerable. I think we can best do that by working together.

On another subject and moving on, can the majority leader tell me where we stand on reconciliation? Press reports indicate that there is a delay in the development of those bills, as called for in the budget resolution, at least for some period of time. Can the gentleman bring us up to date on what the present status of reconciliation is?

Mr. DELAY. I appreciate the gentleman continuing to yield.

Entitlement reform is still one of the highest priorities of the House this fall. However, due to the events of the last 10 days, it has been replaced as the number one priority. Therefore, we will likely postpone consideration of these very important reforms for a number of weeks.

We are still trying to decide when we might approach this issue, based upon all the issues that are flooding in from all Members of things that we need to do in light of the disaster of Katrina. So I just think it is probably a little early for us to give specific dates as to when we would go to markup and those kinds of things until we get a better handle on what we need to be doing to make sure that we are doing everything that we can to take care of those victims of Katrina.

Mr. HOYER. I appreciate the gentleman's comments, Mr. Speaker. I am sure the gentleman is familiar with the letter that the gentleman from South Carolina (Mr. SPRATT) and Mr. CONRAD and others have sent with reference to reconciliation. We are concerned, of course, because of Katrina and for the exact reason we have postponed reconciliation, we are very concerned that the needs are so large at this point in time that we need to be very careful about the issue of Medicaid and, frankly, the issue of additional tax cuts.

In light of the fact we have just spent $62 billion additional, which we did not anticipate and which will exacerbate, therefore, our budget deficit, and which absolutely had to be done, everybody, almost everybody supported that effort, including the majority leader and myself, but we hope that we can perhaps have discussions about that issue as well.

Lastly, Mr. Leader, I talked about the long term and Thanksgiving. October. We have a number of holidays in October. Could the gentleman perhaps amplify on what his expectation is of the first 2 weeks in October?

My understanding is the probability is that we will be in Wednesday, Thursday, and Friday of the first week of October, but the second week of October, can the gentleman give us some thoughts on what that might be in light of the Jewish holidays and the Christopher Columbus holiday?

Mr. DELAY. Mr. Speaker, if the gentleman will continue to yield, I would note that the week of October 10, which is the second week of October, and due to the way that Columbus Day and Yom Kippur fall that week, there is only a very narrow window of time when we could be voting. And with the expectation that we could potentially be in session until the Friday before Thanksgiving, we would suggest that the House follow the Senate and adjourn for the entire week of October 10.

As for the week of October 3, Rosh Hashanah will make it very difficult for many Members to return to the Capitol prior to the evening of Wednesday, October 5, and at this point in time we anticipate having votes that week but not before Wednesday night.

We will watch as things unfold with regard to the needs of floor time and we will make further pronouncements as we get closer to that week.

Mr. HOYER. I thank the gentleman for that comment, Mr. Speaker, and presume, therefore, that we are reasonably safe in advising our Members that the second week of October we will probably not be in session; is that accurate, Mr. Leader?

Mr. DELAY. The gentleman is correct.

Mr. HOYER. Mr. Speaker, I thank the majority leader for his information.

□ 1645

ADJOURNMENT TO MONDAY, SEPTEMBER 12, 2005, AND HOUR OF MEETING ON TUESDAY, SEPTEMBER 13, 2005

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday next, and further, that when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, September 13, 2005, for morning hour debates.

The SPEAKER pro tempore (Mr. THORNBERRY). Is there objection to the request of the gentleman from Texas?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO HAVE UNTIL MIDNIGHT, SEPTEMBER 9, 2005, TO FILE A REPORT ON H.R. 3132, CHILDREN'S SAFETY ACT OF 2005

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight on Friday, September 9, 2005, to file a report to accompany H.R. 3132.

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

There was no objection.

AMENDMENT PROCESS FOR H.R. 889, COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2005

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet next week to grant a rule for the consideration of H.R. 889, the Coast Guard and Maritime Transportation Act of 2005, which may require that amendments be printed in the CONGRESSIONAL RECORD prior to their consideration on the floor.

The Committee on Transportation and Infrastructure ordered the bill reported on May 18 and filed its report with the House on July 28. Members should draft their amendments to the text of the bill as reported by the Committee on Transportation and Infrastructure.