United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

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# House of Representatives

The House met at 10 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

You, Lord God, are before us as the radiance of the stars. One bright beam of Your spirit can illumine the mind and heart of any human. And so You call some of Your people to lead others through the difficult times of any dark day and become light to the nations.

Be with the Members of the House of Representatives today. They have great aspirations for achieving what is good for this Nation and desires to formulate laws and policies that will strengthen the Union. But temper their hopes with sincere humility before one another and before the people who truly govern.

To achieve justice is to live rightly in Your sight and simply accomplish Your Holy Will. To legislate for others does not ask for scholarship, but rather the boldness to act out of the wisdom that comes from a compassionate heart.

For You alone, Lord, are the fulfillment of the law and all the prophets, now and forever. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Florida (Mr. KELLER) come forward and lead the House in the Pledge of Allegiance.

Mr. KELLER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 335. Concurrent resolution honoring and praising the National Association for the Advancement of Colored People on the occasion of its 97th anniversary.

The message also announced that pursuant to Public Law 106–170, the Chair, on behalf of the Majority Leader, after consultation with the Ranking Member of the Senate on Finance, announces the appointment of the following individual to serve as a member of the Ticket to Work and Work Incentives Advisory Panel: Katie Beckett of Iowa.

The message also announced that pursuant to Public Law 68–541, as amended by Public Law 102–246, the Chair, on behalf of the Majority Leader, in consultation with the Democratic Leader, appoints John Medveckis, of Pennsylvania, as a member of the Library of Congress Trust Fund Board for a term of five years.

## PARLIAMENTARY INQUIRY

Mr. SNYDER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman from Arkansas may state his inquiry.

Mr. SNYDER. Mr. Speaker, under the rules that are adopted for action in the House today, a very restrictive rule was adopted by the Rules Committee not allowing certain amendments in order, including an amendment by the senior-most Democrat on the House Armed Services Committee, Mr. SKELTON, the number two man in our leadership, Mr. HOYER, and others.

Under the rules of the House, I know that rule can be modified by the Rules Committee if it meets again. May it also be modified by unanimous consent as this day progresses to allow other amendments to be considered during the defense bill by this great Nation during a time of war?

The SPEAKER. The House by unanimous consent could modify the rule governing consideration of the bill.

Mr. SNYDER. Thank you, Mr. Speaker. I hope that occurs fairly early this morning.

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. There will be five 1-minute speeches on each side.

## LONE STAR VOICE: DIANNE ROWLAND

(Mr. POE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE. Mr. Speaker, Dianne Rowland of Houston has written me about the illegal invasion into the United States. She writes, ''I just heard that the Border Patrol is providing information to the Mexican Government on the location of the Minutemen. Obviously, the Mexican Government then relays that information to the illegals, since Mexico wants to transfer their problems to us.

''Stop the spying and reporting on the Minutemen. During World War II, would we have notified Japan or the Germans where we had Civil Air Patrol stations? I think not. This isn't any different, only we don't yet have a declared war with Mexico. However, it is apparent that we do have a war between the government and the American people.

''Leave the Minutemen alone. They are the only people I trust on the border. They are providing a service free of charge and doing a job that you, the government, can't do and refuse to do. They are not breaking any laws, but feeding information to Mexico should be against the law.''



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Mr. Speaker, is our government at war with our own country? This Nation has the obligation to protect our borders, and those who play the role of Benedict Arnold and help Mexico to illegally invade the United States should be held publicly accountable and dealt with by the American public. And that's just the way it is.

## WALL STREET IGNORES MAIN STREET

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, the Dow Jones will hit a record and the Nation's economists will be doing their hosannas, but who profits when factories and businesses are closed in the United States and cheap goods made by no-rights, no-benefits, low-wage Chinese workers flood our markets?

We have an $804 billion trade deficit. Hello?

Since 1982, $4.5 trillion in assets have been transferred from American to foreign owners. Hello?

Wall Street thumps their golden tub for the Wal-Marts and the cigarette-peddling Altrias while record numbers of Americans are laid off, file bankruptcy, lose their homes, their health care benefits, their retirement and savings, and in some cases, their families. Why do we celebrate Wall Street when Wall Street does not celebrate Main Street?

Wall Street makes a killing while gas prices soar, health care costs skyrocket, and food prices increase. We need a new way to measure our economy, as in how many people are working at good-paying jobs and have job security, and how many have health and retirement benefits.

Let us create economic progress for all in America, not just for a privileged few.

## AMNESTY IS NOT THE ANSWER

(Mr. KELLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KELLER. Mr. Speaker, the most controversial issue in this illegal immigration debate is amnesty. Opponents say it rewards illegal behavior. Supporters say it is not amnesty because they pay a $2,000 fine. Who is right?

Well, consider this analogy. Somebody robs a bank and gets away with $1 million. Our government tells him he can keep the money, but we expect him to pay a $2,000 fine.

Now apply that to illegal immigration. A person breaks our laws by sneaking across the border. They then commit a felony by using a fake Social Security card to get a job. Our government tells them they won't be prosecuted; rather, they can remain in this country and apply for citizenship as long as they pay a $2,000 fine.

In both cases, the bank robber and the illegal alien get to retain the benefit of their illegal behavior merely by paying a small fine. Common sense and history tell you that rewarding illegal behavior will only encourage more of it. After granting amnesty to illegals 20 years ago, we have gone from 3 million illegals to 11 million illegals. Our government has been fooled once by this amnesty argument, let us not be fooled again.

□ 1015

## McALLEN-EDINBURG-PHARR REGION OF TEXAS

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

Mr. HINOJOSA. Mr. Speaker, this week, the business periodical INC.com named the McAllen-Edinburg-Pharr region in my congressional district in Texas as its second hottest mid-size metropolitan area in the country.

When I first came to Congress nearly 10 years ago, this area was one of the poorest, economically deprived and most neglected regions of the country. It was plagued with three decades of double digit unemployment rates. I made it one of my primary goals to help curb these trends, and I am thankful to have seen that dream come true in 2006.

Today, the area is booming. The population has increased by 48 percent in 10 years. Creation of new jobs is up substantially, and the unemployment rate is now below 8 percent. Children are graduating from high school and accessing higher education, and more students are seeking advanced college degrees. I have seen the increase in Federal resources, investments in human capital and infrastructure. Thanks to business investment, job training programs and open markets, McAllen, Edinburg, and Pharr are models of achievement for the rest of the country.

The successes experienced in this region are the results of a collaborative effort by community leaders and a tremendous amount of hard work.

I congratulate all those involved in so many of the projects, conversations and planning that we had along the way. We must continue our collaborative efforts to improve the quality of life in South Texas.

## OUR THRIVING ECONOMY

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, yesterday, House Republicans took action to block tax increases on working families, seniors and small businesses by voting to pass the Tax Increase Prevention and Reconciliation Act of 2005. It was an honor to join my colleagues in working to help every American family keep more of their hard-earned money. After all, Republicans know that individual households know how to spend their own money much better than the Federal Government does.

Tax relief, along with other pro-growth policies, is helping the U.S. economy grow at a fiery pace. Recently, the U.S. Department of Commerce reported that the U.S. gross domestic product, GDP, grew 4.8 percent in the first quarter of this year. Our economy has created more than 5 million good-paying jobs since August 2003, and the unemployment is lower than the average of the 1960s, 1970s, 1980s, and 1990s.

Despite the Democrats' efforts to paint a gloomy picture, Americans are reaping the benefits of our tax cuts and are thoroughly enjoying the success of our economic boom.

## GAO PTSD REPORT RELEASE

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

Mr. MICHAUD. Mr. Speaker, I rise to make my colleagues aware of a GAO study being released today.

GAO studied services at the Department of Defense and the VA to help identify and treat veterans of Operations Enduring and Iraqi Freedom who may be at risk for Post-Traumatic Stress Disorder.

GAO found only 22 percent of personnel who were at risk for PTSD were referred by DOD providers for further evaluation.

When 78 percent who were at risk do not get referrals, then this is clear the assessment system is not working. Health assessment and reassessment are absolutely the right thing to do, and I applaud DOD for these programs.

But if we are not confident that those who need further evaluation will actually receive it, what purpose does it serve?

We need early assessment, diagnosis and counseling to prevent the effects of PTSD. This Congress needs to press both DOD and VA to do a better job in helping veterans with PTSD and other mental health issues.

## HONORING NORFOLK'S TOP COPS

(Mrs. DRAKE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DRAKE. Today, the Fraternal Order of Police will honor two of Norfolk's own as part of their annual ceremony honoring the Nation's ''top cops.'' Investigators Judy Hash and Earl Killmon will be recognized for their contributions in disrupting a violent drug ring and bringing a suspected cop killer to justice. What began as an investigation into the murder of a North Carolina police chief during a routine traffic stop quickly began to provide leads to individuals distributing cocaine, marijuana and ecstasy and committing acts of violence stretching over State lines.

After a 2-year investigation and thousands of man-hours on the part of Investigators Hash and Killmon, 14 drug- and violence-related arrests have been made and a cop killer now sits behind bars.

It is a privilege for me to honor the accomplishments of these outstanding members of my hometown police force on the House floor today. Because of their dedicated service of these two top cops and thousands of police officers throughout our Nation, our streets are safer for our families. For that we are all eternally grateful.

## EXTENDING THE MEDICARE PART D DEADLINE

(Mr. BISHOP of New York asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of New York. Mr. Speaker, with only 5 days before the deadline to sign up for the Medicare drug benefit, only 9 percent of eligible New Yorkers have voluntarily signed up for it.

Why such low enrollment? Could it be that seniors have to choose among 47 plans that keep changing? It is a daunting task to tackle a moving target.

Could it be that a third of the calls answered by Medicare operators result in inaccurate information or none at all? Could there be a more clear-cut case for extending the sign-up deadline?

Clearly, the President disagrees. To him, the ''D'' in part D stands for ''deadline.'' But he is not a senior or a disabled American who needs and deserves more time and for whom ''D'' stands for disaster.

After holding dozens of town hall meetings over the past 6 months, I join with my colleagues today in calling upon the Republicans to extend the deadline, penalty free, through the end of the year.

For nine of 10 eligible New Yorkers who haven't chosen a plan yet, but must pick from among 47 plans, another 6 months will go a long way toward helping them choose a plan that is right for them.

## REPUBLICANS CREATE OPPORTUNITIES

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, since 2003, the Bush tax cuts have helped all Americans by creating over 5.2 million jobs, reducing the unemployment rate to the lowest average in three decades, and growing the economy at a record pace. Thanks to the Home Builders Association, there is record homeownership.

Although Democrats have seen American families benefit from lower taxes, they continue to obstruct opportunities. Yesterday, House Democrats stuck to their tax-and-spend strategy.

When the House considered the tax reductions yesterday, 185 Democrats voted against this critical legislation. By voting against this bill, they clearly signaled their support for raising taxes on American families, American small businesses, and American investors.

Fortunately, House Republicans voted for this legislation so that Americans, not the Federal Government, have control over their hard-earned incomes. By passing this bill, we have helped create and ensure that our economy continues to grow, creating opportunities.

In conclusion, God bless our troops, and we will never forget September 11.

## VIETNAM HUMAN RIGHTS DAY

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to highlight the ongoing struggle for freedom and democracy in Vietnam. As we observe Vietnam Human Rights Day, it is clear that the struggle is far from over.

The most basic freedoms we enjoy, the freedom of speech, the freedom of the press, the freedom of assembly, the freedom of religion, these are not available in Vietnam.

Last month, 116 Vietnamese citizens signed an ''Appeal For Freedom of Political Association,'' and 118 citizens signed a Manifesto on Democracy and Freedom For Vietnam.

But the government crackdown began almost immediately with raids, detainments, harassment, and abuse. Those who signed these documents placed themselves and their families and their friends at a great risk for a greater good.

What a compelling reminder that while the freedoms we enjoy are not universal, the thirst for freedom most certainly is.

I urge my colleagues to speak out on behalf of these brave men and women who continue to fight for the very basic human liberty through peaceful and nonviolent methods.

## MOTION TO ADJOURN

Mr. SNYDER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mr. LATOURETTE). The question is on the motion to adjourn offered by the gentleman from Arkansas (Mr. SNYDER).

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

Mr. SNYDER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 31, nays 366, not voting 35, as follows:

[Roll No. 137]

YEAS—31

Allen
Baird
Brown, Corrine
Capuano
Clay
Crowley
Doggett
Filner
Frank (MA)
Grijalva
Hastings (FL)
Honda
Jackson-Lee (TX)
Johnson, E. B.
Lowey
McDermott
Miller, George
Nadler
Napolitano
Neal (MA)
Obey
Otter
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Stark
Taylor (MS)
Towns
Wasserman Schultz
Waters
Waxman

NAYS—366

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Baca
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Cardin
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holt
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jenkins
Jindal
Johnson (CT)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
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
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McKeon
McKinney
McMorris
McNulty
Meehan
Meeks (NY)
Melancon
Mica
Michaud

Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Olver
Ortiz
Osborne
Owens
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
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sanders
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 (WA)
Snyder
Sodrel
Solis
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
Visclosky
Walden (OR)
Walsh
Wamp
Watson
Watt
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wu
Young (FL)

NOT VOTING—35

Andrews
Burton (IN)
Cardoza
Conyers
Cubin
Delahunt
Dingell
Drake
English (PA)
Evans
Ford
Hinchey
Holden
Hyde
Jefferson
Johnson (IL)
Kennedy (RI)
Lipinski
Mack
McIntyre
Meek (FL)
Moran (VA)
Murphy
Oxley
Radanovich
Rush
Saxton
Smith (TX)
Souder
Velázquez
Wexler
Wolf
Woolsey
Wynn
Young (AK)

□ 1052

Messrs. SULLIVAN, KELLER, MELANCON, KUCINICH, RUPPERSBERGER, BUTTERFIELD, POE, GINGREY and Ms. CARSON of Indiana changed their vote from ''yea'' to ''nay.''

Mr. HONDA and Mr. CROWLEY changed their vote from ''nay'' to ''yea.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. JOHNSON of Illinois. Mr. Speaker, on rollcall No. 137 I was unavoidably detained. Had I been present, I would have voted "nay."

Mr. MURPHY. Mr. Speaker, I was unavoidably detained prior to rollcall 137 this morning and was not able to vote. Had I been present, let the RECORD reflect that I would have voted "no" on rollcall 137.

## PROVIDING FOR FURTHER CONSIDERATION OF H.R. 5122, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

Mr. COLE of Oklahoma. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 811 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 811

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 5122) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2007, and for other purposes.

SEC. 2. (a) Notwithstanding clause 11 of rule XVIII, no further amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(b) Each amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report (except as specified in section 4 of this resolution), may be offered only be a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment (except that the chairman and ranking minority member of the Committee on Armed Services each may offer one pro forma amendment for the purpose of further debate on any pending amendment), and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(c) All points of order against amendments printed in the report of the Committee on Rules or amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chairman of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

SEC. 4. The Chairman of the Committee of the Whole may recognize for consideration of any amendment printed in the report of the Committee on Rules accompanying this resolution out of the order printed, but not sooner than 30 minutes after the chairman of the Committee on Armed Services or a designee announces from the floor a request to that effect.

SEC. 5. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Oklahoma (Mr. COLE) is recognized for 1 hour.

Mr. COLE of Oklahoma. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLE of Oklahoma. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days to revise and extend their remarks, and to insert tabular and extraneous material.

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

There was no objection.

Mr. COLE of Oklahoma. Mr. Speaker, on Wednesday, the Rules Committee met and reported a second rule for consideration of the House Report for H.R. 5122, the Fiscal Year 2007 National Defense Authorization Act.

Mr. Speaker, this rule is a structured rule and provides for further consideration of the bill, H.R. 5122. It makes in order only those amendments printed in the Rules Committee report accompanying the resolution and amendments en bloc described in section 3 of the resolution.

The rule provides that amendments printed in the report shall be considered only in the order printed in the report, except as specified in section 4 of the resolution, may be offered only by a Member designated in the report, and shall be considered as read.

It provides that each amendment printed in the report shall be debatable for the time specified in the report, equally divided and controlled by a proponent and an opponent, shall not be subject to amendment, except that the chairman and ranking minority member of the Committee on Armed Services each may offer one pro forma amendment for the purpose of further debate on any pending amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Mr. Speaker, the rule waives all points of order against amendments printed in the report and those amendments en bloc as described in section 3 of the resolution. Additionally, it authorizes the chairman of the Committee on Armed Services, or his designee, to offer amendments en bloc consisting of amendments printed in the Rules Committee report not earlier disposed of, which shall be considered as read, shall be debatable for 20 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services or their designees, and shall not be subject to amendment or demand for division of the question in the House or the Committee of the Whole.

□ 1100

The rule provides that the original proponent of an amendment included in such amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before the disposition of the amendments en bloc.

The rule also allows the Chairman of the Committee of the Whole to recognize for consideration any amendment printed in the report out of the order printed, but not sooner than 30 minutes after the Chairman of the Armed Services Committee or his designee announces from the floor a request to that effect. Lastly, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, today I rise in support of this rule and the underlying legislation. Yesterday, I believe we had a good discussion about the importance of the underlying legislation, and the rule passed overwhelmingly. The same facts that were true yesterday remain so today.

Mr. Speaker, I am particularly proud about the way the rules for the fiscal year 2007 National Defense Authorization Act have been structured. Let's have a minute to review the facts here. The underlying legislation had broad bipartisan agreement, passing the committee by a vote of 60–1.

Between the subcommittee and the full committee, the Armed Services Committee passed 75 amendments, 36 of those by Republican authors, 38 by Democrats, and one bipartisan amendment. Out of the 100 amendments submitted to the Rules Committee, we made 31 in order, 15 Republican, 13 Democrats and two bipartisan.

In addition, six amendments were incorporated into the manager's amendment.

Today, we may well hear that the amendment process was arbitrary and unfair, but the facts do not support the claims. This legislation proceeded through regular order. We will have a vigorous discussion today, and the amendments in order will allow either side to improve and perfect the defense authorization further.

As usual, minority rights are protected by allowing a motion to recommit with or without instructions. This process has been open, thorough and fair. While not every amendment was made in order, all were considered. Only nine of the 60-odd amendments that were not included were actually raised by the minority for consideration in the Rules Committee.

Mr. Speaker, yesterday I spoke about the importance of four long-term challenges relating to national security and how this bill addresses them. Additionally, I drew attention to the fact that our deployed servicemen and women rely on this legislation to directly support their efforts in our Global War on Terror.

Nothing said today will change these facts. Today is really the day we should be focused on uniting as Americans and supporting our troops in the field. No one piece of legislation is ever perfect. Today is no exception. But today we have a very good piece of legislation that was crafted in a bipartisan way through regular order.

At the end of this debate, the House will have considered over 30 percent of all submitted amendments on the floor. The others were previously considered at the committee level. There are no irregularities here.

While we will no doubt have some spirited disagreements on some amendments, including some not brought to the floor, this bill is, at its core, an example of bipartisan cooperation and consensus.

The Members of the minority who serve on the House Armed Services Committee have praised the committee chairman, the gentleman from California (Mr. HUNTER) for its inclusiveness and have said that the legislation we are considering today deserves to pass. When all is said and done, it will pass by an overwhelming bipartisan majority. That is something in which this House, the American people and, more importantly, our men and women in uniform can take pride.

Mr. Speaker, realizing the facts surrounding the fiscal year 2007 National Defense Authorization Act, I urge the support of the rule and the underlying bill.

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

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, listening to my colleague's remarks, he certainly made it clear how proud he was of the bipartisanship in that committee. And so should we all be.

But all bipartisanship ended when this came to the Rules Committee. Of course it was an overwhelming vote. They have nine members, we have four. The tragedy here is that major amendments that Democrats wanted were not allowed to be heard today, very important things that we want to do.

For example, the ranking member, Mr. SKELTON, was denied an amendment. The minority whip, Mr. HOYER, was denied an amendment. And so, Mr. Speaker, through you, I want to ask Mr. COLE if he will grant me a unanimous consent request so that I can amend H. Res. 811 and add several important Democratic amendments not allowed under this restrictive rule.

Mr. Speaker, as you know, when Speaker HASTERT was in the chair, he said by unanimous consent that we can easily do this. The amendments we want to add back are: A Skelton amendment that helps military families with prescription drug costs; an Israel amendment that calls for religious sensitivity by our military chaplains; an important Hoyer amendment on alternative energy; a Capps amendment to be able to defend her district against a nongermane provision in the bill; and a McGovern amendment to close down the School of the Americas.

I ask if he will yield me that time.

The SPEAKER pro tempore. Does the gentleman from Oklahoma yield to the gentlewoman from New York for the purpose of a unanimous consent request?

Mr. COLE of Oklahoma. No, Mr. Speaker, I do not. Those matters can be dealt with on a motion to recommit.

## MOTION TO ADJOURN

Ms. SLAUGHTER. Then because of the unfairness of this and the importance of this, and because this country is at war, and because you have shut out major debate on this bill, I move the House do now adjourn.

The SPEAKER pro tempore. The gentlewoman reserves her time. A motion to adjourn is not debatable.

The question is on the motion to adjourn offered by the gentlewoman from New York (Ms. SLAUGHTER).

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

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 68, noes 336, answered ''present'' 1, not voting 27, as follows:

[Roll No. 138]

AYES—68

Ackerman
Allen
Baird
Berkley
Berman
Berry
Blumenauer
Boehlert
Brown, Corrine
Capps
Capuano
Carson
Case
Clay
Cleaver
Conyers
Costa
Crowley
DeGette
Delahunt
Dingell
Doggett
Engel
Filner
Frank (MA)
Grijalva
Hastings (FL)
Honda
Israel
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Lantos
Larsen (WA)
Lee
Lewis (GA)
Lowey
Lynch
Maloney
Markey
McDermott
McNulty
Miller (NC)
Miller, George
Nadler
Napolitano
Neal (MA)
Obey
Olver
Otter
Owens
Pascrell
Pastor
Pelosi
Rush
Sabo
Sánchez, Linda T.
Schakowsky
Slaughter
Solis
Stupak
Taylor (MS)
Towns
Velázquez
Wasserman Schultz
Waters
Watson
Waxman

NOES—336

Abercrombie
Aderholt
Akin
Alexander
Andrews
Baca
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardin
Carnahan
Carter
Castle
Chabot
Chandler
Chocola
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costello
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)

Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Issa
Jackson (IL)
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Manzullo
Marchant
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Ortiz
Osborne
Pallone
Paul
Payne
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
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
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sanders
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Skelton
Smith (NJ)
Smith (WA)
Snyder
Sodrel
Spratt
Stark
Stearns
Strickland
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
Visclosky
Walden (OR)
Walsh
Wamp
Watt
Weiner
Weldon (PA)
Weller
Westmoreland
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Lipinski

NOT VOTING—27

Buyer
Cardoza
Davis (IL)
DeLay
Evans
Feeney
Ford
Fortenberry
Hinchey
Hyde
Istook
Jefferson
Kennedy (RI)
Knollenberg
Mack
Moran (VA)
Oxley
Pombo
Sanchez, Loretta
Saxton
Simpson
Smith (TX)
Souder
Weldon (FL)
Whitfield
Woolsey
Wynn

□ 1128

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. KNOLLENBERG. Mr. Speaker, on rollcall No. 138 I was unavoidably detained. Had I been present, I would have voted "no."

Mr. FORTENBERRY. Mr. Speaker, on rollcall no. 138 I was unavoidably detained. Had I been present, I would have voted "no."

## PERSONAL EXPLANATION

Mr. HYDE. Mr. Speaker, on May 11, 2006, I was absent for the following procedural votes. Had I been present, I would have voted:

Rollcall No. 137, on motion to adjourn, "nay";

Rollcall No. 138, on motion to adjourn, "nay."

## PROVIDING FOR FURTHER CONSIDERATION OF H.R. 5122, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

The SPEAKER pro tempore. The Chair would remind Members that Mr. COLE of Oklahoma has 24 minutes remaining and Ms. SLAUGHTER of New York has 28 minutes remaining.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, every day the thousands of men and women who are based in the United States and elsewhere protect our borders, defend our national security, and ensure our peace of mind. Many of them have been deployed around the world, to Iraq and elsewhere. They have performed their duties with honor and I want them to know that we have the highest regard and respect for them.

□ 1130

The men and women of our Armed Forces have entered into a sacred covenant with this Nation. They have pledged to place their lives on the line for us, and in return, we have promised to give them the tools they need to fulfill their promise and the respect worthy of someone willing to make the ultimate sacrifice for this country.

The underlying legislation for this rule represents the embodiment of our commitment to the troops, and while I know the overall bill enjoys bipartisan support, including mine, I must point out that this morning I believe the leadership of this body has betrayed that covenant.

It seems that just 1 week after passing a so-called reform bill with no teeth, the majority is back to their same old tricks, arrogantly preventing debate and consideration of critical measures that improve the bill and the lives of the people serving this Nation.

They even prevented the distinguished ranking member of the Armed Services Committee, Mr. SKELTON, from offering an amendment to his own defense bill. The Skelton amendment would have prevented the copays for medication for our military and their families from going up, which they will if this bill is passed without the Skelton amendment, but the Republican leadership refused to make it in order.

For those Americans who are not familiar with the Rules Committee, and I expect that is most of them, and how it works, what that effectively means is that a select few in the Republican leadership have decided what the entire Congress and the entire Nation and what the men and women in uniform will get. They decided that on their own, without even a vote on the House floor, without the debate and consideration of this full body.

Given the rhetoric we hear on this floor every day about the troops and how important they are, I feel compelled to ask my friends in the majority to justify how in less than 24 hours after they approved $70 billion in tax cuts for the wealthy, how they could refuse to allow us to even consider a measure to improve the health care of our troops and their families. We owe our troops more respect than this.

It is for similar reasons that many of my Democratic colleagues and I are concerned with section 590 of this bill. The section removes a long-standing requirement in our military code that requires chaplains to exhibit a level of tolerance, compassion and understanding towards the religious diversity of the soldiers to whom they administer counsel. Can you imagine that, Mr. Speaker? We are taking away the idea that they should serve with tolerance, compassion and understanding; it was too inflammatory.

I should say, Mr. Speaker, that I am confident our chaplains have both the sense and the respect for their fellow soldiers to do this and to do it willingly. But why would this majority lower that standard and expect anything less from our chaplains, as they clearly do?

We have soldiers of every faith and no faith fighting for us under the American flag. They all deserve our respect, particularly in moments of great despair or need. Is this majority so arrogant as to suggest that they should micromanage how a chaplain administers faith on a battlefield? I can think of few things more offensive or absurd.

My friend, Mr. ISRAEL, offered an amendment to the bill that would have corrected the problem, restoring the requirement that all chaplains demonstrate sensitivity, respect and tolerance, but Mr. ISRAEL's amendment was tossed out the window, along with common sense on this issue. It has been forbidden by the leadership from even being considered on the floor today.

As was an amendment from Representatives TIERNEY and LEACH which

would have established a Truman-like commission, which we have been trying for 2 years to do, one designed to ferret out corruption and incompetence in our military contracting; and for some reason, the majority of this House does not want to look where all that money is missing in Iraq.

Despite the fact that the same measure has passed the House numerous times, and despite the fact that it is the clear will of this body that this commission be created and despite the fact that the word ''incompetence'' has become the most apt description of this administration, a select few in this leadership made these decisions for all of us that we would not even consider that amendment today, an amendment which, were it enacted, would allow us to go looking for the $9 billion in taxpayer money that this administration has literally lost in the war in Iraq.

There are many more amendments to this bill that the leadership refused to allow us to consider today, and because they are making decisions for all of us and for the American people without their consent, they decided we would not be allowed to consider Mr. MARKEY's amendment which would prevent your tax dollars from being used to torture people in the name of the United States of America. I know that makes all of us proud that we are saying that we are going to go ahead and allow torture.

I never thought I would see the day in this country when we would compromise our core values so horribly, and to do so without our consent is unconscionable.

The question my fellow Americans should be asking themselves is ''why.'' Why will the Republican leadership not allow the free flow of ideas that are supposed to be the hallmark of our government?

I think we are all beginning to see how the rigidity of their agenda, the narrow focus of their concern and their obsession with control are not only damaging their own political future, but are deeply damaging the Nation.

Even though the complicated challenges we face no longer seem to fit the Republicans' narrow set of solutions, they march onward in lockstep with their unyielding and ineffective agenda, but reality seems to be playing out much differently than their program allows for.

Tax cuts for the rich cannot save the world and it cannot save Americans. Preventing Americans from talking about an idea does not make it go away, and the ends do not always justify the means. Democrats and the rest of America have already opened their eyes to these realities. Why does the Republican leadership not open theirs?

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

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

I want to begin, if I may quickly, by reminding my friends on the other side of the aisle the basic nature of this bill.

It was a very bipartisan bill. It was universally praised as being bipartisan by Members of both parties. In particular, Chairman HUNTER was singled out for operating inclusively, in a bipartisan manner.

There were 88 amendments offered in the House Committee on Armed Services. Seventy-five of those passed. Of those passed, 38 were Democrats, 36 were Republican, one was bipartisan. There were over 100 amendments submitted to the Rules Committee. Of those, 31 were made in order, an additional six were dealt with in the manager's amendment. Only eight amendments were brought up for reconsideration in the Rules Committee by the minority.

Now, I understand that not everybody is pleased with every aspect of the bill, but to characterize the bill as anything other than bipartisan, and bipartisan in process, I think is to not recognize the nature of the process we have gone through.

With respect to Mr. SKELTON's amendment, nobody in this House, I can assure you, respects Mr. SKELTON more than I do. I have served with him on his committee. I publicly praised him yesterday, and that praise is fully and well deserved. He is one of the distinguished Members of our body.

I do point out his amendment was, in fact, considered in the House Committee on Armed Services. It did fail. There were bipartisan members for it and bipartisan against it, although it was largely a party-line vote.

At some point you have to ask yourself, why do we have committees, if not to make these decision? When a matter is dealt with fully by a committee, who are well-versed in it, I think that should carry heavy weight in determining whether or not we move on and consider a particular amendment on the floor; and in this case, I think that was thoroughly vetted and thoroughly discussed although, of course, my friends still have the opportunity to include that provision in a motion to recommit.

Let me conclude by just quickly going on and going through some of the things that were included in TRICARE.

Under the bill that was fashioned by our distinguished chairman and ranking member, working in a bipartisan fashion in the House Armed Services Committee, H.R. 5122 will prohibit until December 31, 2007, the Department of Defense's ability to increase TRICARE Prime, Standard and TRICARE Reserve Select cost shares.

H.R. 5122 calls for an independent analysis to determine the appropriate cost-sharing formula for the TRICARE program.

H.R. 5122 zeros out the costs for generic and formulary prescriptions for participants in the TRICARE pharmacy and mail order program.

H.R. 5122 also adds $735 million to the Defense Health Program to restore funding cuts included in the DOD budget request in anticipation of increased beneficiary cost shares which, as mentioned, H.R. 5122 prohibits.

H.R. 5122 includes TRICARE coverage for forensic examinations following sexual assaults and domestic violence.

H.R. 5122 provides TRICARE coverage for anesthesia and hospital costs for dental care provided to young children and to mentally or physically challenged beneficiaries.

I say this simply to make the point that we have had several years, frankly, where this committee has worked diligently to improve the TRICARE system to enhance the benefits available to our men and women.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. HUNTER), the distinguished chairman of the Armed Services Committee.

Mr. HUNTER. Mr. Speaker, I want to thank the gentleman from Oklahoma for his great work on behalf of the men and women who wear the uniform and for his work on this bill, and all the members for the work on this bill.

I just say to my great colleague from Missouri (Mr. SKELTON), we did put this bill together in a bipartisan fashion, and we did entertain this amendment in the House Committee on the Armed Services. And the point is that we came out of the committee with a very carefully crafted bill in which we are trying to incentivize military families to use mail order; and so we took down the cost of mail order pharmaceuticals to guess what, zero; both generic and formulary drugs down to zero. They do not pay a dime.

Now they win when they get these prescriptions through the mail, and the taxpayers win because the costs are much less. That means you do not even have the cost of transportation to go down to pick up that particular prescription. So we took those down to zero.

The other thing we did that was a remarkable thing, that really completed this transition of recognizing the National Guard, is we moved the availability of TRICARE not just to National Guardsmen, who heretofore were given TRICARE for an extended period of time before they mobilized and for an extended period of time after they mobilized, but we then moved it to all National Guardsmen who are drilling reservists, all National Guardsmen, and with only a copayment of 28 percent of the costs.

So this is a monumental bill that has moved billions of dollars of medical benefits to these great people who wear the uniform of the United States.

Let me just say to my colleagues, this is a bipartisan bill. The gentleman from Oklahoma is absolutely right. We did all the right things, and that is why it passed by a vote of 60–1.

No one has more respect for the gentleman from Missouri than myself. We did consider his amendment in the committee, and the provision that his amendment dealt with is a part of this balance of trying to move people to

buy their pharmaceuticals through the mail, because if they buy them through the mail, it does not cost them a dime. For that reason, I think the committee bill is an excellent bill.

It is tough to get to less than zero, and I would hope that everyone would simply support this bill, let us move ahead, let us get it to conference, and let us do the right thing for the men and women who wear the uniform.

I thank the gentleman for yielding.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the minority whip.

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

Mr. HOYER. Mr. Speaker, I thank the gentlewoman from New York.

Mr. Speaker, this morning I want to express my deep disappointment that the Rules Committee declined to make my amendment concerning one of the most vital national security issues facing our Nation, our continued dependence on foreign sources of oil, in order.

As Jim Woolsey, the former CIA director, stated, ''The future of our economic and national security is more than ever coupled to our energy policy.'' That is why I believe this amendment would have been so appropriate on this bill.

Let me stress, the amendment that I offered, along with Congressman BART GORDON as well as MARK UDALL, who is on the floor with us right now, was decidedly nonpartisan. It was not offered in an attempt to gain short-term political advantage. It was offered in an attempt to encourage this body to focus on the national security implications of our continued addiction to oil, of which the President spoke in his State of the Union, and to suggest practical methods to address that addiction.

Let me add, when I testified before the Rules Committee on Tuesday, I was pleased with the serious discussion of this amendment, as well as the virtually unanimous support of the concept of this amendment. There was no opposition stated by any member of the committee on either side of the aisle.

In short, this amendment called for three things. First, it would have authorized $250 million for the Advanced Research Projects Agency-Energy, or ARPA–E, within the Department of Energy.

□ 1145

ARPA–E would encourage and support our best and brightest researchers and scientists to develop cutting-edge technology necessary to make America energy independent.

Second, the amendment would have required the Secretary of Defense, in consultation with the Secretary of Energy and the Director of National Intelligence, to study and report to Congress on the national security implications of our increasing demand for foreign oil.

Finally, the amendment would have increased the funds available for the Defense Energy Support Center which buys and manages oil and other energy supplies for the military service, the largest user of petroleum in our country.

It also would have increased the funds available for the Advanced Power Technology Office which promotes the increased use of fuel cells, electric hybrids and hydrogen for military and homeland defense vehicles and equipment.

These proposals would have been paid for by shifting more than $300 million in excess funds from the $9.1 billion proposed for ballistic missile defense programs. I refer to them as ''excess'' because the staff says they cannot be spent in fiscal year 2007.

Let me conclude by saying that it is imperative that the Members address this vital issue. I am pleased that Mr. SKELTON, Mr. SPRATT and other members were supportive.

Energy independence must be addressed in a serious, thoughtful manner. When we put our minds to something, in my opinion, Americans can solve any of the problems that confront them. Now, more than ever, we must focus on addressing our addiction to foreign sources of oil.

I want to say in closing that I deeply regret that this important issue was not allowed to come to the floor. I understand that portions of this, only a portion, was considered in the committee, but surely the issue of addiction to petroleum products, which our President has talked about, is worthy of bringing to this floor, and I urge that it be done.

I oppose this rule because I believe it has been restrictive to the detriment of our national security and democracy in this House.

Mr. COLE of Oklahoma. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Speaker, let me say to my good friend who just spoke and talked about the need to shore up energy supplies for our country, I agree with him totally. And I agree with the idea that we should not have to rely on that lifeline of petroleum coming out of the Middle East, which has security ramifications.

Let me say to my friend that opening up a piece of land that is as big as a third of the United States, that is, Alaska, a third of the size of the continental United States, would go a long way toward doing that. The amount of petroleum that we could be getting from one of our own States within our own boundaries without having to depend on that lifeline would accrue to the national security.

I say to the gentleman, I think it is a sad thing that the majority of his party has not seen fit to do that. We are pursuing lots of alternative forms of energy, but one problem with this particular amendment is, it would take the money out of missile defense. I know the gentleman is worried about the prospect of ballistic missiles that are being tested by countries in the Middle East, that are being tested to ranges that will include Israel, for example, and at some point, certain locations in the United States.

So there are two aspects to these amendments. One is what you do; and the other is where you pull the money from. The other part of that story is where you pull the money from.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from Maryland.

Mr. HOYER. We had a very thoughtful discussion about what you have raised as alternative sources of energy in our own country, or alternative sources for petroleum products in our own country. A full discussion. I think that is a worthy discussion.

I do not think the amendment that I offered in any way negates that discussion or negates the importance of having that debate. I agree with the gentleman.

With respect to the source of funding, the staff discussed it. We believe in the $9.1 million in 2007 this sum cannot be spent because of practical reasons, as the gentleman probably knows, and I think his staff agrees because we worked with his staff and with Mr. SKELTON and Mr. SPRATT to ensure that we were not undermining because as you know, I have been supportive of the defense system.

We believe this is such a critical issue. And as I said, the President raised the addiction. We have to transfer not only the price that the consumer is paying, which is affected by the lack of alternatives to petroleum products, and therefore, those producers of petroleum products throughout the world have us as a captive consumer and we do not have price flexibility, but also in terms of the price at the pump for our consumers.

So both from a national security standpoint and an economic standpoint, I think this was the way to go.

Mr. HUNTER. Mr. Speaker, reclaiming my time, I think that is a thoughtful statement. I think that what we have seen, regrettably, from the gentleman's party, from the Democrat side, has been a series of ''noes'' to initiatives that would have increased the supply of petroleum.

The amount of increase in petroleum that we have undertaken in the last 4 or 5 years would have, by the projections I have seen, have been made up by oil which could have come from, for example, Alaska which is a third of the size of the United States.

So when the gentleman's party effectively closed down Alaska for supplying petroleum, a large piece of Alaska for supplying petroleum from the northern sector, that deprived us of an enormous supply of petroleum which would have had a direct effect on the price at the pump.

Further, the gentleman knows it takes about 10 years to permit a refinery. The gentleman is an expert in this. The gentleman knows the way we get low prices in this country for any commodity is competition.

That means if you are baking bread on one side of the street for $2 a loaf, and I come across from the other side of the street and I can bake it for a buck a loaf, I win and the consumers win. If you takes you 10 years to get a permit for your bakery, you never get into the competition and the price of bread never comes down.

And if it takes you 10 years to permit a refinery because of environmental restrictions that the Democratic Party will not let go of, you never see that oil coming on line and you never see that competition from another refinery. It is a debate.

But on the point of funding, the idea that you can just harvest a third of a billion dollars out of missile defense and that is not going to have any effect on the program because you think that money is not needed right now, we will have other parts of the program, the missile defense program, that needs more money. As the gentleman knows, when you have hundreds of programs, some of them need money, some of them can give up money at any given time.

The idea that this missile defense, which is necessary to protect both our troops in theater, who have been fired upon and killed in some cases by low-end ballistic missiles, like the Scuds that were used against us in the first Gulf War, and countries like Israel that need to have defense that see their neighbors right now developing ballistic missiles that will come in high and fast into those countries; the idea of forcing our Members to choose between defending their troops and having a new technological program on petroleum innovations, in my estimation, this is something that is a subject for judgment. We have exercised our judgment.

I think we have done a good job in the committee. I think we have put together a good bill in the committee. It passed out 60–1. I think that is testament to the fact that we have a balanced package and we need to move forward.

Mr. HAYES. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from North Carolina.

Mr. HAYES. Mr. Speaker, I thank the gentleman for yielding.

I would like to add the additional point on the committee's bipartisan and very enthusiastic and aggressive effort to do everything we could for the troops, the advantage to the position on drugs. Not only is the copay zero on mail order drugs, but when you get your pharmaceuticals through the mail, the recipient can get a 90-day supply instead of a 30-day supply. So there are several advantages there.

Again, it is a reflection of Mr. SKELTON's, Mr. HUNTER's, and the committee's desire in a bipartisan fashion to do everything that we possibly and reasonably can for the troops.

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri (Mr. SKELTON), the ranking member of the Committee on Armed Services and a hero of mine.

Mr. SKELTON. Mr. Speaker, my fellow Missourian, Mark Twain, once said, ''The more you explain it to me, the more I don't understand it.'' And that is where we are on this rule; in particular not allowing some amendments, including my amendment which would be very helpful to the families of those in uniform, to be in order. Thus, I rise in strong opposition to the rule.

Let me speak about my amendment first. It reduces the copay of the servicemembers and their families for prescription drugs. Currently, there is a $3 copay charge for generic drugs and a $9 copay for name-brand drugs. Under the bill, it zeros out mail-order orders, which is fine in some cases, but increases the generic drugs to $6, and increases name brand to $16.

You have to say that is not a lot, but if you are a corporal with three children that get sick and you have to multiply the $16 times one or two or three times when you have serious illness in your family, it is going to cost an awful lot more. That is why it is important that we do our very best to take care of the troops.

This is not brain surgery. This is helping the troops in some small, positive, decent way.

And, you know, this amendment was not made in order.

I have to compliment the bipartisanship of the base bill. I am proud of it. Chairman HUNTER did a good job in working on that, and we worked our will on some of the amendments, including the one I offered.

It only lost by two votes, 28 for it and 30 against it. What is wrong with taking that measure up on the floor of the House of Representatives and letting us work our will for the troops, for the young people, particularly for that private first class, that sergeant, that corporal that might have a family that needs help?

You say, well, they can do it by mail order.

If your child is really sick or has the flu or it is over a long weekend, you are not going to get anything by mail order. You are going to go down to the drugstore and you are going to pay through the nose, just as this bill is requiring.

All we want to do is help the young folks; this is a way we can do it. And if the amendment is voted down, the will of the House has worked its way. I would do my best to convince every Member of this body to vote for it.

So I think what we need to do is to go back to the Rules Committee and ask them to allow the Skelton amendment to be made in order.

There are other amendments that should have been looked at. Mr. ISRAEL has one that deals with chaplains that is very, very evenhanded. Mr. HOYER has one, as well as Mr. UDALL and Mr. MCGOVERN and some other Members, regarding energy, that should be looked at.

But I speak mainly in favor of my proposal. Rather than charging additional money to these young troops should they have a sick child or a sick spouse, let us reduce it back to where it was. That is not difficult. In the process say, hey, thank you for the job you are doing rather than let us stick you for a few more dollars to pay to the drug companies. That is not right.

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That is not right. That is not the way we want to treat these young folks. Let us do all we can to help them. And this is one way. Let us at least vote on it. I will speak in favor of it. I would hope that many people on the other side of the aisle would not only speak for it, but would vote for it. It is a good amendment. I dare you to put it on the calendar for us to vote. That is what we need to do so we can say fully and fairly to the young folks, we have done our best for you.

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

If I may, again, I want to thank my good friend from Missouri. There is nobody who cares more about men and women that wear the uniform of the United States than Mr. SKELTON.

I do wish to point out again the amendment was considered by the full House Armed Services Committee. It did not succeed.

I also want to point out again we made considerable progress in TRICARE, many millions of dollars spent.

And, finally, something which maybe many Members may not be aware of because they don't serve on that committee, active duty family members actually get most of their prescriptions free from military hospitals. Only 11 percent of prescriptions are obtained through a TRICARE retail pharmacy. So we are really not talking about a great deal of money. And we have a study authorized in this legislation under way to look at what the appropriate distribution of the cost of these types of items should be. I actually think the House Armed Services Committee has gone a very long way in trying to address this very, very important issue; and I have no doubt we will revisit it next year.

Mr. Speaker, I yield 1 minute to my good friend, the chairman of the House Armed Services Committee, Mr. HUNTER.

Mr. HUNTER. Mr. Speaker, I just wanted to, once again, echo my great respect for my partner on this committee, the gentleman from Missouri (Mr. SKELTON), and just offer that one thing we have done in this package is to take down the cost of pharmaceutical drugs to zero for those enlisted

families if they simply get them through the mail; and they can now get a 90-day supply rather than a 30-day supply, and that is what we are trying to incentivize them to do. It is better for them. They have got no cost of transportation to go pick up their medicine, and it is better for the taxpayers. And that is the direction that we are trying to take our military families.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a member of the Rules Committee.

Mr. MCGOVERN. Mr. Speaker, last night, once again, the majority on the Rules Committee had an opportunity to demonstrate that this House is capable of debating the many important issues relevant to the defense authorization bill. But once again, they turned their backs to a full and open debate.

Once again, the majority on the Rules Committee had an opportunity to demonstrate that Members of the minority and their concerns will be treated with respect. But once again, the majority on the Rules Committee showed that courtesy, respect, and collegiality are not part of their vocabulary.

Mr. Speaker, when a bill has a provision that directly affects another Member's district and that Member wishes to offer an amendment to debate the consequences of such a provision, simple courtesy requires that the amendment should be made in order. Yet last night, the gentlewoman from California, Congresswoman CAPPS, was denied her right to speak and act on behalf of her constituents and to have her amendment made in order to strike from the bill the section that prohibits the National Park Service from carrying out the 1997 court-ordered settlement that stops trophy hunting on Santa Rosa Island.

Twice the distinguished chairman of the Armed Services Committee was asked whether he had any problems with Mrs. CAPPS offering her amendment, and he said he did not.

I respect the chairman of the Armed Services Committee, and I appreciate the work that he and the ranking member, Mr. SKELTON, have done together. But if the chairman had no objection, and I have the transcript here, then why did the Rules Committee have an objection to this?

Of the 100 amendments submitted to the Rules Committee for consideration, scarcely a third of those were allowed to be debated under yesterday's rule and this rule. This morning, this rule makes 23 amendments in order, 10 of which are bipartisan amendments or offered by Democrats; and of those 10, four simply seek reports or studies.

Meanwhile, as we have heard, the Rules Committee denied the ranking member of the House Armed Services Committee, the most honorable and most distinguished congressman, IKE SKELTON, the right to debate the only amendment he submitted to the Rules Committee. That amendment would have let this House debate whether or not to reduce drug copayments for military families.

What a horrific show of disrespect, not only to Mr. SKELTON, but to our military families who sacrifice every single day for our Nation. It is wrong.

And if Republicans want to increase drug copayments for our military families, then make your case. But on our side of the aisle we believe the opposite, and at least there should have been a debate and a vote on this matter.

If Members want to know what is wrong with this House, why civility has been lost in this House, why this House can no longer be described in any sense of the word a deliberative body, you only have to look at the rule for the defense authorization bill.

The majority picks and chooses what will be debated, ignores substantive amendments, and rejects even the ranking member the right to offer important amendments.

In addition to rejecting the amendments offered by Ranking Member SKELTON and Congresswoman CAPPS, the majority of the Rules Committee decided this House isn't the place to debate accountability in Iraq, again denying debate on a bipartisan amendment submitted by Mr. TIERNEY to establish a Truman Commission on Iraq.

It has decided that this is not the place to debate nonproliferation issues. A bipartisan amendment was denied that was coordinated by Mr. ANDREWS; that this isn't the place to talk about alternative energy resources and research and the applications within the military. They denied Mr. HOYER and Mr. UDALL their amendments.

This is not the place, according to the majority of the Rules Committee to talk about religious tolerance. They denied the amendment by Mr. ISRAEL.

Or this is not the place to talk about torture. They denied an amendment by Mr. MARKEY.

These are not frivolous matters, Mr. Speaker. They are profound matters affecting our national defense and the health and the safety of our military personnel and their families. We read and we hear about them every day in the news. We are asked about these issues by our constituents, and this House should have had an opportunity to openly debate each one of them.

But not in this House. Not under this leadership.

So I urge my colleagues to reject this rule. Let us have a genuine debate on one of the few bills that comes before this House where all of these amendments are germane. Let us return democracy to the U.S. House of Representatives.

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

I just wish to quickly point out, again, the record which seems to get lost in the rhetoric: 88 amendments considered in the House Armed Services Committee, 75 accepted; 100 amendments dealt with by the Rules Committee, 31 brought to the floor; six others dealt with during the manager's amendment.

If my friends had their way, it wouldn't matter how many times amendments were defeated along the way. Every single one would come to the floor of the House of Representatives. If we were going to operate that way, we simply could do away with the committee system all together and simply operate by Committee of the Whole. I don't think that makes good sense.

So we are very pleased with the manner in which this bill has been dealt with. Members of both sides have regarded it as a very bipartisan piece of legislation. I will make a prediction it is going to pass with an overwhelmingly bipartisan vote.

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

Ms. SLAUGHTER. Mr. Speaker, let me take just a moment to say to my friend from Oklahoma that when the Democrats were in charge here we would take up to 2 weeks in the Rules Committee looking at the defense bill which was almost always open because we all recognized the importance and that is where we spend the money. We didn't rush bills out the door in those days, and I long for them.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I rise in strong opposition to this rule.

Yesterday, I spoke about a provision in the defense bill that has nothing to do with helping our troops and everything to do with congressional hubris.

This provision would kick the public off Santa Rosa Island, a part of the Channel Islands National Park.

Mr. SNYDER and I have an amendment to strike that provision, but the Republicans on the Rules Committee have decided the House just won't vote on it.

This provision affects a national park in my congressional district. There have been no hearings on it. DOD didn't ask for it. Park Service flat out opposes it.

Yet, it is in the bill with no discussion, no opportunity to let the House decide whether it is a good idea or not to kick taxpayers off the land that they spent $30 million for.

I can only assume the Republican leadership is afraid to have a debate on this. And I don't blame them, in a sense. This provision is a travesty. They should be embarrassed.

They might have to explain why the public should be kicked off this island so a privately run, extremely lucrative trophy-hunting operation can continue in a national park.

This all started when the chairman of the committee said he was driving down the highway, saw the island, thought that hunting in the national park was a good idea.

End of debate.

He first defended his proposal as a way to help veterans hunt. When that didn't fly, it was to protect the animals.

Mr. Speaker, this absurd provision is indefensible, and a vote on it should win; and that is why there will be no vote on it.

So as Members consider how to vote on this rule, I would ask them to think about the national parks in their district and offer them this advice: don't let the chairman take a drive in your district; he might come up with better uses than letting the public visit their own national park, and then you would be down here in my place trying to keep our national parks open.

I oppose this rule. I ask the House to vote ''no'' and save itself from this embarrassment.

Mr. COLE of Oklahoma. Mr. Speaker, just for the record, I would love to have the chairman take a drive in my district any day. We have Fort Sill Army Post, Tinker Air Force Base, and he loves soldiers, so that is fine by me.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to the distinguished gentleman from California (Mr. THOMPSON), a Vietnam veteran and Purple Heart recipient.

(Mr. THOMPSON of California asked and was given permission to revise and extend his remarks.)

Mr. THOMPSON of California. Mr. Speaker and Members, it is not only disappointing but it is truly mystifying to me to know why it is the amendment that I offered would not be made in order. I think everybody is in agreement that we need to do everything that we possibly can to better protect the men and women who are serving in uniform in Iraq.

Everybody knows that the insurgent attacks are up in Iraq. They are up from last year. They are up from the year before. And the fact that those who recruit those insurgents can claim that we are there as occupiers to control the flow of Iraqi oil is a very powerful recruitment tool.

My amendment merely is a sense of Congress that says we are not there to control the Iraqi oil. Let's send a strong message to those who are subject to recruitment. Let's send a strong message to all of those who think that this is oil motivated. Let's let them know that we are not there for the oil.

Why would anyone on the Republican side of the aisle have a problem with sending that message? We need to send it. We need to send it now.

We need to go back and fix this bill to be able to consider, not only my amendment, but the other good amendments that were before us. And we need to make sure that everybody knows it is not about the oil, and do everything we can to protect our men and women serving in uniform.

Mr. COLE of Oklahoma. Mr. Speaker, I simply point out to my friends on the other side of the aisle that all of these matters can be dealt with in a motion to recommit. I would invite them to do that.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. UDALL).

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Speaker, I also rise in opposition to this rule. As the ranking member pointed out, let us debate and vote on the Skelton, Andrews, Israel, Hoyer, Gordon and Udall amendments.

Earlier, the chairman and the ranking member had an important discussion about oil production. It was a legitimate debate. But the purpose of the Hoyer amendment is to focus on alternative fuel production.

We all share support for the missile defense program. But it is the largest single weapons research and development program in the DOD at $10 billion. We are asking for $63 million to include an alternative fuels production initiative in the Department of Defense so that we can move closer to energy independence. Energy independence equals energy security. That means national security.

Mr. Speaker, I can think of nothing more important to us today than breaking our addiction to foreign oil and making sure that we are secure in the long run, and the American people understand the importance of this initiative.

Let's reject this rule and include these important amendments in the debate that is forthcoming, give the whole House a chance to vote and express its will.

Mr. Speaker, I rise to voice my strong objection to this rule. This was the second chance for the Rules Committee Republicans to get it right, but they got it wrong again.

The rule allows debate on some important amendments but leaves out the most crucial ones. The rule essentially prevents an airing of key issues—and consequently reflects poorly on this body and does a disservice to the American people.

In his testimony before the Rules Committee, Armed Services Committee Ranking Member SKELTON expressed strong support for a number of amendments that would strengthen the bill (and strengthen real security for all Americans.)

Among them were his own, an amendment to lower the increased retail pharmacy co-payment fees for military families; an amendment offered by Mr. ANDREWS and others to increase funding for nonproliferation programs; and an amendment by Mr. ISRAEL to require that chaplains demonstrate sensitivity, respect, and tolerance toward servicemembers of all faiths. None of these amendments was made in order.

Mr. SKELTON also expressed strong support for an amendment on energy security that I offered and a similar one that I offered with my colleagues Mr. HOYER and Mr. GORDON.

But even as Americans struggle to afford near-record high gas prices, Republicans refused to allow debate on these amendments to increase funding for alternative fuels programs at the Department of Defense. America's addiction to oil from any source means that our security is vulnerable and will continue to be until we have the vision to look beyond the oil wells. I'm very disappointed that the Republican leadership doesn't see this as a priority.

Another amendment not made in order was one offered by Mrs. CAPPS and Mr. SNYDER to strike language in the bill prohibiting the National Park Service from carrying out a 1997 court-ordered settlement agreement that requires the shutdown of a private trophy hunting operation on Santa Rosa Island, part of the Channel Islands National Park. There have been no hearings on this issue, the National Park Service is opposed to it, and DoD has not requested it. The Republican leadership should have allowed debate on this amendment.

Many more amendments worthy of House consideration were not made in order. This means that the bill we will debate today on the House floor will not address some of the key challenges affecting our military and our policies in Iraq and Afghanistan.

Mr. Speaker, this rule stifles debate, and I cannot support it.

Mr. COLE of Oklahoma. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, this is the most pathetic rule since I have been here, and I am not the only one who believes this. Last weekend I was on a walk. I met an old friend of mine who told me his son, as we were speaking, was landing in Mosul, Iraq with the United States Army. And my friend and his wife were raising their grandson, a 2-year-old because this soldier is a single parent.

And while he is over there fighting with courage, this House doesn't have the courage to debate Iraq. And every single amendment that was offered that would offer a strategic vision that questions George Bush's decisions in Iraq was denied.

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The Abercrombie amendment to say we should have some plan to leave by 2010, denied. The Cardin amendment to have some plan, denied.

This House basically today has said it is only going to do one thing and that America should do only one thing, and that is trust the eminent judgment of President George Bush, who is apparently infallible, unquestionable, and nothing that this U.S. Congress should challenge.

My friend begs to differ, whose son landed in Mosul. This House should challenge George Bush on Iraq. We should have a debate on it. We should not ignore it. While our soldiers have courage enough to fight, we ought to have courage enough to fight George Bush's misguided policies in Iraq.

Mr. COLE of Oklahoma. Mr. Speaker, it is good to see my good friend from Washington again. We actually visited Iraq together. I know how strongly he feels about this issue. I respect that. I would also point out, though, that we have discussed Iraq on many occasions in this House. We have in the past, we will in the future.

In addition to that, again I just wanted to remind my friends of the simple numbers: 88 amendments considered by the House Armed Services Committee, 75 accepted, about evenly split; 100 amendments proposed to the Rules Committee, 31 accepted, 6 considered or incorporated in the manager's amendment. Frankly, all the other matters where folks are disappointed or have a different point of view can be dealt with in a motion to recommit. I suspect they will be.

The reality is, we have had a very bipartisan process. We agree on 98 or 99 percent of the issues that will be incorporated, I suspect, on the final vote.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. ISRAEL).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind persons in the gallery that they are guests of the House of Representatives and that it is inappropriate under the rules of the House to show either approval or disapproval of speeches given on the House floor.

Mr. ISRAEL. Mr. Speaker, I don't think I need 1½ minutes to make my point. I think this is rather clear and rather simple.

I was in Iraq about 3 weeks ago when a bipartisan delegation was sent to urge the leaders of the Iraq Government to show respect and tolerance for their different faiths and create a unity government.

This rule explicitly rejects respect and tolerance for servicemembers of different faiths in our own military. I offered an amendment that sought common ground, that preserved in its entirety every single word that the majority had in with respect to allowing and ensuring the right of military chaplains to pray in accordance with the dictates of their conscience.

Every word of the Republican language was in, and then I added this simple statement, ''and shall behave with sensitivity, respect, and tolerance towards servicemembers of all faiths.''

Who could be against sensitivity, respect and tolerance to servicemembers of all faiths? The Rules Committee majority, which wouldn't even allow us to debate my amendment, which wouldn't even allow us to vote on that amendment.

Who could be against national security that depends on unit cohesion and allowing our local commanders to make fundamental personnel decisions and ensure good order and discipline? The Rules Committee majority, which wouldn't even allow us to debate that amendment or listen to those military guidelines.

People talk a good game around here about family values. But when it comes time to vote on family values, they won't vote on family values in our military. They talk a good game about a strong military and security, but when the time comes, won't listen to our commanders.

Mr. SKELTON. Mr. Speaker, will the gentleman yield?

Mr. ISRAEL. I yield to the gentleman from Missouri.

Mr. SKELTON. I commend the gentleman for his effort. I can think of no faith that would disagree with the wording that you have proposed. I think it is just too bad that it was not allowed to be put in order, because I think it would have received more than a substantial vote in this House.

Mr. ISRAEL. I thank the gentleman.

I will remind my colleagues that every faith talks about the importance of respect and tolerance for one another. Unfortunately, this Congress has chosen to reject those values by not even allowing us to discuss them when it comes to our own military.

Mr. COLE of Oklahoma. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from California (Mr. HUNTER), the chairman of the Armed Services Committee.

Mr. HUNTER. Mr. Speaker, I thank the gentleman for yielding. No one has more respect for the gentleman from New York than I. I just want to remind my colleagues that we had a vote on the gentleman's amendment in committee, and we did put it in, and it was an amendment to a provision that we put into the bill that was, I thought, an excellent provision; I think, most members of the committee agreed.

I think that is reflected by the 60–1 vote that ultimately discharged the bill, agreed with, that was what it said, that chaplains of all faiths, all faiths, would be allowed to pray according to the dictates of their own conscience.

Now, I know you can add a word or two or a comma or a change of phrase, and the effect of a small group of words can have 60 different interpretations by various members of the committee.

But the provision that we left with, because I think there has been a concern that we have commanders, I think there is concern that chaplains be allowed to pray according to the dictates of their own conscience. We asserted in a positive statement that they would be able to do that.

That was something I think most members agreed with. In fact, they did agree with it on a bipartisan basis. The gentleman offered a change to that, and that was rejected. So I just want my colleagues to know that we thought, and I think today, that a statement that says that all chaplains, no matter what faith, are able to pray according to the dictates of their own conscience. It is a statement of fairness and serves the military well.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, the 9/11 Commission said that a quantity of highly enriched uranium about the size of a grapefruit, if it were used to make a bomb that could be put in a van that could be driven into lower Manhattan, could level lower Manhattan by a nuclear weapon.

Where you would you find this enriched uranium?

There are 106 reactors in the former Soviet Union that use highly enriched uranium. Forty-two of them are being converted to the kind of uranium that can't be used to make a bomb. Sixty-four of them are still in operation today. Sixty-four of them are still a potential source of that bomb that could level lower Manhattan.

We had an amendment that said for every $1,000 we are going to spend on the ballistic missile defense program, let us take $3 out of every $1,000 and spend it on cleaning up and shutting down those 64 reactors in the former Soviet Union. Do you think we should or not?

This House won't get to make that decision because this amendment is not in order. If you ever need a reason to oppose this rule, there is your reason.

Mr. COLE of Oklahoma. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time.

May I inquire if my colleague has more?

Mr. COLE of Oklahoma. No, I am prepared to close.

PARLIAMENTARY INQUIRY

Mr. SNYDER. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. SNYDER. Mr. Speaker, under the rules of the House, as I understand it, yesterday Mrs. DAVIS of California's amendment under consideration of the defense bill was in order, even though it had been considered in committee.

I assume that there was no rule prohibiting the consideration of that amendment yesterday; is that correct?

The SPEAKER pro tempore. The gentleman is correct.

Mr. SNYDER. And so when we hear this discussion today, we have heard it now with Mr. SKELTON's amendment, we have heard it with Mr. ISRAEL's amendment, that because they were considered in the House Armed Services Committee, there is no rule prohibiting their consideration during consideration of the bill on the House floor today; is that correct?

The SPEAKER pro tempore. The gentleman is correct. That is a matter for debate on the rule, as to how it proposes to treat particular proposed amendments.

Mr. SNYDER. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. SNYDER. The suggestion has been made that these amendments that have not been made in order for debate and discussion today be put in the form of a motion to recommit. Under the rules of the House, whatever motion to recommit is offered, is it accurate to say that there will be 5 minutes allotted to the proponent of that motion to recommit?

The SPEAKER pro tempore. The gentleman is correct. The standing rules provide for 5 minutes of debate in support of a motion that includes instructions.

Mr. SNYDER. So if the decision is made by our side to try to combine 10 amendments that have been denied discussion on this floor today into a motion to recommit, that would work out to an average of 30 seconds to discuss nuclear proliferation, 30 seconds to discuss the pharmacy amendment, 30 seconds to discuss the policy of chaplains.

Is that an accurate description of the rules of the House, Mr. Speaker?

The SPEAKER pro tempore. While the Chair can't engage hypothetical questions, the gentleman is correct that there are 5 minutes of debate in support of a motion to recommit.

Mr. SNYDER. Mr. Speaker, I appreciate your patience and conduct today.

Ms. SLAUGHTER. Mr. Speaker, I will be asking Members to vote ''no'' on the previous question. If the previous question is defeated, I will amend the rule to allow the House to consider the Skelton amendment on prescription drug copayments for members of the military and their families.

This amendment was offered in the Rules Committee last night, but was defeated on a 4–8 straight party line vote.

I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, the amendment seeks to reduce proposed increases in copayments for military families back to current cost shares.

As the war in Iraq drags on and on, we continue to ask more and more of the brave men and women who serve in our military. They are asked to sacrifice everything, from their own lives to the health and livelihoods of their families. These families are already struggling paycheck to paycheck just to make ends meet.

Maybe the increase in the copayments don't seem like much to the wealthy Americans who were rewarded by Republicans yesterday with a hefty five-figure tax break but, they sure make a significant break in the budgets of low- and moderate-income families with children.

Mr. Speaker, not only is Ranking Member SKELTON one of the most distinguished and respected Members of the House, he is also an expert on military personnel. To deny him the opportunity to even offer this responsible amendment is simply outrageous. Even those who don't support his amendment ought to have the courage to vote whether or not to help our soldiers and their families pay for medicine.

I want to emphasize that a ''no'' vote will not block the defense authorization bill and will not affect any of the other amendments that are in order under this rule, but a ''no'' vote will allow us to debate and vote on the Skelton amendment.

Vote ''no'' on the previous question.

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

Mr. COLE of Oklahoma. Mr. Speaker, we have had a good chance to debate the issues in the process today. After this debate, I am convinced that the process worked as it should. There can be no debating the basic facts. The House Armed Services Committee considered 88 amendments; 75 of those amendments, 38 Democrat, 36 Republican, one bipartisan, were incorporated into the legislation.

The House Rules Committee received over 100 amendments; 31 of those were made in order. They were about evenly balanced between the two parties. An additional six were incorporated into the manager's amendment. Numerous minority amendments were accepted and moved through regular order. The ranking members of the subcommittees and the full House Armed Services Committee all support the underlying legislation.

Ultimately, there can be no dispute that the process followed for this legislation was fully the regular order. It was fair and protected minority rights.

I think that we should focus, as we come to the conclusion of this debate, on what unites us instead of what divides us. The fact is that we agree on both sides of the House with 97 or 98 percent of what is in the actual legislation.

This is actually a model of bipartisan cooperation, a consensus, despite some of the rhetoric that we have here today. To that end, Mr. Speaker, I urge support for the rule and the underlying legislation.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in strong opposition to this rule for consideration of H.R. 5122, the Fiscal Year 2007 National Defense Authorization Act.

There is no doubt that the bill before us today authorizes critical funding and programs for our troops, our Nation, and my home state of Connecticut. It authorizes billions for weapons systems vital to our Nation's security, such as the F–22A, Joint Strike Fighter and C–17 aircraft. It provides critical health care access to our National Guard and reserve by expanding their access to the TRICARE program and rejecting most of the Pentagon's proposed hike in TRICARE fees. For our men and women in Iraq, it authorizes billions for IED protection, body armor, up-armored Humvees and other equipment that will help keep them safe.

By most accounts, this bill appears to have been considered in a bipartisan manner by the House Armed Services Committee. Protecting and providing for our men and women in uniform is one of our most important duties as elected representatives. It should not and must not be a partisan issue.

It is therefore unfortunate that this bill has been brought to the floor by the majority leadership under a restrictive rule that prevents the House to considering several important and pragmatic amendments offered by Democrats that would have greatly contributed to our debate and this bill.

Today we are not allowed to consider the amendment by the ranking member of the Armed Services Committee, Mr. SKELTON, which would have blocked a provision increasing pharmacy cost-share fees for our troops, their families, and military retirees. While rejecting most of the President's proposed fee increases for TRICARE, this bill increases the co-pay for generic drugs from $3 to $9, and the co-pay for brand name drugs from $6 to $16. These proposed increases may not amount to much on paper, but they add up to real money for a military family relying on their TRICARE coverage for their health care and prescription drug needs.

The last thing we should be doing in this bill is increasing the burdens placed on military families at a time when their loved ones are being routinely and repeatedly deployed abroad. Getting by is hard enough these days for these families, and increasing the costs for their health care is unacceptable. Despite wide opposition to TRICARE fee increases, a handful of Republicans on the rules committee last night denied this House the opportunity to consider the Skelton amendment on its merits and allow a straight up or down vote.

In addition, this rule blocks consideration of several other measures that address critical aspects of our national security. For example, an amendment that would have addressed the security implications of our dependence on foreign oil by expanding resources for the development of alternative energy sources, such as fuel cells, at the Defense and Energy departments was blocked. An amendment establishing a Truman Commission-style committee to investigate billions in contract abuses in Iraq will not see the light of day on the floor. A provision that would help to restore our reputation in the world by denying the use of taxpayer funds for the use of torture will not be debated. Finally, an important proposal to increase funding for one of our most critical national security challenges—the proliferation of nuclear weapons—was denied consideration today.

Mr. Speaker, the national security challenges we face today, and will face in the future, are simply too important to be left subject to partisan politics. It is unfortunate that this rule fails to reflect the cooperation and bipartisanship on these issues that our troops and our nation expect and deserve.

The material previously referred to by Ms. SLAUGHTER is as follows:

PREVIOUS QUESTION ON H. RES. 811 RULE FOR H.R. 5122, FY07 DEPARTMENT OF DEFENSE AUTHORIZATION

At the end of the resolution, add the following:

''SEC. 6. Notwithstanding any other provision of this resolution the amendment specified in section 7 shall be in order as though

printed after the amendment numbered 23 in the report of the Committee on Rules if offered by Representative SKELTON of Missouri or a designee. That amendment shall be debatable for 60 minutes equally divided and controlled by the proponent and an opponent.

SEC. 7. The amendment referred to in section 6 is as follows:

AMENDMENT TO H.R. 5122, AS REPORTED, OFFERED BY MR. SKELTON OF MISSOURI

In section 731 (relating to TRICARE pharmacy program cost-share requirements), insert before ''Paragraph (6)(A)'' the following: ''(a) COST-SHARE REQUIREMENTS.—''.

In such section, add at the end the following:

(b) REFUND OF PHARMACY COSTS.—

(1) AUTHORITY.—The Secretary of Defense may pay an eligible covered beneficiary a refund, subject to the availability of appropriations for such refunds, consisting of the difference between—

(A) the amount the beneficiary pays for costs incurred during fiscal year 2007 under cost-sharing requirements established by the Secretary under section 1074g(6)(A)(B)(ii) of title 10, United States Code, as amended by subsection (a); and

(B) the amount the beneficiary would have paid during such fiscal year if the cost sharing with respect to agents available through retail pharmacies were $3 for generic agents and $9 for formulary agents.

(2) COSTS COVERED.—The refunds under paragraph (1) are available only for costs incurred by eligible covered beneficiaries during fiscal year 2007.

(3) ELIGIBLE COVERED BENEFICIARY.—In this section, the term ''eligible covered beneficiary'' has the meaning provided in section 1074g(f) of title 10, United States Code.

(4) REGULATIONS.—The Secretary shall prescribe regulations to implement this subsection not later than October 1, 2006.

(c) FUNDING.—Of the amounts authorized to be appropriated under title XV of this Act, $290,000,000 is authorized for the purposes of the refund authorized under subsection (b)(1).

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THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution * * * [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule * * * When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

Mr. COLE of Oklahoma. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 223, nays 192, not voting 17, as follows:

[Roll No. 139]

YEAS—223

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 (MI)
Campbell (CA)
Cantor
Capito
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
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
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
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Petri
Pickering
Pitts
Platts
Pombo
Porter
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
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wolf
Young (AK)
Young (FL)

NAYS—192

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
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
Farr
Filner
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)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney

McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
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
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wynn

NOT VOTING—17

Abercrombie
Cannon
Cardoza
Carter
Evans
Fattah
Ford
Jefferson
Kennedy (RI)
Moore (WI)
Peterson (PA)
Poe
Smith (TX)
Tauscher
Westmoreland
Wilson (SC)
Wu

□ 1252

Messrs. BERMAN, WYNN and BLUMENAUER changed their vote from ''yea'' to ''nay.''

Mr. KING of New York changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Ms. MOORE of Wisconsin. Mr. Speaker, on rollcall No. 139. I was unavoidably detained. Had I been present, I would have voted ''no.''

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 226, noes 195, not voting 11, as follows:

[Roll No. 140]

AYES—226

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 (MI)
Campbell (CA)
Cannon
Cantor
Capito
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
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
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
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
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—195

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
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
Farr
Fattah
Filner
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)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wynn

NOT VOTING—11

Abercrombie
Cardoza
Carter
Evans
Ford
Frelinghuysen
Jefferson
Kennedy (RI)
Peterson (PA)
Smith (TX)
Wu

□ 1308

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5122.

The SPEAKER pro tempore (Mr. KUHL of New York). Is there objection to the request of the gentleman from California?

There was no objection.

## NOTICE TO ALTER ORDER OF CONSIDERATION OF AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 5122, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

Mr. HUNTER. Mr. Speaker, pursuant to section 4 of House Resolution 811, as the chairman of the Armed Services Committee, I request that during further consideration of H.R. 5122 in the Committee of the Whole, and following consideration of en bloc packages numbers one and two, the following amendments be considered in the following order:

Amendment No. 8 printed in House Report 109–461;

Amendment No. 15 printed in House Report 109–461;

Amendment No. 16 printed in House Report 109–461;

Amendment No. 6 printed in House Report 109–461;

Amendment No. 7 printed in House Report 109–461;

Amendment No. 9 printed in House Report 109–461;

Amendment No. 13 printed in House Report 109–461;

Amendment No. 10 printed in House Report 109–461;

Amendment No. 22 printed in House Report 109–461;

Amendment No. 18 printed in House Report 109–461;

Amendment No. 11 printed in House Report 109–461;

Amendment No. 12 printed in House Report 109–461;

Amendment No. 14 printed in House Report 109–461;

Amendment No. 23 printed in House Report 109–461;

Amendment No. 21 printed in House Report 109–461.

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

There was no objection.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

The SPEAKER pro tempore. Pursuant to House Resolution 811 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. 5122.

□ 1310

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. 5122) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2007, and for other purposes, with Mr. LATOURETTE (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose on Wednesday, May 10, 2006, amendment No. 8 printed in House Report 109–459 by the gentleman from Minnesota (Mr. GUTKNECHT) had been disposed of and the request for a recorded vote on amendment No. 4 printed in that report by the gentlewoman from Texas (Ms. JACKSON-LEE) had been postponed.

Pursuant to House Resolution 811, no further amendment to the committee amendment shall be in order except those printed in House Report 109–461 and amendments en bloc described in section 3 of that resolution.

Each amendment printed in the report shall be offered only in the order printed in the report, except as specified in section 4 of the resolution, may be offered only by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, except that the chairman and ranking minority member of the Committee on Armed Services each may offer one pro forma amendment for the purpose of further debate on any pending amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chairman of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Amendments en bloc shall be considered read, shall be debatable for 20 minutes, equally divided and controlled by the chairman and ranking minority member or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

The original proponent of an amendment included in amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before disposition of the amendments en bloc.

The Chairman of the Committee of the Whole may recognize for consideration of any amendment printed in the report out of the order printed, but not sooner than 30 minutes after the chairman of the Committee on Armed Services or a designee announces from the floor a request to that effect.

AMENDMENTS EN BLOC OFFERED BY MR. HUNTER

Mr. HUNTER. Mr. Chairman, I offer amendments en bloc.

The Acting CHAIRMAN. The Clerk will designate the amendments en bloc.

Amendments en bloc offered by Mr. HUNTER printed in House Report 109–461 consisting of amendment No. 1; amendment No. 2; amendment No. 4; and amendment No. 19.

AMENDMENT NO. 1 OFFERED BY MR. BACA

The text of the amendment is as follows:

At the end of subtitle B of title III (page 67, after line 8), add the following new section:

**SEC. 316. REPORT REGARDING SCOPE OF PERCHLORATE CONTAMINATION AT FORMERLY USED DEFENSE SITES.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report containing the results of a study of the scope of perchlorate contamination at Formerly Used Defense Sites. As part of the report, the Secretary shall identify the military installations or contractors that may have stored perchlorate or products containing perchlorate.

AMENDMENT NO. 2 OFFERED BY MR. CASTLE

The text of the amendment is as follows:

At the end of subtitle C of title VIII (page 295, after line 20), insert the following new section:

**SEC. 815. AWARD AND INCENTIVE FEE CONTRACT STANDARDS.**

(a) REQUIREMENT TO DEVELOP AND ISSUE STANDARDS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall develop and issue—

(1) standards that link award and incentive fees to desired program outcomes, such as meeting cost, schedule, and capability goals;

(2) standards that identify the appropriate approving official level involved in awarding new contracts utilizing award and incentive fees;

(3) guidance on when the use of rollover is appropriate in terms of new contracts utilizing award and incentive fees;

(4) performance measures to evaluate the effectiveness of award and incentive fees as a tool for improving contractor performance and achieving desired program outcomes; and

(5) guidance for the development of a mechanism to capture award and incentive fee data and to share proven award and incentive fee strategies with appropriate contracting and program officials at the Department of Defense.

(b) DEFINITION.—In this section, the term ''rollover'' means the process of moving unearned available award and incentive fees from one evaluation period to a subsequent evaluation period, thereby providing the contractor with an additional opportunity to earn that previously unearned award or incentive fee.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the status and effectiveness of developing the standards required under subsection (a) for award and incentive fee contracts.

(d) SENSE OF CONGRESS.—It is the sense of Congress that award and incentive fees should be used to motivate excellent contractor performance and that such fees should not be awarded for below-satisfactory performance.

AMENDMENT NO. 4 OFFERED BY MR. TOM DAVIS OF VIRGINIA

The text of the amendment is as follows:

At the end of subtitle B of title XXVIII (page 499, after line 15), add the following new section:

**SEC. 2826. DEFENSE ACCESS ROAD PROGRAM.**

Section 2837 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3522) is amended—

(1) in subsection (a), by inserting ''and transit systems'' after ''that roads''; and

(2) in subsection (b)—

(A) by striking ''and'' at the end of paragraph (1); and

(B) by striking paragraph (2) and inserting the following new paragraphs:

''(2) to determine whether the existing surface transportation infrastructure, including roads and transit at each installation identified under paragraph (1) is adequate to support the increased traffic associated with the increase in the number of defense personnel described in that paragraph; and

''(3) to determine whether the defense access road program adequately considers the complete range of surface transportation options, including roads and other means of transit, necessary to support the national defense.''.

AMENDMENT NO. 19 OFFERED BY MR. SCHIFF

The text of the amendment is as follows:

At the end of title X (page 393, after line 23), add the following new section:

**SEC. 1041. REPORT ON DEPARTMENT OF DEFENSE RESPONSE TO THREAT POSED BY IMPROVISED EXPLOSIVE DEVICES.**

(a) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report regarding the status of the threat posed by improvised explosive devices (in the section referred to as ''IEDs'') and describing efforts being undertaken to defeat this threat. Supplemental reports shall be submitted every 90 days thereafter to account for every incident involving the detonation or discovery of an IED since the previous report was submitted. Reports shall be transmitted in an unclassified manner with a classified annex, if necessary.

(b) JOINT IED DEFEAT ORGANIZATION AND RELATED OFFICES.—The reports required by subsection (a) shall provide the following information regarding the Joint IED Defeat Organization and all other offices within the Department of Defense and the military departments that are focused on countering IEDs:

(1) The number of people assigned to the Joint IED Defeat Organization and the related offices.

(2) The major locations to which personnel are assigned and organizational structure.

(3) The projected budget of the Joint IED Defeat Organization and the related offices.

(4) The level of funding required for administrative costs.

(c) EXISTING THREAT AND COUNTER MEASURES.—The reports required by subsection (a) shall include the following information regarding the threat posed by IEDs and the countermeasures employed to defeat those threats:

(1) The number of IEDs being encountered by United States and allied military personnel, including general trends in tactics and technology used by the enemy.

(2) Passive countermeasures employed and their success rates.

(3) Active countermeasures employed and their success rates.

(4) Any evidence of assistance by foreign countries or other entities not directly involved in fighting United States and allied forces in Iraq and Afghanistan.

(5) A list and summary of data collected and reports generated by the Department of Defense and the Armed Forces on counter-IED efforts in Iraq and Afghanistan and other fronts in the Global War on Terrorism.

(d) RESEARCH, DEVELOPMENT, TESTING, AND EVALUATION OF NEW COUNTERMEASURES.—The reports required by subsection (a) shall include the following information regarding research, development, testing, and evaluation of new active and passive countermeasures and impediments to those efforts:

(1) The status of any and all efforts within the Department of Defense and the Armed Forces to research, develop, test, and evaluate passive countermeasures and active countermeasures and to speed their introduction into units currently deployed overseas.

(2) Impediments to swift introduction of promising new active countermeasures.

(e) INTERDICTION EFFORTS.—To the extent not previously covered in another section of the reports required by subsection (a), the reports shall identify any and all other offices within the Department of Defense or the Armed Forces that are focused on interdicting IEDs, together with the personnel and funding requirements specified in subsection (b) and the success of such efforts. For purposes of this subsection, interdiction includes the development of intelligence regarding persons and locations involved in the manufacture or deployment of IEDs and subsequent action against those persons or locations, including efforts to prevent IED emplacement.

The Acting CHAIRMAN. Pursuant to House Resolution 811, the gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKELTON) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. HUNTER. Mr. Chairman, Mr. BACA's amendment requires the Department of Defense to study the scope of perchlorate contamination at formerly utilized defense sites.

Mr. CASTLE's amendment implements GAO's recommendations to cut down and award an incentive fee spending waste by requiring the Department to develop a strategy for linking incentives to specific outcomes such as meeting costs, schedule and capability goals. It also establishes guidance for improving the effectiveness of award and incentive fees, and ensures that appropriate approving officials are overseeing these decisions. The Department would be required to report to Congress on the status and effectiveness of these new standards.

□ 1315

The amendment offered by Mr. DAVIS is the defense access road amendment; and this program, which is known as the DAR program, currently allows DOD to pay for road projects made necessary by DOD actions, and this amendment would allow DOD to consider transit projects as part of DAR as well.

Mr. SCHIFF's amendment directs the Secretary of Defense to submit to Congress a series of regular reports on the threat to American personnel posed by IEDs, improvised explosive devices, as well as action being taken to interdict IEDs and to develop more effective active and passive countermeasures. The first report would be due 30 days after enactment, the subsequent reports every 90 days thereafter. Reports would be unclassified, with a classified annex if necessary.

Mr. Chairman, the committee supports these amendments, and let me just say with respect to the last amendment, that the committee works every day on the IED issue, and we communicate with DOD every day on operations and on the development of the countermeasure systems that we are currently undertaking to rush to the battlefield. So I very much appreciate the gentleman's concern. I think that IEDs, and I am sure he shares this concern, are an instrument of choice now by terrorists, and this is probably the most compelling challenge facing us in the warfighting theaters and in the global war against terror right now.

We work this issue every single day. We have got a new package of equipment that we are moving out, and we have added $109 million to this countermeasure fund this year. We are going to try to move that up, even if we have to move money out of the various services, and we are going to work this problem every day. So I invite the gentleman to work with us and work with our staff, and I think these reports will be value added to the process. I thank the gentleman from California for his work.

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

Mr. SKELTON. Mr. Chairman, I rise in support of this en bloc amendment, and I yield 2 minutes to the gentleman from California (Mr. SCHIFF).

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

Mr. SCHIFF. Mr. Chairman, I want to thank the chairman and the ranking member for working with me on this amendment, and I in particular want to thank you for all of your diligence in making sure that we have the best equipment and that the Pentagon is doing everything else possible to interdict and to defend against these improvised explosive devices.

We have all been to the funerals of our constituents that were lost in Iraq and Afghanistan. Most of them have been lost through improvised explosive devices. I think it is the number one cause of American deaths in Iraq, and I think three out of the four families that I have gotten to know that have lost loved ones in Iraq were killed by IEDs. They have been responsible for 38 percent of all U.S. deaths in Iraq, including those from non-hostile causes, for every month since May of 2005. Through Sunday, IEDs caused 790 American deaths in Iraq, representing a third of all U.S. fatalities since the start of the war.

Clearly, the Iraqi insurgents have learned to adapt to U.S. defensive measures by using bigger, more sophisticated and better concealed bombs. In the first few months of the insurgency, IEDs were often little more than crude pipe bombs that used old-fashioned wire detonators. Now they are sometimes made with multiple artillery shells, Iranian explosives, and rocket propellant. Gone are the days of wire detonators that were easy to spot. IEDs are now detonated by cell phones or a garage door opener and other devices. They range in size from massive explosives capable of destroying 5-ton vehicles to precision-shaped charges that tear through armored vehicles.

IEDs have also become, unfortunately, a greater problem in Afghanistan where, according to analysts, Taliban and al Qaeda forces have been studying the lessons learned by the insurgents in Iraq. Over the past several months, American and NATO forces have been the victim of roadside bombs that previously we had just seen in Iraq.

So, Mr. Chairman, to the chairman of the committee and the ranking member, I very much look forward to working with you on this issue. I appreciate your willingness to work on this amendment.

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

I thank the gentleman for his contribution, and let me just lay out some of things that we are doing because I think this area is so important for us. Included in the base bill, the gentleman from Missouri and myself and our great members of the committee on both sides of the aisle worked out, we added $109.7 million for jammers. Jammers are very important in this IED business because these improvised explosive devices are largely detonated remotely.

As the gentleman knows, few of them, some of them, are detonated by wires that are connected to detonators, and you may have an insurgent hiding 20, 30, 40, 50 yards from the roadside or from the dismounted U.S. military unit and he detonates it with a clacker or a detonation device in the style that has been utilized by militaries up to the last several years ago.

The other detonation device, and one that is now the device of choice, is a remote detonation, and that detonation

allows a person, the insurgent, to be many yards away, far away from the particular avenue that he is ambushing. In many cases, he does not even need to have a weapon. He may be lost in a crowd, and he waits for a convoy to line up on a particular lamp post or other object, and he blows this device, which may be a 152-millimeter artillery round by using this remote detonation capability. Without getting into the classified areas, there are a number of remote detonation capabilities, and what we are trying to do is to direct our countermeasures to be able to jam those detonations.

So we have put a lot of extra money in. The administration has a lot of money in, but we have put in more. We have been working on equipment packages with them, and the key is to move this stuff through the training ranges here, the testing ranges, quickly into the field; and I can assure the gentleman we are really going to be working on this. So I thank him so much for his focus on this important area, and we will work together.

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

Mr. SKELTON. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. BACA).

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

Mr. BACA. Mr. Chairman, first of all, I would like to thank the gentleman from California (Mr. HUNTER) and, of course, the gentleman from Missouri (Mr. SKELTON) too, as well, and I would like to also thank Congressman DREIER, Congressman LEWIS, and Congressman POMBO in helping us work with this simple amendment that basically asks the Department of Defense to require a study of the perchlorate contamination at formerly utilized defense sites, otherwise known as FUDS.

The amendment also requires an assessment of what military installations or contractors have stored perchlorate. This study will help us have a national understanding of this problem that has so far been seen in our region.

Southern California, the Bay Area, Massachusetts, Michigan, New Hampshire, are only a few of the regions affected. Is this happening in your State?

Cities and counties across the country are closing their groundwater wells due to perchlorate contamination. From most accounts, 90 percent of perchlorate in water comes from a Federal source, primarily from former military sites and other Department of Defense installations.

This volatile organic compound is a rocket fuel additive that has been found to be harmful to thyroid function. 319 groundwater wells are impacted in California alone, with 78 of them in my district; and 186 sources in San Diego, Riverside, and Orange Counties have been impacted.

Several States throughout the county are now waking to a similar problem and are also seeing similar effects in their areas.

Perchlorate does not just affect the drinking water supply, but our food supplies as well. So it does affect supplies. It has been reported in lettuce in the Imperial Valley which relies on the Colorado River for irrigation, and perchlorate has been found in milk.

Hardworking families living in the United States with large military and aerospace facilities are not at fault and should not have to pay for a federally created problem.

Many communities cannot afford costly toxic cleanups, and the alternative is no better. Cities are being forced to raise water rates to outrageous levels, forgo dust control on highways to meet clean air requirements, and to truck in water from other regions.

For the 43rd Congressional District of California and many other districts throughout the country, the Federal Government needs to step up and take responsibility. That is basically what we are asking is just the Federal Government to take responsibility and do a study.

We need to fully understand the scope of the problems so we can protect our children and protect the elderly from this dangerous health risk.

The House of Representatives has already twice passed a bill I introduced, H.R. 18, the Southern California Ground Remediation Act, which authorized $50 million for groundwater remediation, including perchlorate. Meanwhile, the Senate has not allowed this bill to become law. It is clear my colleagues in the House support this measure.

But our communities cannot wait any longer. That is why I have introduced this amendment to study the perchlorate contamination legacy from FUDS. This is required to advance the body of research already under way.

Ultimately, we must remember that this is a federally created problem; and, hence, the solution must be Federal as well.

Mr. HUNTER. Mr. Chairman, I just want to say to my colleague from California that he has brought an excellent amendment to the floor here, and this is certainly something that does require action, justifies action by the Federal Government, and we totally support his amendment on this side.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I rise to offer this amendment to help States all across the Nation deal with the dynamic affects of BRAC can have on their local communities. In my district alone we will incur the single largest loss and gain in the most recent round of BRAC. We will have roughly 23,000 positions vacated out of DoD leased space in Arlington, Virginia and roughly the same number of jobs added to Fort Belvoir, Virginia.

While we give warm welcome to the additional jobs coming to Fort Belvoir we must ensure that we are able to continue to observe our smart growth principles. The transportation infrastructure in the vicinity of Fort Belvoir/Southern Alexandria sector is already overburdened and inadequate. It is important that DoD has a wide array of tools at its disposal in order to work with our local community to help absorb the affects of such a massive growth.

The Defense Access Road (DAR) program currently allows DoD to pay for road projects made necessary by DoD actions. My amendment would simply allow DoD to consider transit projects as part of the Defense Access Road program as well. It does not force DoD to enforce a blanket policy because I know each community has its own specific needs and a one size fits all is simply not appropriate. Some communities could use more roads and others could use buses.

Mr. Chairman, I know my district was not the only one effected by BRAC. My amendment is important to every State across the Nation that was affected by BRAC or any other DoD action that will significantly impact their local communities. I have already received a call from the North Carolina's Governor's office supporting this effort.

Mr. Chairman, in closing I would like to thank Chairman HUNTER, Senator WARNER, and JIM MORAN for working with me to make this amendment a reality. I urge an "aye" vote.

Mr. HUNTER. Mr. Chairman, I yield back the balance of our time.

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

The Acting CHAIRMAN. The question is on the amendments en bloc offered by the gentleman from California (Mr. HUNTER).

The amendments en bloc were agreed to.

AMENDMENTS EN BLOC OFFERED BY MR. HUNTER

Mr. HUNTER. Mr. Chairman, I offer amendments en bloc.

The Acting CHAIRMAN. The Clerk will designate the amendments en bloc.

Amendments en bloc offered by Mr. HUNTER printed in House Report 109–461 consisting of amendment No. 3; amendment No. 5; amendment No. 17; and amendment No. 20.

AMENDMENT NO. 3 OFFERED BY MR. CHABOT

The text of the amendment is as follows:

At the end of subtitle D of title VI (page 229, after line 16), insert the following new section:

**SEC. 644. SENSE OF CONGRESS CONCERNING ELIGIBILITY OF CERTAIN ADDITIONAL DEPENDENT CHILDREN FOR ANNUITIES UNDER MILITARY SURVIVOR BENEFIT PLAN.**

It is the sense of Congress that eligibility for a surviving child annuity in lieu of a surviving spouse annuity under the military Survivor Benefit Plan for a child of a member of the Armed Forces dying while on active duty should be extended so as to cover children of members dying after October 7, 2001 (the beginning of Operation Enduring Freedom), rather than only children of members dying after November 23, 2003.

AMENDMENT NO. 5 OFFERED BY MR. TOM DAVIS OF VIRGINIA

The text of the amendment is as follows:

At the end of subtitle D of title XXVIII (page 504, after line 7), add the following new section:

**SEC. 2844. MODIFICATIONS TO LAND CONVEYANCE AUTHORITY, ENGINEERING PROVING GROUND, FORT BELVOIR, VIRGINIA.**

(a) CONSTRUCTION OF SECURITY BARRIER.—Section 2836 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115 Stat. 1314),

as amended by section 2846 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3527), is further amended—

(1) in subsection (b)(4), by striking ''$3,880,000'' and inserting ''$4,880,000''; and

(2) in subsection (d)—

(A) in paragraph (1), by inserting after ''Virginia,'' the following: ''and the construction of a security barrier, as applicable,''; and

(B) in paragraph (2), by inserting after ''Building 191'' the following: ''and the construction of a security barrier, as applicable''.

(b) AUTHORITY TO ENTER INTO ALTERNATIVE AGREEMENT FOR DESIGN AND CONSTRUCTION OF FAIRFAX COUNTY PARKWAY PORTION.—Such section 2836 is further amended—

(1) in subsection (b)—

(A) by amending paragraph (1) to read as follows:

''(1) except as provided in subsection (f), design and construct, at its expense and for public benefit, the portion of the Fairfax County Parkway through the Engineer Proving Ground (in this section referred to as the 'Parkway portion');''; and

(B) in paragraph (2), by inserting after ''C514'' the following: '', RW–214 (in this section referred to as 'Parkway project')'';

(2) by redesignating subsection (f) as subsection (g);

(3) by inserting after subsection (e) the following new subsection:

''(f) ALTERNATE AGREEMENT FOR CONSTRUCTION OF ROAD.—(1) The Secretary of the Army may, in connection with the conveyance authorized under subsection (a), enter into an agreement with the Commonwealth providing for the design and construction by the Department of the Army or the United States Department of Transportation of the Parkway portion and other portions of the Fairfax County Parkway off the Engineer Proving Ground that are necessary to complete the Parkway project (in this subsection referred to as the 'alternate agreement') if the Secretary determines that the alternate agreement is in the best interests of the United States to support the permanent relocation of additional military and civilian personnel at Fort Belvoir pursuant to decisions made as part of the 2005 round of defense base closure and realignment under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

''(2) If the Secretary of Defense certifies that the Parkway portion is important to the national defense pursuant to section 210 of title 23, United States Code, the Secretary of the Army may enter into an agreement with the Secretary of Transportation to carry out the alternate agreement under the Defense Access Road Program.

''(3) The Commonwealth shall pay to the Secretary of the Army the costs of the design and construction of the Parkway portion and any other portions of the Fairfax County Parkway off the Engineer Proving Ground designed and constructed under the alternate agreement. The Secretary shall apply such payment to the design and construction provided for in the alternate agreement.

''(4) Using the authorities available to the Secretary under chapter 160 of title 10, United States Code, and funds deposited in the Environmental Restoration Account, Army, established by section 2703(a) of such title and appropriated for this purpose, the Secretary may carry out environmental restoration activities on real property under the jurisdiction of the Secretary in support of the construction of the Parkway portion.

''(5) The alternate agreement shall be subject to the following conditions:

''(A) The Commonwealth shall acquire and retain all necessary right, title, and interest in any real property not under the jurisdiction of the Secretary that is necessary for construction of the Parkway portion or for construction of any other portions of the Fairfax County Parkway off the Engineer Proving Ground that will be constructed under the alternate agreement, and shall grant to the United States all necessary access to and use of such property for such construction.

''(B) The Secretary shall receive consideration from the Commonwealth as required in subsections (b)(2), (b)(3), and (b)(4) and shall carry out the acceptance and disposition of funds in accordance with subsection (d).

''(6) The design of the Parkway portion under the alternate agreement shall be subject to the approval of the Secretary and the Commonwealth in accordance with the Virginia Department of Transportation Approved Plan, dated June 15, 2004, Project #R000–029–249, PE–108, C–514, RW–214. For each phase of the design and construction of the Parkway portion under the alternate agreement, the Secretary may—

''(A) accept funds from the Commonwealth; or

''(B) transfer funds received from the Commonwealth to the United States Department of Transportation.

''(7) Upon completion of the construction of the Parkway portion and any other portions of the Fairfax County Parkway off the Engineer Proving Ground required under the alternate agreement, the Secretary shall carry out the conveyance under subsection (a). As a condition of such conveyance carried out under the alternate agreement, the Secretary shall receive a written commitment, in a form satisfactory to the Secretary, that the Commonwealth agrees to accept all responsibility for the costs of operation and maintenance of the Parkway portion upon conveyance to the Commonwealth of such real property.''; and

(4) in subsection (g), as redesignated by paragraph (2), by inserting ''or the alternate agreement authorized under subsection (f)'' after ''conveyance under subsection (a)''.

AMENDMENT NO. 17 OFFERED BY MR. RYAN OF OHIO

The text of the amendment is as follows:

At the end of subtitle C of title II (page 50, after line 23), insert the following new section:

**SEC. 2__. HIGH ALTITUDE AIR SHIP PROGRAM.**

Within the amount provided in section 201 for Research, Development, Test, and Evaluation, Air Force—

(1) $5,000,000 is available for the High Altitude Air Ship Program; and

(2) the amount provided for the Space Based Space Surveillance System is reduced by $5,000,000.

AMENDMENT NO. 20 OFFERED BY MS. SLAUGHTER

The text of the amendment is as follows:

At the end of title V (page 193, after line 20), insert the following new section:

**SEC. 5xx. INCLUSION IN ANNUAL DEPARTMENT OF DEFENSE REPORT ON SEXUAL ASSAULTS OF INFORMATION ON RESULTS OF DISCIPLINARY ACTIONS.**

Section 577(f)(2)(B) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1927) is amended by inserting before the period at the end the following: ''and the results of the disciplinary action''.

The Acting CHAIRMAN. Pursuant to House Resolution 811, the gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKELTON) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. HUNTER. Mr. Chairman, I yield myself such time as I may consume. Let me offer the description of the amendments.

Mr. CHABOT's amendment expresses a sense of Congress that the spouses of armed services members who have died between October 7, 2001, and November 23, 2003, should be permitted to have the option of assigning their SBP payments, their survivor payments, to their children.

Mr. DAVIS' amendment is another defense access road amendment. This amendment would allow DOD to consider transit projects, as well, as part of the DAR, the Defense Access Road program.

Mr. RYAN of Ohio's amendment authorizes $5 million for the High Altitude Airship program. The HAA is designed to be an uninhabited, long-endurance, platform for carrying forward-based sensors and a wide range of other BMD payloads that will enable continuous over-horizon communication. It would also provide wide-area surveillance and protection without interruption or the risk associated with manned aircraft. The offsets are $5 million from the Space Based Space Surveillance program, and this is another tool for sensor and surveillance capability.

The amendment offered by Ms. SLAUGHTER requires the Department of Defense to include the number of disciplinary actions as part of the annual report on sexual assault in the military.

So those are brief definitions or descriptions of these amendments.

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

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

Let me say I support this second en bloc series of amendments on behalf of my colleagues, in particular Mr. RYAN and Ms. SLAUGHTER, who have amendments within this en bloc package.

Mr. RYAN's amendment in this adds money for High Altitude Airship, and it moves it to the Air Force.

Ms. SLAUGHTER's amendment includes the number of disciplinary actions as part of the annual report on sexual assaults within the military.

Those as well as the others, Mr. CHABOT's and Mr. DAVIS' amendments, do meet with our support and approval and I intend to support them, and I urge my colleagues to do the same.

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

□ 1330

Mr. HUNTER. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Chairman, I thank Chairman HUNTER for his hard work, not just this year but over the years working on behalf of our men and

women in uniform who serve us so well all around the globe. He, of course, is a Vietnam veteran himself and has seen action and knows exactly what he is talking about. I commend him for his work in this area.

In November of 2003, President Bush signed into law the National Defense Authorization Act of 2004. This legislation allowed spouses of active duty personnel killed after November 23, 2003, the option of signing their military survivor benefit plan, the SBP payments, over to their child or children so they could receive the payment without being subject to SBP dependency indemnity compensation, or DIC, the offset.

Unfortunately, this option is not currently available to spouses of soldiers killed from the time period beginning October 7, 2001, which was the start of operations in Iraq and Afghanistan, until November 23, 2003, when the legislation was actually passed. There are approximately 400 families who are adversely affected by this glaring omission.

One such family who lives in my district is Shauna Moore and her 3-year-old daughter, Hannah. Their loving husband and father, Army Sergeant Benjamin Moore, was fatally shot during a rifle-training exercise at Fort Hood, Texas, in February, 2003, while preparing for deployment to Iraq. It is through these unfortunate circumstances that I have had the chance to meet and talk with Shauna Moore and hear her story.

So today I am offering an amendment that expresses the sense of Congress that the widows and widowers of these 400 brave American soldiers who gave their lives in defense of our freedoms do not remain the forgotten few.

If accepted, I am hopeful that this amendment is the start of a process by which we may allow these 400 spouses and their families to obtain the option of assigning their SBP payments to their children, just as those whose spouses died after November 23, 2003, have been given the opportunity to do.

I believe this is the least we can do for families and people like Shauna and Hannah Moore who have already had to deal with the tragedy of losing a loved one. They should not be penalized solely because their loved one made the ultimate sacrifice protecting our country after the start of the Afghanistan and Iraq wars but before November 23, 2003, when that particular legislation passed. These are 400 families that should not be forgotten. I believe my colleagues will support this.

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

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

Mr. HUNTER. Mr. Chairman, I want to thank the gentleman for bringing this to our attention. There are no more important citizens than those who defend our freedom and carry our flag; and right there with them are their family members.

I think this is an excellent amendment, and the committee supports it fully.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I rise to offer this amendment in an attempt to resolve deadlocked negotiations between the State of Virginia and the Army. For years now, the completion of the Fairfax County Parkway, a major parkway in my district, has been held hostage to complications with building through the Engineering Proving Ground. The Engineering Proving Ground was a former military airfield which has environmental concerns that are inherent of its history.

Empirical data has shown the Engineering Proving Ground is suitable for road construction. My amendment simply allows the State of Virginia and the Army the authority they need to negotiate a sensible and environmentally sound solution to complete the parkway. It allows the Army to enter into a special agreement with the State of Virginia. This agreement would authorize the State of Virginia to fund projects on the Engineering Proving Ground while allowing the Army to maintain control of the project.

I was Chairman of the Fairfax County Board back when we completed the largest section of the Fairfax County Parkway and was proud to see the road come to near completion. However, a number of years have gone by since and it is truly frustrating to all northern Virginians not to have the small portion of the parkway through the Engineering Proving Ground completed at this time.

In addition, due to the most recent round of BRAC, Northern Virginia will gain over 23,000 jobs in the Fort Belvoir area. This is equivalent to gaining four major bases—was the single largest BRAC addition in the country. Completing the Fairfax County Parkway is a critical step in setting the infrastructure we need to help assuage the welcome, but massive growth.

In closing I would like to thank Chairman HUNTER, Senator WARNER, and JIM MORAN for working with me to make this amendment a reality. I urge an aye vote.

Mr. CASTLE. Mr. Chairman, I rise to offer a simple, but much needed amendment to the legislation before us today.

In an effort to encourage defense contractors to perform at the highest level possible, the Department of Defense often gives its contractors the opportunity to collectively earn billions of dollars through monetary incentives known as award and incentive fees.

Unfortunately, the Department's acquisition process has at times run into problems such as dramatic cost increases, late deliveries, and significant performance shortfalls—wasting billions of dollars in critical funding.

Last month, the Government Accountability Office (GAO) reported that the Pentagon's current award and incentive fee practices do not hold contractors accountable for achieving desired outcomes and routinely undermine efforts to motivate contractor performance.

In its study, GAO noted that the Department regularly gives defense contractors multiple opportunities to earn incentive fees for work that at times only meets minimum standards and has wasted billions of dollars as a result of this incredibly flawed process.

The Pentagon has concurred with GAO's recommendations for improving this system, and while the Department's acknowledgment of the problem is an important step forward, the effectiveness of these changes will ultimately be determined by how well GAO's recommendations are implemented.

My amendment would ensure Congress performs appropriate oversight and would require the Department to develop a strategy for linking incentives to specific outcomes. such as meeting cost, schedule, and capability goals. It would also makes certain that appropriate approving officials are overseeing these decisions.

Cost increases and business management weaknesses damage our government's ability to provide our men and women in the military with the resources that keep us safe.

While we obviously have a lot of work ahead of us to improve the efficiency of military spending, I believe this amendment is a simple way to make certain that award and incentive fees are being used to maximize our return on investment and provide American soldiers with vital capabilities at the best value for the taxpayer.

Ms. SLAUGHTER. Mr. Chairman, I am pleased to have the opportunity to offer this very important amendment requiring the Department of Defense (DoD) to provide the results of all disciplinary actions in their annual report on sexual assault.

As part of the DoD Authorization bill in FY 2004, the DoD is required to submit annual reports on sexual assaults involving members of the Armed Forces.

This past March, DoD issued its second annual report. The military criminal investigation organizations received nearly 2,400 reports of alleged cases of sexual assault involving members of the Armed Forces—a significant increase from 1,700 cases reported in 2004.

Of the nearly 2,400 allegations, less than 1,400 cases were actually investigated—91 received non-judicial punishments, 18 were discharged in lieu of court-martial, 62 had administrative actions taken against them, and 79 offenders had been court-martialed.

However, while this annual report has been helpful in presenting the full scope of this growing problem, it fails to provide a complete understanding of how sexual assault cases are prosecuted in the military.

It does not include the results of all disciplinary actions, including Article 15s and convictions. For example, of the 79 courts-martial issued in 2006, we have no idea how many resulted in convictions.

Mr. Chairman, DoD's response to sexual assault in the military deserves more scrutiny. And as Members of Congress, it is our responsibility to provide this oversight.

In order for us to effectively address this serious problem, evaluations must be based on facts and statistics.

By including the results of all disciplinary actions in the annual report, we will have a more complete, transparent understanding of how DoD is addressing the problem of sexual assault in military.

We owe it to the men and women in uniform defending our freedom to ensure that justice is served when they find themselves victims of sexual assault.

I want to thank the Chairman for working with me on this amendment, and I urge my colleagues to support its passage.

Mr. BROWN of Ohio. Mr. Chairman, today, the House will consider an amendment offered by Congressman TIM RYAN, who represents the city of Akron, Ohio with me.

The Ryan amendment will restore $5 million in the 2007 Defense Authorization bill for the High Altitude Airship (HAA) Program. The HAA is being built at the Lockheed Martin Airdock in Akron.

The HAA is an unmanned lightweight vehicle, which will operate above the jet stream to deliver continuous over-horizon communication. In position, an airship will survey a 600-mile diameter area without the risks associated with manned aircrafts.

The HAA will be used for missile defense, but also to provide border surveillance and emergency communication tools to improve homeland security.

This project is expected to create close to 100 jobs, protect more than 500 current jobs, and bring some $130 million in technology development investments to the Akron area.

I am proud to support the HAA Program. It positions Summit County at the heart of the development of this national security technology and will strengthen Ohio's economic base.

Though I wish the House Armed Services Committee had authorized full funding for the HAA, the Ryan amendment provides an opportunity to keep this critical initiative moving forward.

I appreciate the Chairman's support in this effort and urge all of my colleagues to join me in voting for the Ryan amendment.

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

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

The Acting CHAIRMAN. All time for debate has expired.

The question is on the second set of amendments en bloc offered by the gentleman from California (Mr. HUNTER).

The amendments en bloc were agreed to.

AMENDMENT NO. 6 OFFERED BY MR. DENT

Mr. DENT. 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. 6 printed in House Report 109–461 offered by Mr. DENT:

Page 427, line 14, insert '', in coordination with the Secretary of Homeland Security,'' after ''Secretary of Defense''.

Page 427, line 15, insert ''–Homeland Security'' after ''Homeland Defense''.

Page 427, line 21, insert ''–Homeland Security'' after ''Homeland Defense''.

Page 427, after line 24, insert the following new paragraph (2) (and redesignate existing paragraphs accordingly):

(2) the Department of Homeland Security;

Page 428, line 7, insert ''–Homeland Security'' after ''Defense''.

Page 428, line 19, insert ''and the Department of Homeland Security'' after ''Defense''.

Page 429, line 1, insert ''and the Secretary of Homeland Security'' after ''Defense''.

Page 429, line 13, insert ''and in coordination with the Secretary of Homeland Security'' after ''Defense''.

Page 429, line 22, insert ''–Homeland Security'' after ''Homeland Defense''.

Page 430, line 10, insert ''or the Department of Homeland Security'' after ''Defense''.

Page 431, line 4, insert '', in coordination with the Secretary of Homeland Security,'' after ''Secretary of Defense''.

Page 431, line 11, insert ''–Homeland Security'' after ''Homeland Defense''.

Page 431, line 18, insert ''–Homeland Security'' after ''Homeland Defense''

The Acting CHAIRMAN. Pursuant to House Resolution 811 the gentleman from Pennsylvania (Mr. DENT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

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

First, I thank Chairman HUNTER and the ranking member, Mr. SKELTON, for their leadership on this very important piece of legislation.

I rise today to offer an amendment to title XIV to H.R. 5122 that would ensure that the Department of Defense and the Department of Homeland Security work together as part of a homeland defense-homeland security technology transfer consortium to facilitate the transfer of viable DOD technologies in order to enhance the homeland security capabilities of Federal, State, and local first responders.

The Department of Defense has been a leading developer of technology for years, and some of the innovations it has pioneered may have outstanding homeland security applications. These types of technologies include: unmanned aerial vehicles, UAVs; ground sensors which help authorities monitor activities over vast expanses of terrain; biometric identification technologies which can assist in the creation of tamper-proof identity cards; radiological detectors which can monitor the transport of nuclear and other potentially dangerous materials; and sophisticated surveillance equipment, examples of which include night vision goggles and microwave and infrared imaging gear.

While these technologies have been helpful to our warfighters overseas, the Federal, State and local agencies charged with protecting us here at home could also make good use of these kinds of products. Unfortunately, the process of transferring these technologies from the military to the civilian sector has been a bit slow.

As a member of the Homeland Security Committee, I would like first responders and other appropriate authorities to have quicker access to and to make good use of these technologies.

Accordingly, my amendment would provide for the creation of a homeland defense-homeland security technology transfer consortium that would facilitate this transfer. It specifically calls for the inclusion of the Department of Homeland Security, which is already in the process of developing and utilizing many of these technologies that I have just described.

Within this consortium, it also brings State and local first responders into the deliberative process. The consortium will be involved in integrating new technologies into appropriate first responder exercises, in promoting interoperability, and, of course, in identifying and developing those defense technologies that have the most promising applications for homeland security.

By facilitating these kinds of transfers, Federal, State, and local agencies can work better together and can function more efficiently and the homeland can be safer.

I thank Chairman HUNTER and the ranking member, Mr. SKELTON, for their leadership on this issue.

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

Mr. REYES. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though I am not opposed to the amendment as stated.

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

There was no objection.

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

Mr. Chairman, as a veteran of 26½ years of working with the Border Patrol, I understand and appreciate the necessity of Mr. DENT's amendment that requires close cooperation between the Secretary of Defense and the Secretary of the Department of Homeland Security.

More than ever today, post-9/11 and with the many different challenges that we face with the potential of another strike against our country, it is critical, it is imperative that we continue to urge both the Department of Defense and the Department of Homeland Security to do as much as possible to cooperate, share information, and provide a unified front and protection for our country.

This is a way of ensuring that we codify that cooperation by expressly putting it into the legislation that this cooperation take place. It is critical. It is vital; and based on my experience where there has been a tremendous amount of cooperation traditionally between the Department of Defense and agencies such as the Border Patrol, for Border Patrol operations on the border itself, I believe that this is a good amendment.

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

Mr. DENT. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. HUNTER), the distinguished chairman of the Committee on Armed Services.

Mr. HUNTER. Mr. Chairman, it is especially appropriate to be able to follow the gentleman from El Paso, Mr. REYES, who was in my estimation the greatest Border Patrol chief in the history of our country. He did a tremendous job under very challenging odds.

I remember working with him long before he became a Representative in the most southern areas of Texas and then ultimately up in the El Paso area. One thing that challenged him and challenged us in San Diego in more recent times was tunneling. Of course, detection of tunnels is something that the military engages in every now and

then, and that is a good example of candidate technologies for sharing of technology between DOD and the Department of Homeland Security.

Likewise, surveillance sensors, it has always been a pleasure to go down with the gentleman from El Paso, go down to his district with Joint Task Force 6 and look at that interaction. And I really appreciate Mr. DENT coming up with this amendment that will move to mesh these technologies and make sure that when the American taxpayers pay for the development of something that will accrue to the benefit of our security, that it gets shared and gets moved across what is sometimes kind of a bright line between the military and the Department of Homeland Security.

You have done a great job and thank you for bringing this amendment to our attention. We support it fully.

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

I thank everybody involved for their support for this amendment. Its interdisciplinary approach is most appropriate. This transfer technology consortium is long overdue. As has been stated several times already, there is so much technology coming out of the Department of Defense that needs to be shared with the homeland security. Of course, this will also make its way down to our first responders, State and local first responders.

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

Building on the comments of my good friend and my chairman, I can attest to all of the cooperation, having spent 26½ years in the Border Patrol, to all of the cooperation since the creation of Joint Task Force 6, which was headquartered in my district, now Joint Task Force North. The number of projects and programs that the Department of Defense provides support to both State, local, and Federal agencies, and in specific consortium projects such as building roads, building infrastructure support such as strategic fencing in certain parts of the border area, that greatly acts as a barrier and as a force multiplier for our Border Patrol agents.

So there are many, many things that the Department of Defense is doing and has done that provide that kind of support to the Department of Homeland Security, formerly Border Patrol and INS.

I know in the next amendment we are going to be debating the issue of giving the Secretary the flexibility to send troops on the border, and I just want to state here in anticipation of leading the debate on that issue, as a Member that represents a border district, we do not need troops on the border. Sufficient support is already coming from the Department of Defense. The reality of this is there are other things that I will address at that time that we could be doing and that we should have done as a result of the law that we passed in 1986.

Mr. Chairman, I appreciate the opportunity to support Mr. DENT in his amendment.

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

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

The Acting CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from Pennsylvania (Mr. DENT).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. GOODE

Mr. GOODE. 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. 8 printed in House Report 109–461 offered by Mr. GOODE:

At the end of subtitle C of title X (page ____, after line ____), add the following new section:

**SEC. 1026. ASSIGNMENT OF MEMBERS OF THE ARMED FORCES TO ASSIST BUREAU OF CUSTOMS AND BORDER PROTECTION AND UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT.**

(a) ASSIGNMENT AUTHORITY OF SECRETARY OF DEFENSE.—Chapter 18 of title 10, United States Code, is amended by inserting after section 374 the following new section:

**"§ 374a. Assignment of members to assist border patrol and control**

''(a) ASSIGNMENT AUTHORIZED.—Upon submission of a request consistent with subsection (b), the Secretary of Defense may assign members of the Army, Navy, Air Force, and Marine Corps to assist the Bureau of Customs and Border Protection and the United States Immigration and Customs Enforcement of the Department of Homeland Security—

''(1) in preventing the entry of terrorists, drug traffickers, and illegal aliens into the United States; and

''(2) in the inspection of cargo, vehicles, and aircraft at points of entry into the United States to prevent the entry of weapons of mass destruction, components of weapons of mass destruction, prohibited narcotics or drugs, or other terrorist or drug trafficking items.

''(b) REQUEST FOR ASSIGNMENT.—The assignment of members under subsection (a) may occur only if—

''(1) the assignment is at the request of the Secretary of Homeland Security; and

''(2) the request is accompanied by a certification by the Secretary of Homeland Security that the assignment of members pursuant to the request is necessary to respond to a threat to national security posed by the entry into the United States of terrorists, drug traffickers, or illegal aliens.

''(c) TRAINING PROGRAM REQUIRED.—The Secretary of Homeland Security and the Secretary of Defense, shall establish a training program to ensure that members receive general instruction regarding issues affecting law enforcement in the border areas in which the members may perform duties under an assignment under subsection (a). A member may not be deployed at a border location pursuant to an assignment under subsection (a) until the member has successfully completed the training program.

''(d) CONDITIONS OF USE.—(1) Whenever a member who is assigned under subsection (a) to assist the Bureau of Customs and Border Protection or the United States Immigration and Customs Enforcement is performing duties pursuant to the assignment, a civilian law enforcement officer from the agency concerned shall accompany the member.

''(2) Nothing in this section shall be construed to—

''(A) authorize a member assigned under subsection (a) to conduct a search, seizure, or other similar law enforcement activity or to make an arrest; and

''(B) supersede section 1385 of title 18 (popularly known as the 'Posse Comitatus Act').

''(e) ESTABLISHMENT OF ONGOING JOINT TASK FORCES.—(1) The Secretary of Homeland Security may establish ongoing joint task forces if the Secretary of Homeland Security determines that the joint task force, and the assignment of members to the joint task force, is necessary to respond to a threat to national security posed by the entry into the United States of terrorists, drug traffickers, or illegal aliens.

''(2) If established, the joint task force shall fully comply with the standards as set forth in this section.

''(f) NOTIFICATION REQUIREMENTS.—The Secretary of Homeland Security shall provide to the Governor of the State in which members are to be deployed pursuant to an assignment under subsection (a) and to local governments in the deployment area notification of the deployment of the members to assist the Department of Homeland Security under this section and the types of tasks to be performed by the members.

''(g) REIMBURSEMENT REQUIREMENT.—Section 377 of this title shall apply in the case of members assigned under subsection (a).''.

(b) COMMENCEMENT OF TRAINING PROGRAM.—The training program required by subsection (c) of section 374a of title 10, United States Code, shall be established as soon as practicable after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 374 the following new item:

''374a. Assignment of members to assist border patrol and control''.

The Acting CHAIRMAN. Pursuant to House Resolution 811, the gentleman from Virginia (Mr. GOODE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

□ 1345

Mr. GOODE. This is an amendment that we have addressed in the past. This amendment would authorize but not mandate the Secretary of the Department of Homeland Security, working with the Secretary of the Department of Defense, to utilize troops, if necessary, to protect our borders in peace time in a nonemergency situation.

The gentleman from Texas, who had a long and distinguished career with the Border Patrol, indicates that we don't need troops on the border now. I would certainly say that the massive invasion from Mexico into this country on a daily basis that reaches thousands upon thousands in numbers day after day and month after month and year after year, we need something. And just having this authority, in my opinion, would enhance our border security so that it could be utilized in peace time in a nonemergency situation to supplement the Border Patrol and other efforts to secure our borders.

I reserve the balance of my time.

Mr. REYES. Mr. Chairman, I rise in opposition to the Goode amendment.

The Acting CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. REYES. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, this is the amendment that I rise in opposition to that I was talking about in the previous conversation. Every year we debate this issue, irrespective of the cooperation that is ongoing, has been ongoing for many, many years from the Department of Defense, that provides technical expertise, that provides construction support, that provides technical support, that provides, even on a limited basis, operational specialized support on that border.

The reality of this amendment is that it is very expensive. It provides authority to the Department of Defense that already exists with the President of the United States should an emergency come up or an emergency exist. It is a bad idea because we need trained, experienced professionals on that border. That border is way too dangerous for us to be sending troops that are trained primarily for combat into a law enforcement situation, understanding that that capability is in reserve, because the President of the United States has that authority.

So I would hope that we would stop bringing these kinds of amendments, because they really are not useful and are counterproductive to our enforcement presence on the border.

I reserve the balance of my time.

Mr. GOODE. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Chairman, I appreciate the difference of opinion in the people's House. I listened with great interest to my friend from Texas. Indeed, when this question was before the House on prior occasions, at least a couple of times in my time in this Congress, I sided with my friend from Texas.

And yet, we have been overtaken by current events and a literal admonition from the Constitution of the United States, article IV, section 4: ''The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion.''

Mr. Chairman, my colleagues, regrettably, in my home State of Arizona, especially along the width and breadth of our southern border, our Nation is being invaded. And not only is it those coming to our country illegally seeking work, the sad fact is, according to the Department of Homeland Security, in the year 2004, 650 people from nations of a ''national security interest'' to the United States, in other words, enemies of this Nation, at least 650, crossed the border illegally.

It has been documented in my State that nightly between 6,000 and 6,500 attempt to gain illegal access to the United States of America. Some within that group are people who intend our Nation harm.

People say we are in a nonemergency situation. Mr. Chairman, my colleagues, I say quite the opposite is true. I say, and I believe Members of this House and the American Nation as a whole understand, that in many areas, our borders, sectors of our borders, have essentially devolved into de facto war zones.

''Yes'' to this amendment. ''Yes'' to dealing with this emergency. ''Yes'' to our military on the border. ''Yes'' to stopping this invasion.

Mr. REYES. Mr. Chairman, I yield 1 minute to my friend and former sheriff, who represents a border district, Congressman ORTIZ.

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

Mr. ORTIZ. Mr. Chairman, this is very simple. The Department of Defense says, Goode amendment, we don't need it.

Under present law, the Homeland Security Secretary can call the Secretary of Defense and state that, you know, he needs troops. It is very, very simple because under existing law, it says he can request of the Secretary of Defense assistance from the Armed Forces.

In fact, in 2002, the Secretary of Defense authorized such support on a reimbursable basis to organizations formerly components of the Department of Justice and Department of the Treasury and currently components of the Department of Homeland Security. So why do we want something else that we don't need?

Not only that, do you know that they will have to spend more money that the Department of Defense doesn't have to train?

Oppose this amendment, and when we come to the wall I would just hate for one day for the President of Mexico to come down and say, Mr. President, tear down this wall.

Our servicemen/women are spread too thin.

This is never a good idea, but certainly not in a time of war . . . to put soldiers in a new, civilian role . . . which has previously resulted in accidental deaths.

This damages our readiness.

I have been a law enforcement officer, and served in the Army. We are talking about two vastly different things—protecting the borders—and using the military in law enforcement.

This new war includes a host of fronts, including law enforcement for domestic interests related to terrorists who try to cross our borders.

I've led efforts for more border security: our investment should be in Border Patrol officers and detention beds to hold the OTMs—Other Than Mexicans—we now routinely release into the general population.

Even if we caught every single illegal immigrant crossing our border, we would still have no place to hold them, and we would be forced to release them—as we are doing now.

We should be focused on the need for professional law enforcement officers/intelligence associated with knowing who is coming across our borders . . . and providing funds to hold them.

Mr. GOODE. Mr. Chairman, I yield myself 30 seconds.

In response to what the gentleman from Texas was saying, we are talking about the authorization for troops to be on the border in nonemergency situations. If you allow troops on the border in nonemergency situations, you will see lawsuits, litigations and potential for liability for anything that happens along the border involving those troops.

We need to secure America and authorize troops in peace time in nonemergency situations along the border.

Mr. REYES. Mr. Chairman, it is now my pleasure to yield 1 minute to my colleague from Laredo, Congressman CUELLAR, also representing a border district.

Mr. CUELLAR. Mr. Chairman, I respectfully disagree with Mr. GOODE. I understand why he wants to protect the border, but being from the border, I understand that the military already provides technical support, construction of roads, clearing of brush; but they do have a very different mission from the Border Patrol.

What we need to do is keep in mind that the Border Patrol's mission is to enforce immigration law. What we need is a smart, tough, border security policy, not the military, and certainly not a wall, but more technology and more Border Patrol agents.

Being from the border, I understand what we need to work on, and I would ask the House to please consider the Members from the border that do live there and live there on a daily basis.

Mr. GOODE. Mr. Chair, I yield myself the remaining time.

There can be no question that in this country, at this time, we have a huge problem along the southern border. As the Congressman from Arizona indicated, we are being massively invaded every day by hundreds and thousands of persons. Drug smugglers are among this number. Persons from terrorist countries are among this number. We need to use every tool we possibly can to address this situation. We need to authorize troops on the border in peace time, and we need some rough and tough people down there to get this situation straight because it is certainly not straight today.

Stand up for preserving the integrity of the United States of America and vote ''yes'' for troops on the border.

Mr. REYES. Mr. Chairman, it is very clear, every year we come to the floor and we talk tough about putting troops on the border. It is expensive. The Department of Defense already has that authority. The President can direct it at any time based on whatever situation he is made aware of.

One of the things that I would like to tell my colleagues is that we are often here talking about issues and about problems and providing solutions. One of the things, an observation that I will

make about us is that oftentimes we are very hypocritical about the things that we say versus the things that we do in the people's House.

In 1986, we passed employer sanctions to address the pull factor in the issue of illegal immigration and immigration reform. This Congress failed to fund employer sanctions, failed to fund the very vehicle that would have addressed the pull factor.

For the last 10 years that I have been in Congress, we have been debating troops on the border. I would say to my good friend from West Virginia, my good friend from Arizona, my good friend from California, if we are interested in controlling the border, if we are truly interested in doing a good job for the American people, then let's fund employer sanctions. And short of that, let's fund H.R. 98, which gives us a fraud-proof Social Security card and a system where employers would be accountable. You would eliminate the pull factor. We wouldn't need to have this useless debate on troops on the border.

Vote ''no'' on the Goode amendment.

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

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

Mr. REYES. 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 Virginia will be postponed.

AMENDMENT NO. 15 OFFERED BY MS. MILLENDER-MCDONALD

Ms. MILLENDER-McDONALD. 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. 15 printed in House Report No. 109–461 offered by Ms. MILLENDER-McDONALD:

At the end of title X (page 393, after line 23), insert the following new section:

**SEC. ___. DETERMINATION OF DEPARTMENT OF DEFENSE INTRATHEATER AND INTERTHEATER AIRLIFT AND SEALIFT MOBILITY REQUIREMENTS.**

(a) DETERMINATION OF REQUIREMENTS.—The Secretary of Defense, as part of the 2006 Mobility Capabilities Study, shall determine Department of Defense mobility requirements as follows:

(1) The Secretary shall determine intratheater and intertheater airlift mobility requirements and intratheater and intertheater sealift mobility requirements (all stated in terms of million ton miles per day) for executing each scenario that was modeled in the 2005 Mobility Capabilities Study and each scenario that is modeled in the 2006 Mobility Capabilities Study.

(2) The Secretary shall determine intratheater and intertheater airlift mobility requirements and intratheater and intertheater sealift mobility requirements (all stated in terms of million ton miles per day) for executing the National Military Strategy with a low acceptable level of risk, with a medium acceptable level of risk, and with a high acceptable level of risk, for each of the following:

(A) Major combat operations.

(B) The Global War on Terrorism.

(C) Baseline security posture operations.

(D) Homeland defense and civil support operations.

(E) Special operations missions.

(F) Global strike missions.

(G) Strategic nuclear missions.

(b) REPORT.—Not later than February 1, 2007, the Secretary of Defense shall submit to the congressional defense committees a report providing the mobility requirements determined pursuant to subsection (a). The report shall set forth each mobility requirement specified in paragraph (1) or (2) of that subsection.

(c) MOBILITY CAPABILITIES STUDIES.—For purposes of this section:

(1) The term ''2006 Mobility Capabilities Study'' means the studies conducted by the Secretary of Defense and the Joint Staff during 2006 as a follow-on to the 2005 Mobility Capabilities Study.

(2) The term ''2005 Mobility Capabilities Study'' means the comprehensive Mobility Capabilities Study completed in December 2005 and conducted through the Office of Program Analysis and Evaluation of the Department of Defense to assess mobility needs for all aspects of the National Defense Strategy.

The Acting CHAIRMAN. Pursuant to House Resolution 811, the gentlewoman from California (Ms. MILLENDER-McDONALD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. MILLENDER-McDONALD. Mr. Chairman, I rise today to ask support of my colleagues for this amendment that I am offering which calls for the Secretary of Defense to include as part of the 2006 update of the Mobility Capability study, a comprehensive analysis of future air lift and sea lift mobility requirements.

This study would examine both the strategic and intratheater mobility requirements with full consideration of all aspects of the national security strategy, and will analyze low, medium, and high risk alternatives.

The new analysis will be delivered to Congress by February 4, 2007.

One would ask why this study is important. There has not been a study that examines our Nation's air lift requirements since prior to 9/11.

□ 1400

Contrary to past mobility studies, the most recent study analyzed only the capabilities of the current programmed airlift fleet, but it did not analyze the Nation's airlift requirements. There is a big difference between studying capabilities and studying requirements when prescribing future airlift force level recommendations.

DOD's definition of a military requirement is an established need justifying the timely allocations of resources to achieve a capability to accomplish approved military objectives, missions or tasks, all called operational requirements. Now translated into layman's terms, this means one cannot effectively allocate resources to achieve a given capability, in this case airlift resources, without first knowing what the requirement is.

In 2001, our airlift fleet requirements were at 54.5 million ton-miles per day. The question that this study asks and seeks to have answered is, what is the quantitative yardstick that describes the required airlift needs. Is 54.5 million ton-miles per day enough airlift? Do we need more? The mobility capability study alone does not give us this needed information.

As we are all aware, there have been significantly more requirements pressed upon our airlift fleet over the past 5 years. The world we live in has changed a great deal. For example, we know our Nation has been attacked by terrorists. We are engaged in an ongoing global war on terrorism. Hurricane Katrina had ravaged the gulf coast region, and we have repeatedly been summoned to help with global humanitarian efforts, particularly natural disasters such as the tsunami and earthquakes. All of these occurrences have called upon our Nation's airlift resources.

Furthermore, what concerns me the most is that there does not appear to be a comprehensive approach to addressing our Nation's future airlift demands.

Last February, the Pentagon released the Quadrennial Defense Review, QDR, the 20-year blueprint of our Defense Department needs and projections. Specifically, the QDR recommended the ability to swiftly defeat two adversaries in overlapping military campaigns with the option of overthrowing a hostile government in one.

However, in the 2001 strategy, the U.S. military was to be capable of conducting operations in four regions abroad, Europe, the Middle East, the Asian littoral and Northeast Asia. But the new plan states that the past 4 years demonstrated the need for U.S. forces to operate around the globe and not only in these four regions.

Whatever that scenario is, Mr. Chairman, clearly we need more air cargo planes, and we know this by experience too. Take the C–17, an air cargo plane, for example. This air cargo plane is being flown over 167 percent over the normal hours scheduled to deliver supplies to the war theaters where most planes cannot land, as well as the many humanitarian missions in which our country is engaged.

Since 9/11/01, the C–17 has flown 59 percent or about 358,000 additional miles more than was originally scheduled. The C–17 has been on the front line of the war in Iraq and Afghanistan. Eighty percent of our airlift missions in these battlefronts are done by the C–17.

Finally, Mr. Chairman, after only 15 years in commission, the C–17 fleet just recently reached its 1 millionth flying hour. The C–17, though, is just one example, but it is an excellent one and an excellent example of how much our Nation is relying on our airlift fleet.

This study will provide a basis for determining the future of our Nation's airlift fleet. This is about providing our military with the tools to succeed, and it is about fiscal responsibility, and most importantly, it is about national security.

I ask my colleagues to support this important amendment.

I reserve the balance of my time.

Mr. SAXTON. Mr. Chairman, I rise to claim time in opposition to the amendment, even though I am not in opposition to the amendment.

The Acting CHAIRMAN (Mr. BONILLA). Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SAXTON. Mr. Chairman, I rise in strong support of the amendment of the gentlewoman from California, and I commend her for her thoughtfulness for bringing this matter to the House in the form of an amendment.

This amendment will allow proper congressional oversight for the mobility system to ensure that our Nation's future force structure and capabilities will be able to meet the well-defined requirements that certainly exist, existed prior to September 11, 2001, and certainly exist to an even greater extent today.

Over the past few month, there have been significant changes in the Department of the Air Force's position on the necessity of purchasing additional C–17 aircraft beyond the currently contracted 180. Senior leaders of the Department of Defense have stated requirements ranging from 187 to more than 222 C–17 aircraft in the fleet.

However, the last comprehensive analysis of mobility requirements was released 5 years ago, prior to 9/11, when the global war on terror had commenced.

The underlying bill, H.R. 5122, includes provisions to authorize funding for an additional three C–17 aircraft, allow for the retirement of the 1960s vintage C–5A fleet, that has rarely lived up to its operational expectations, and set a minimum floor of 299 for strategic airlift aircraft, which is a necessity and a necessary first step in meeting our Nation's growing airlift requirements.

This amendment, directing the mobility requirements study, will enhance our ability to identify the correct future actions needed to support our Nation's airlift missions capability.

Therefore, Mr. Chairman, I fully support this amendment, and I urge all of my colleagues to do the same.

I would yield to the gentleman from California (Mr. CALVERT).

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

I certainly want to support the gentlewoman's amendment also. Representative MILLENDER-MCDONALD's amendment is certainly one on which we should all agree. This is something that needs to be clearly defined and stated, that airlift and sealift requirements to ensure our Nation's future mobility force structure capabilities are able to meet future needs.

In this war, 70 percent of the cargo missions have been flown by C–17s. That is a 60 percent increase over the military's own prewar anticipated usage of the plane. In addition to military uses, C–17s have been used in humanitarian efforts to bring food and supplies to victims of Hurricane Katrina and to the Far East disasters there last year.

Senior leaders at the DOD can't seem to find clearly the exact number of C–17s required. The Chief of Staff of the Air Force states 187 TRANSCOM and Air Mobility Commander stated 200 C–17s are required. The former TRANSCOM commander, General Handy, whom I respect immensely, stated that 225 C–17s are required.

In addition to senior leaders of DOD, the Defense Science Board, in a report dated September 2005, raised concerns about the adequacy of the Pentagon's organic and strategic sealift and aerial tankers.

Therefore, I support this amendment so we can get on to fulfill our congressional oversight responsibility and ensure that our mobility system adequately supports current and future force structure requirements.

Mr. SAXTON. I reserve the balance of my time.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I just want to say that this comprehensive analysis is critically needed for our military might, for our strength in doing those things that are asked of us with the airlift cargo; and it is not only fiscally responsible, but it is national security.

I ask support for the amendment.

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

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

The Acting CHAIRMAN. All time having expired, the question is on the amendment offered by the gentlewoman from California (Ms. MILLENDER-MCDONALD).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. GOHMERT

Mr. GOHMERT. 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. 7 printed in House Report 109–461 offered by Mr. GOHMERT:

At the end of subtitle D of title XXVIII (page 504, after line 7), add the following new section:

**SEC. 2844. SENSE OF CONGRESS REGARDING LAND CONVEYANCE INVOLVING ARMY RESERVE CENTER, MARSHALL, TEXAS.**

It is the sense of Congress that the Secretary of the Army should consider the feasibility of conveying the Army Reserve Center at 1209 Pinecrest Drive East in Marshall, Texas, to the Marshall-Harrison County Veterans Association for the purpose of assisting the efforts of the Association in erecting a veterans memorial, creating a park, and establishing a museum recognizing and honoring the sacrifices and accomplishments of veterans of the Armed Forces.

The Acting CHAIRMAN. Pursuant to House Resolution 811, the gentleman from Texas (Mr. GOHMERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. GOHMERT. Mr. Chairman, this is a simple amendment that expresses simply a sense of Congress that the Secretary of the Army should consider conveying the U.S. Army Reserve Center in Marshall, Texas, to the Marshall-Harrison County Veterans Association for the purpose of erecting a veterans memorial, creating a park, and converting the present building to a veterans museum to recognize and honor the accomplishments of our Armed Forces.

I have received letters, phone calls and personal visits about such a project. Harrison County, back in the 1990s, had closed a huge Army facility. There were thousands of people that lost jobs, and now BRAC has recommended closing a reserve center there.

This is not trying to undo the BRAC process whatsoever. BRAC is already closing the reserve center. What this will do is allow them to transfer this.

We have a letter from the Army indicating this should be surplus, less than 3 acres. This will allow them to have a veterans museum, a veterans center, a place veterans can go, many of whom will never have the opportunity to come here to Washington, D.C., to see the museums and see the memorials. And it will give them a chance there in East Texas where there have already been so many jobs lost because of BRAC.

This is a bipartisan issue in the county. There are Democrats and Republicans both that are urging and pushing for this, and I was proud to go ahead and bring this amendment as a sense of Congress to urge that this is something that could be done. It will help the community in an area there in east Texas.

Recruiting is up, recruiting is going well, but it further emphasizes and will give an opportunity to emphasize the importance of valor, duty, honor, country.

I would like to thank Chairman HUNTER and his committee for their hard work on this bill that will undoubtedly benefit our Armed Forces. I would ask that this amendment also be added to the bill to assist those folks there in Harrison County.

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

Mr. ORTIZ. Mr. Chairman, I rise to claim the time in opposition to the amendment; however, I do not intend to vote against the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. ORTIZ. I think this is a good amendment and we accept the 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 Texas (Mr. GOHMERT).

The amendment was agreed to.

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

Mr. Chairman, I have a colloquy with the gentlewoman from Colorado (Mrs. MUSGRAVE). I would yield to the gentlewoman for purposes of the colloquy.

Mrs. MUSGRAVE. Mr. Chairman, I have recently become aware that the Army is considering expansion of the Pinon Canyon Maneuver Area in Colorado. I have two concerns about this expansion plan.

First, the Army hasn't been responsive to my questions about their plans. Second, I am troubled that the Army may use eminent domain or unfriendly condemnation to acquire property in that area.

You are probably aware that I offered an amendment for today's debate that would help the farmers and ranchers in my area get information about this and would limit the powers of eminent domain, but the Rules Committee did not make that amendment in order and we can't debate it.

But I would appreciate, Mr. Chairman, your assistance in getting information on this proposal by the Army.

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I am very disappointed in the lack of response, and I hope the chairman can use the power of your committee to assist me and the rest of the Colorado delegation in this matter. Remarkably, when my office called the Army on this, they said it was ''an academic discussion.'' Thus, they refused to provide any details at all.

Mr. Chairman, I would appreciate your thoughts on this matter.

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

Mrs. MUSGRAVE. I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, I appreciate the gentlewoman's concerns. First, I strongly believe that DOD should make every effort to acquire property through fair-market value purchases from willing sellers. The use of eminent domain or unfriendly condemnation should only be used as a measure of last resort in cases of compelling national security requirements.

So I would be very pleased to work with the gentlewoman as a representative of the farmers and ranchers surrounding Pinon Canyon to ensure that the Army does not use eminent domain before exhausting all other options.

Secondly, I would note that the defense bill before us today contains a provision that makes sure that Congress has oversight of DOD plans to use eminent domain, as its application is a matter of great concern to all of us.

Finally, I would be happy to work with the Colorado delegation to talk to the Army and ensure that they are very forthcoming in discussing plans for the expansion of Pinon Canyon. Having a good relationship with our communities is an important obligation of the armed services, and they should certainly sit down with their elected representatives and discuss their plans and any issues that will concern the community.

I will be happy to help the gentlewoman on this issue.

Mrs. MUSGRAVE. Reclaiming my time, I thank the chairman for your commitment to work on this issue, and I look forward to working with you.

AMENDMENT NO. 9 OFFERED BY MS. HOOLEY

Ms. HOOLEY. 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. 9 printed in House Report 109–461 offered by Ms. HOOLEY:

At the end of subtitle C of title III (page 70, after line 16), add the following new section:

**SEC. 324. ARMY NATIONAL GUARD AUTHORITY TO CONTRACT AND MANAGE CH–47 HELICOPTER RESET.**

The Army and the National Guard Bureau are authorized to contract with a United States contractor to perform the RESET of the CH–47 helicopters assigned to the Nevada and Oregon National Guard in order to reduce the non-operational rate of their CH–47 fleet. Costs, completion time, and maintenance capabilities shall be the major considerations in the process used by the Army and National Guard Bureau in selecting the contractor to perform the RESET activity.

AMENDMENT NO. 9, AS MODIFIED, OFFERED BY MS. HOOLEY

Ms. HOOLEY. Mr. Chairman, I ask unanimous consent that my amendment be considered in accordance with this modification.

The Acting CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

The amendment as modified is as follows:

At the end of subtitle C of title III (page 70, after line 16), add the following new section:

**SEC. 324. REPORT ON CH–47 HELICOPTER RESET.**

Not later than 60 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report that outlines the plan of the Army to reset all CH–47 aircraft in the active and reserve components. The Secretary shall include in the report a description of the plan, the timeline, and the costs for the reset of those aircraft.

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

The Acting CHAIRMAN. Without objection, the modification is accepted, and, without objection, the amendment is considered as read.

There was no objection.

The Acting CHAIRMAN. The gentlewoman from Oregon is recognized for 5 minutes.

Ms. HOOLEY. Mr. Chairman, I rise today in support of this amendment, which has the support of all of my colleagues in the Oregon delegation. Our amendment, as agreed to by the chairman and the ranking member, would require the Secretary of the Army to supply Congress with a report no later than 60 days from the enactment of this act that outlines the Army's plan regarding the receipt of all CH–47 aircraft in the active and Reserve components.

I would like the record to reflect that it is my intent that this report should include a description of the Army's plan, timeline and the cost for the reset of those aircraft. I also believe that the Secretary should include the status of the current backlog and the options that currently exist to accelerate the reset program.

I want to thank Chairman HUNTER and Ranking Member SKELTON for working with us on this important issue to address our concerns. I look forward to working with them in the future to address the problems and obstacles that I anticipate will be identified in the Secretary's report regarding the reset program.

Mr. Chairman, I yield such time as he may consume to my colleague, the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate my colleague permitting me to speak on this. As she indicated, this is a bipartisan amendment sponsored by the entire Oregon House delegation.

Our interest is making sure that the men and women in our armed services have access to the best possible equipment. Currently, the efforts that have been under way overseas and at home have put a great deal of stress and strain. We have had people in the Northwest explain to us opportunities that they think are available to both save money and to improve opportunities to make sure that the equipment is recycled, brought up to par as quickly and as efficiently as possible. I think having a report from the Secretary of the Army in this fashion will help spotlight this opportunity.

We are confident that we will see real opportunities to save money while we improve the equipment that our men and women are dealing with. I appreciate the cooperation both from the Oregon delegation and from the staff on the minority and the majority in helping move forward so we have got some good information. I express my appreciation to the Chair and to the ranking member.

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

Ms. HOOLEY. I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, I want to thank the gentleman and the gentlewoman for their contribution here, and just assure them we are very interested in making sure that this equipment, some of which has been wearing out pretty quickly in the desert sand in the warfighting theaters, is maintained in excellent condition, both with our great in-house resources and our depots and with the private sector, so we use all of our resources in the U.S. to make sure we have got good, sound platforms.

The committee has no objection to the amendment. We thank you for adding it to the base bill.

Mr. BLUMENAUER. Mr. Chairman, if the gentlewoman will yield further, to the extent any time is available, I appreciate the chairman's words and for emphasizing that we want to be able to take advantage of the resources where they are. Whether they are the folks we have right now in the armed services or the private sector, the goal is to do the best job possible with the resources. We appreciate your cooperation and your words of support.

Mr. DEFAZIO. Mr. Chairman, I just want to say a few words about a compromise amendment that my colleagues and I in the Oregon delegation negotiated with the leadership of the House Armed Services Committee.

Our amendment requires the Army to send a report to Congress within 60 days of enactment of this bill regarding the Chinook helicopter Reset program. The Reset program repairs and restores helicopters to their precombat deployment condition. The report requires the Army to explain its plan to reset all active duty and reserve component helicopters, including the timeline and cost for doing so.

The reason my colleagues and I offered our original amendment is because of a dangerous situation facing the Oregon National Guard. The Oregon National Guard is authorized to have six Chinook helicopters. One was destroyed on a mission. One is too old and will be turned in to the Pentagon. The other four need to go through reset after being deployed to combat zones.

Timely repairs and rehabilitation are essential to ensuring the Oregon National Guard has the equipment necessary for responding to public safety threats, including forest fires, as well as other state emergencies, homeland defense, and proficiency training.

Unfortunately, timely repairs are not happening today. Due to the influx of aircraft returning from overseas and in need of repair, the Army depots that generally perform this work are overstretched. As I understand it, the average time to get a helicopter repaired and returned to a unit is six months or longer.

I haven't seen the speech yet, but I've been told that Major General Pillsbury of the Army Materiel Command recently gave a speech at a conference lamenting how far behind the Army is on the Chinook RESET program.

According to a letter from the Army in March 2006, the Oregon National Guard will not get its helicopters back until November 2006. During the interim period, the Oregon National Guard will have to do without, which puts Oregon residents at-risk. That is not acceptable.

Congress, the Army and the National Guard Bureau must find a solution to this problem. One logical solution is for the Army to allow the Oregon National Guard to contract with a local private sector helicopter maintenance provider in order to help alleviate the backlog that would otherwise keep its Chinooks grounded for the next several months. One company in Oregon, Columbia Helicopters, believes it could get two Chinooks through the reset process by July, several months sooner than the Army. Such private sector involvement in the reset program is not unprecedented. Last year, the Army awarded Boeing a $40 million-plus contract to refurbish Apache helicopters under the reset program. And, Columbia Helicopters has already done this type of work for the Nevada National Guard, which had some discretionary money it spent on getting its helicopters repaired.

Letters in support of this public-private concept have been sent to the Army since February from myself, the Oregon National Guard, the Nevada National Guard, Governor Kulongoski of Oregon, Governor Kenny Guinn of Nevada, Senators SMITH, WYDEN, ENSIGN and REID, and Reps. HOOLEY, WU and WALDEN. Yet, the Army has not taken any action to expedite the reset of the Oregon helicopters.

Our amendment today puts the Army on notice that Congress is interested in this issue and is concerned about growing repair burden and backlog. Congress needs to ensure accountability by the Army for timely repairs. This amendment is a first step. I will continue to work with my colleagues in Oregon and on the committee to try to get the Army to step up and ensure the National Guard is adequately equipped and able to carry out its missions year-round.

Mr. WU. Mr. Chairman, I rise in support of the Hooley-DeFazio-Wu-Blumenauer-Walden amendment to H.R. 5122, the Defense Authorization Act for FY2007. Our National Guard has been stretched to its limit these past few years, and without the timely return of equipment and aircraft to their home units, the Guard's mission is in jeopardy of being severely compromised. The Oregon Guard has performed outstandingly in the Middle East and I commend them for their courage and fortitude.

Equipment, especially aircraft, needs thorough and vigorous refurbishment when they arrive back from combat. Unfortunately, limited options and a sprawling procurement bureaucracy have created a backlog for equipment resets. By keeping the options limited, we are doing a disservice to the Guard by not returning their core assets in a timely manner.

I support this amendment because this issue cannot wait any longer and needs to be addressed now. Every day that the Guard has to wait for an aircraft is another day where they cannot perform their mission. The Guard is ready to do their duty, now we must be willing to fight for their needs. I am pleased to join my colleagues in the Oregon delegation in sponsoring this important measure.

Ms. HOOLEY. I yield back the balance of my time.

The Acting CHAIRMAN. Is there further debate or discussion on this amendment?

The question is on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY), as modified.

The amendment, as modified, was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. MCDERMOTT

Mr. MCDERMOTT. 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. 13 printed in House Report 109–461 offered by Mr. MCDERMOTT:

At the end of subtitle B of title VII (page 268, after line 9), add the following new section:

**SEC. 716. STUDY OF HEALTH EFFECTS OF EXPOSURE TO DEPLETED URANIUM.**

(a) STUDY.—The Secretary of Defense, in consultation with the Secretary for Veterans Affairs and the Secretary of Health and Human Services, shall conduct a comprehensive study of the health effects of exposure to depleted uranium munitions on uranium-exposed soldiers and on children of uranium-exposed soldiers who were born after the exposure of the uranium-exposed soldiers to depleted uranium.

(b) URANIUM-EXPOSED SOLDIERS.—In this section, the term ''uranium-exposed soldiers'' means a member or former member of the Armed Forces who handled, came in contact with, or had the likelihood of contact with depleted uranium munitions while on active duty, including members and former members who—

(1) were exposed to smoke from fires resulting from the burning of vehicles containing depleted uranium munitions or fires at depots at which depleted uranium munitions were stored;

(2) worked within environments containing depleted uranium dust or residues from depleted uranium munitions;

(3) were within a structure or vehicle while it was struck by a depleted uranium munition;

(4) climbed on or entered equipment or structures struck by a depleted uranium munition; or

(5) were medical personnel who provided initial treatment to members of the Armed Forces described in paragraph (1), (2), (3), or (4).

The Acting CHAIRMAN. Pursuant to House Resolution 811, the gentleman from Washington (Mr. MCDERMOTT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. MCDERMOTT. Mr. Chairman, I rise to protect and defend the U.S. soldiers who protect and defend us. I urge the House to pass my amendment calling for a comprehensive study on possible health effects on soldiers from exposure to depleted uranium.

I am a medical doctor. Like every doctor, I took an oath to use all my knowledge and skill to heal the sick. I was trained to listen to the patient and to use science, not conjecture, to make a diagnosis. I have been listening to soldiers, and I am greatly troubled.

We need to do a study on the effects of depleted uranium. My amendment includes a comprehensive study of the effects on our soldiers from exposure to DU, and also includes the children of our soldiers born after exposure.

I recognize there have been a number of studies done on this exposure, but they do not answer all the questions. There has been no comprehensive study of cancer rates in relationship to DU exposure in gulf war veterans.

The VA has a volunteer medical DU follow-up program that has been tracking about 60 veterans who signed themselves up for the study. These veterans were all friendly fire victims who have DU imbedded in their body, and I am heartened that the VA has been keeping track of them. But 60 veterans is not enough to catch cancers that have a rate of one in 1,000. This sample is not large enough to be statistically reliable.

There are about 900 gulf war veterans who have had level one or level two exposure to DU. We should be studying all of them and keeping track of all their health. There has been no comprehensive study of the Gulf War Syndrome in relation to exposure to DU. No definitive cause has been established for Gulf War Syndrome.

Presently, between 150,000 and 200,000 soldiers who served in Gulf War I could have Gulf War Syndrome. We need to study the possible relationship between depleted uranium and Gulf War Syndrome. Any link between these two or other negative health effects has not been conclusively established or refuted.

I urge my colleagues on both sides to stand with me and protect and defend the soldiers whom we send out to protect and defend us.

For me, this is a personal, not a political, quest. My professional life turned from medicine to politics after my service in the United States Navy during the 1960s when I treated combat soldiers returning from Vietnam. Back then, the Pentagon denied that Agent Orange posed any threat to soldiers who were exposed. Decades later, the truth began to emerge. Agent Orange harmed our soldiers; it made thousands sick and some died.

During all those years of denial, we stood by and did nothing while our soldiers suffered, and for me there can be no more Agent Orange. We have to think of that in terms of this DU. If DU poses no danger, we need to prove it statistically and with independent, scientific studies. If DU harms our soldiers, we all need to know it and act quickly, as any doctor would, to use all of our power to heal the sick. We owe our soldiers a full measure of the truth, wherever that leads us.

Mr. Chairman, I urge my colleagues to pass this amendment.

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

The Acting CHAIRMAN. Is there a Member rising in opposition to the amendment?

Mr. EVERETT. Mr. Chairman, we do not oppose the amendment.

Mr. SHAYS. Mr. Chairman, I appreciate the consideration of this amendment, which I believe is very reasonable and will help ensure our government is taking proper steps to protect the health of our troops.

Like many heavy metals such as lead, depleted uranium is harmful when the resulting particles from a burned round are inhaled or ingested.

The use of these munitions, however, also provides a significant advantage to our soldiers because they have the speed, mass, and physical properties to penetrate exceptionally well against highly armored targets.

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

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

The amendment was agreed to.

AMENDMENT NO. 22 OFFERED BY MR. TIERNEY

Mr. TIERNEY. 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. 22 printed in House Report 109–461 offered by Mr. TIERNEY:

At the end of subtitle C of title II (page 50, after line 23), insert the following new section:

**SEC. 223. RESTRUCTURING OF MISSILE DEFENSE PROGRAMS.**

(a) DEPLOYMENT LIMITATIONS.—The Secretary of Defense may not deploy—

(1) any Ground-Based Midcourse Defense systems beyond the authorized systems at Fort Greeley, Alaska, and Vandenberg Air Force Base, California; or

(2) any space-based interceptors.

(b) BOOST-PHASE DEFENSES.—No funds available to the Department of Defense may be obligated for deployment of any boost-phase defense system.

(c) FUNDING REDUCTION AND PROGRAM TERMINATIONS.—The amount provided in section 201(4) for research, development, test, and evaluation for the Defense Agencies is reduced by $4,747,000,000, to be derived from amounts for the Missile Defense Agency as follows:

(1) $595,000,000 from termination of the Airborne Laser program.

(2) $500,000,000 from termination of additional AEGIS Ballistic Missile Defense activities.

(3) $286,000,000 from termination of the Kinetic Energy Interceptor program.

(4) $360,000,000 from termination of the Space Surveillance and Tracking System.

(5) $56,000,000 from termination of the European Site.

(6) $2,500,000,000 from termination of Additional Ground-Based Midcourse Deployment.

(7) $450,000,000 from reduction of programs designated as Other MDA RDT&E Activities.

The Acting CHAIRMAN. Pursuant to House Resolution 811, the gentleman from Massachusetts (Mr. TIERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. TIERNEY. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I have an amendment that would adopt the recommendation of the Congressional Budget Office to restructure our missile defense programs, specifically, the Ground-based Midcourse Defense System. The amendment would instruct the Secretary of Defense not to deploy any Ground-based Midcourse Defense System beyond the authorized systems that are now at Fort Greeley, Alaska and, the Vandenberg Air Force Base in California or any space-based interceptors of intercontinental ballistic missiles.

It would reduce funding for the research, development, test and evaluation for the defense agencies by $4,747,000,000.

Under the Congressional Budget Office's ''evolutionary alternative,'' the Department of Defense would fund the capabilities planned for the Ground-based Midcourse Defense System through 2007.

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Money would continue to be provided to pursue upgrades to the elements of the ground-based missile defense initial defense capability, would continue testing its components and would explore other missile defense concepts.

But the savings on the midcourse missile defense under the Congressional Budget Office alternative would total $29 billion on a Department of Defense-wide basis through 2007.

I commend to my colleagues no less than seven reports released in the last 2 months critical of various aspects of the ballistic missile system, and I will introduce copies for the RECORD. Two of them are from the General Accountability Office, two from the Department of Defense's own Inspector General's Office, one from the Congressional Research Office, one from the Congressional Budget Office and one from the Pentagon's own Director of Operational Test and Evaluation.

All of them raise doubts about the feasibility of missile defense. And as a group they offer a damning indictment of the missile defense system that supposedly, but not actually offers the United States an initial defense capability.

The Center for Defense Information states in its analysis, changes are imperative. If the Missile Defense Agency continues in the same vein it has been, the United States will see itself saddled with a missile defense system that costs tens of billions, possibly hundreds of billions of dollars, yet provides no actual defense.

What is more, by diverting that money to an unfeasible system, the United States will miss out on the protection it could be getting from weapons systems that actually work.

Mr. Chairman, the moneys are important, of course, but having a false sense of security is dangerous. And not investing these moneys in needed security systems, systems to protect our space and domestic assets and for homeland security risk is criminally negligent.

The General Accountability reports note that if the Pentagon does not move away from its spiral development or acquisition policy where a system's progress is never held to any sort of accountability, has no defined parameters, the Department of Defense will continue to start more programs for more money and create the next set of case studies for future defense reform reviews.

Fielding systems that still are in early developmental cycles, rushing them into the field where they have very serious problems with every component, that is a recipe for disaster. Immature technologies are not perfected, integration of the systems is not happening, testing in real-life scenarios is lacking, information assurance controls that were built to the network are sadly out of date.

This report shows poor quality control, unreasonable, in fact outrageous, cost growth, and schedule slips and inferior performance.

AN ''F'' FOR MISSILE DEFENSE: HOW SEVEN GOVERNMENT REPORTS IN TWO MONTHS ILLUSTRATE THE NEED FOR MISSILE DEFENSE TO CHANGE ITS WAYS

(By Victoria Samson, CDI Research Analyst)

A certain amount of optimism is required to successfully guide a weapon system through its development to completion. However, at a certain point, reality needs to poke through so that program and service officials can make relatively objective assessments. Is it working? Is it going to work? Is it staying on budget and schedule? If not, can it get back on track? And finally, the most difficult question to ask of a program: Should it continue?

The multi-faceted missile defense program, currently the Pentagon's golden child, has effectively avoided any and all tough questions. Over $92 billion has been spent on missile defense systems since the Ronald Reagan administration, to little avail. While the architecture still has not been finalized, the Missile Defense Agency (MDA) envisions a system of systems, where there are ground-, sea-, and air-based interceptors supported by a yet-to-be-built satellite system, new X-band radars that are still being put in place, and a command and control system that is not secure to outside interference.

President George W. Bush announced in December 2002 that, within two years, the United States would have deployed an initial missile defense system that could defend the United States against a limited ICBM attack. With that pressure from above, MDA focused its efforts on the fielding interceptors in Alaska and California the Ground-based Midcourse Defense (GMD) system. As of writing, 13 interceptors have been emplaced in missile silos. As well, MDA is working on a sea-based interceptor that is carried on the Aegis ship, a sea-based X-band radar that is slowly floating to its home port in Alaska, a giant command and control module based out of Colorado, a satellite network that could track enemy missiles as they approach the U.S. homeland, and systems that are geared toward providing defense against shorter-range ballistic missiles (Theater High Altitude Area Defense system, or THAAD, and the Patriot Advanced Capability PAC–3 system). In the long run, MDA is building a modified Boeing 747 airplane that would carry lasers in its nose and kinetic kill vehicles which theoretically could obliterate multiple targets.

MDA has been entrusted with a great deal of responsibility. It has not lived up to its tasks. In the past two months, no less than seven reports have been released that were critical of various aspects of the Ballistic Missile Defense System (BMDS). For clarity's sake, this analysis will focus largely on MDA's flagship program, the GMD system, whose existence is used to falsely claim that the United States has an initial defensive capability against ICBMs. And to head off allegations of bias, it must be noted that these reports were written by non-partisan government agencies. Two reports by the Government Accountability Office (GAO), two from the Defense Department (DOD)'s own Inspector General's office, and reports by the Congressional Research Service (CRS), Congressional Budgetary Office ''(CBO), and the Pentagon's Director, Operational Test & Evaluation (DOT&E) all raise doubts about the feasibility of missile defense. As a group, they offer a damning indictment of the missile defense system that supposedly offers the United States an initial defensive capability.

OVERSHOOTING COST GOALS, FALLING SHORT OF PLANNED ACHIEVEMENTS

Missile defense programs have featured prominently in two recent reports by the GAO. The first, ''Assessment of Selected Major Weapons Programs,'' examines the cost growth of many Pentagon weapon systems. It notes, ''DOD often exceeds development cost estimates by approximately 30 to 40 percent and experiences cuts in planned quantities, missed deadlines, and performance shortfalls.'' The GAO points out, ''Programs consistently move forward with unrealistic cost and schedule estimates, use immature technologies in launching product development, and fail to solidify design and manufacturing processes at appropriate points in development.'' The missile defense system prides itself on its ''spiral development'' or acquisition policy that is constantly evolving, under which a system's progress is never held to strictly defined parameters.

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The GAO takes this type of acquisition policy to task. In fact, David Walker, comptroller-general of the United States, warns that if the Pentagon doesn't move away from it, DOD ''will continue to start more programs than it can finish, produce less capability for more money, and create the next set of case studies for future defense reform reviews.''

The Missile Defense Agency (MDA) has argued that the missile defense program needs the flexibility of spiral development to allow it to mold itself to future threats and to incorporate lessons learned while testing. Why other Pentagon programs somehow manage to hold themselves accountable and still meet evolving threats is never discussed by MDA officials. Instead, MDA promotes the idea that all possible missile defense candidate technologies will be put through their paces, and eventually testing will prove the winners and losers. Again, MDA has never stated at which point it will definitively decide to drop a flagging program. The closest it has come is in giving one of its programs (Airborne Laser) what it calls ''knowledge parameters,'' in an attempt to prove to critics that, despite outward appearances, there is indeed progress toward development.

Another key part of spiral development is that weapon systems will be fielded when they are still early in their development cycles. The intent is that they can continue to grow and presumably advance while providing some sort of military utility. What ends up happening is that systems—the Ground-based Midcourse Defense (GMD) system most noticeably—are rushed out into the field even when there are very serious problems with their components... or indeed, are crucial elements to their architecture still lacking. For example, the GMD interceptor suffered a flight test failure in February 2005 due to poor quality control by its contractor for the arm that holds the missile up in its silo. In testimony to the Senate Armed Services Committee on April 4, 2006, Obering acknowledged this problem and stated that this component would be replaced on the interceptors that have already been fielded. Nonetheless, the $40 million missile as originally designed continues to be built at a rate of one every two months or so.

The GAO notes that weapon systems development programs progress much better and keep costs lower if technology is allowed to mature before being brought into a developmental or initial operating system. GAO observes that program acquisition unit costs for programs with mature technologies increase by less than one percent over original cost estimates, while the program acquisition unit costs for programs with immature technologies increase by 27 percent over the first full estimate.

The report goes on to review various weapon systems to assess their level of technological maturity and cost growth.

The GMD system's ''concurrent testing and fielding efforts may lead to additional design changes,'' warns the GAO, and the program's ''prime contract could overrun its target cost by as much as $1.5 billion. Boeing, GMD's prime contractor, has already overrun its budget by $600 million as a result of quality control issues. As what seems to be the standard for missile defense, program officials differ from outsiders about the program: while program officials rate GMD's needed 10 technologies as mature, the GAO differs, stating that ''four have not been demonstrated in an operational environment and we believe that they cannot be considered fully mature.'' And since the GAO's last assessment of GMD, the program's planned budget through fiscal year 2009 (FY 09) has risen by $2.9 billion, or 11.2 percent.

GMD's cost growth is bad enough, but as it turns out, the United States is paying more and getting less than anticipated. In another GAO report, the title says it all: ''Missile Defense Agency Fields Initial Capability but Falls Short of Original Goals.'' MDA's accelerated development of the GMD program in order to reach an initial capability by the end of 2004 caused the agency to run over that portion of its budget by $1 billion. For FY 05, GMD contractors had exceeded anticipated costs by 25 percent. The GAO also took to task the forced reliance by MDA upon spiral development ''[I]t allowed the GMD program to concurrently mature technology, complete design activities, and produce and field assets before end-to-end testing of the system—all at the expense of cost, quantity, and performance goals.''

In addition, for the initial defensive capability stated as the goal of the rapid fielding of the overall missile defense network, MDA fell quite short of what it had hoped to have accomplished. ''Compared to its original goals set in 2003, MDA fielded 10 fewer GMD interceptors than planned, two fewer radars, 11 fewer Aegis BMD missiles, and six fewer Aegis ships,'' lists the GAO report. The United States has officially fielded elements of the ballistic missile defense system architecture, but these are really token efforts. Even if the systems had proved themselves during testing and development—which they have not—and even if they had all their needed components at the ready—which they do not—this system would be a feeble shadow of what planners had hoped for.

Spiral development ''allowed the GMD program to concurrently mature technology, complete design activities, and produce and field assets before end-to-end testing of the system—all at the expense of cost, quantity, and performance goals.''

Another result of rushing the missile defense elements out into the field is that workmanship has been shoddy, at best. Poor quality control has been listed time and again as an explanation for cost growth, schedule slips, and inferior performance. The GAO report explains, ''According to MDA's own audits, the interceptor's design requirements were unclear and sometimes incomplete, design changes were poorly controlled, and the interceptor's design resulted in uncertain reliability and service life.'' The GMD interceptor was not tested to ensure its parts could withstand the harsh environment in space—which could result in catastrophic failures after launch as the interceptors are supposed to impact their targets outside the Earth's atmosphere. Further, the failures of two recent flight tests—1FT–10 and 1FT–14—were due to poor quality control procedures. The development of some parts for the GMD interceptor has been so careless that, according to the GAO, the parts in question would

have to be replaced and thus ''the interceptors will be removed from their silos.'' Neither GAO nor MDA, has yet to explain at what cost such repairs will have to be made.

Unfortunately, cost growth, schedule slips, and faulty parts are not specific to missile defense programs. One can see that easily in every branch of the Pentagon. Where the missile defense program differs is in the extent of autonomy and decision-making freedom given to MDA officials managing the various pieces of the program. Given the pressure they were under from President George W. Bush's December 2002 announcement that an initial capability would be in place by the end of 2004, managers decided that the development and fielding process required a speedier schedule to meet that deadline. As a result, the GAO recounts, ''MDA officials told us that because the agency was directed to field a capability earlier than planned, it accepted additional risks.''

The agency was able to accelerate fielding because MDA officials have been given unprecedented liberties with acquisition planning and scheduling. They are further allowed to shift around funding from one program element to another as they see fit, under special rules set up by DOD. According to the GAO, ''Compared with other DOD programs, MDA has greater latitude to make changes to the BMDS [Ballistic Missile Defense Program] program without seeking the approval of high-level acquisition executives outside the program.'' Because of this flexibility, while MDA does inform Congress and DOD of funding rearrangements, accountability is practically nil; instead, its version of it has ''thus become broadly applied as to mean delivering some capability within funding allocations.''

MDA is also free of requirements that all other major DOD acquisition programs must undertake in regards to establishing baseline estimates of cost, performance and schedule. If other programs slip in meeting those predetermined requirements, Pentagon and/or service managers must alert Congress. If any program sees cost growth up to a certain amount in one quarter, it is considered to have suffered a so-called Nunn-McCurdy breach, which means DOD must alert Congress of the problem. If the cost growth is over 25 percent in a single quarter, DOD then must overhaul and justify the offending program. The Ballistic Missile Defense System, however, is exempt from these requirements. MDA officials have much more flexible baselines for their programs. MDA can avoid having to report programs' quarterly cost growth simply by changing cost goals and estimates. Also, MDA has the responsibility of deciding when it will alert Congress to schedule slips or cost growths, since ''there are no criteria to identify which variations are significant enough to report. Instead, MDA's Director, by statute, has the discretion to determine which variations will be reported.''

MDA officials do not have to hold themselves accountable to any particular standard or report if certain achievements have not been met. And Congress has, up to now, refrained from complaining about its lack of oversight over the $10 billion dollar a year MDA budget.

Up to now, the only ''achievements'' reported by MDA have been the flight test failures. The MDA has even stopped announcing when it has emplaced new interceptors at missile silos in Alaska and California. Ostensibly, this is because of operational security needs, but in actuality, it is more likely a move designed to avoid bad press as testing and deployment goes forward.

NETWORK SECURITY AND SYSTEMS ENGINEERING: FIGMENTS OF MDA'S IMAGINATION

The Pentagon Inspector General's (IG) office came out with two reports this winter that illustrate how every aspect of the Ballistic Missile Defense System has seen sloppy work indicative of low standards of oversight.

The first report reveals that the communications network linking the various radars, infrastructure, and elements of the GMD system, is extremely limited. The IG's office noted that the security documents in place for the system ''did not properly reflect current operations;'' furthermore, MDA officials ''had not fully implemented information assurance controls required to protect the integrity, availability, and confidentiality of the information in the [GMD] communications network.''

Because of this, ''MDA officials may not be able to reduce the risk and extent of harm resulting from misuse or unauthorized access to or modification of information of the GCN [GMD Communications Network] and ensure the continuity of the system in the event of a disruption.'' That is to say, network security is lacking. So now, in addition to worrying about whether the rudimentary system now deployed would launch and target threatening missiles effectively in the event of an emergency, planners have to head off the possibility that some bored teenager could hack into the system and disrupt it at a key moment.

A draft version of this report recommended, ''MDA and contractor officials should immediately cease operation of the system.''

The security procedures for the GMD Communications Network were completely bungled, as the IG report indicates. For one, ''[C]ontingency plans and system rules of behavior had not been prepared to assist users.'' Group passwords were used to access the unencrypted communications system, even though individual passwords were required. Documentation for the unencrypted system had the encrypted system's security concept (defined in the document as ''a description of the GCN security requirements and the resources needed to meet those requirements''), while the encrypted system's documentation didn't contain any security concepts. Explains the IG's office, ''This oversight occurred because the encrypted equipment and the unencrypted equipment were developed by two separate contractors [respectively, Boeing and Northrop Grumman], who were not following a common set of procedures for preparing documentation.''

The few information assurance controls that were built for the network were sadly out of date. The network was created by program officials to conform to ''Department of Defense Trusted Computer System Evaluation Criteria,'' a document that is dated Dec. 26, 1985. This old set of criteria was used instead of a more recent set of required criteria, found in: ''Missile Assurance Categories (MAC) Levels for Missile Defense Agency (MDA) Systems and Networks,'' dated Aug. 20, 2004.

It would appear that network security was a low priority for MDA, as the Communication Network's first information assurance officer wasn't brought on board until June 2005, long after the system had been in development—indeed, after GMD had been declared to have reached an initial defensive capability. No one was in charge of making sure the contractors working on system had appropriate levels of security clearance or were fully aware of their responsibilities regarding network security.

The IG's office was so alarmed at the absence of network security practices that a draft version of its report recommended that until fixes were in place, ''MDA and contractor officials should immediately cease operation of the system.'' While this recommendation did not make it into the final draft, it signifies the gravity of MDA's lack of planning.

An interesting coda to this report was how the Pentagon reacted once news of it hit the press. Federal Computer Weekly ran a story on it March 16, 2006. By the following Monday, the IG's office had taken the relevant report off of its website, with only this as explanation: ''The Missile Defense Agency requested that we remove this report from our web site pending a security review.'' The report is now marked ''For Official Use Only.''

Another report by the Pentagon's IG office raised concerns about another aspect of how the overall BMDS system's various components would function together. According to it, ''The Missile Defense Agency had not completed a systems engineering plan or planned fully for system sustainment. Therefore, the Missile Defense Agency is at risk of not successfully developing an integrated ballistic missile defense system.'' Systems engineering, the process of making sure a developing weapon system meets the capabilities required of it and ensuring it becomes operational, is a key in making certain that ideas on the drawing board end up in the final product. In a complicated architecture such as missile defense that has interceptors and control stations on the ground, in the air, and on the sea, involves numerous radar and satellite networks, and dips in and out of various Pentagon services and commands, systems engineering would be imperative to guarantee that the various elements would smoothly work together as planned.

Its failure to provide a systems engineering plan is partially due to the fact that MDA didn't follow instructions. But, as seems to be often the case, the problem also can be traced to the order speeding up initial deployment. According to the IG office's report, ''Another cause was that MDA was tasked with designing a single integrated system from a group of preexisting acquisition programs and fielding a missile defense capability quickly. As a result, the BMDS ability to develop and integrate the elements into a system that meets U.S. requirements is at risk.'' Furthermore, ''because MDA was rushing to field an initial BMDS capability, it had not fully planned for system sustainment.'' System sustainment is described in the document as ''a support program that meets operational support performance requirements and sustains the system in the most cost-effective manner.'' This conclusion is not surprising, as ''cost-effective'' and ''missile defense'' are rarely used in the same sentence.

''Missile Defense Agency is at risk of not successfully developing an integrated ballistic missile defense system.''

MDA also ducked creating a comprehensive Logistics Support Plan, as it should have and was legally obligated to do. According to the IG office's report, instead, ''each element is responsible for planning the following eight logistics-support-related areas: supply; equipment; packing, handling, storing, and transportation; facilities; computer resources; technical data; maintenance planning; and manpower and personnel. Sounds like a recipe for overlaps, gaps, and confusion.

FLAT LEARNING CURVE

While missile defense's spiral development is a phenomenon of the Bush administration, the United States has been working for decades on the capabilities being sought. A recent CRS report pointed out that the kinetic energy kill vehicle for the GMD system has predecessors dating back to the administration of Ronald Reagan. While CRS typically strives not to come down on one side or another of the issue, the report does make some revealing statements. It sums, ''The

data on the U.S. flight test effort to develop a national missile defense (NMD) system is mixed and ambiguous. There is no recognizable pattern to explain this record nor is there conclusive evidence of a learning curve over more than two decades of developmental testing.''

With four long-range kinetic energy intercept efforts attempted since Reagan's 1983 ''Star Wars'' speech—Homing Overlay Experiment (HOE), Exoatmospheric Reentry Interceptor Subsystem (ERIS), NMD, and GMD—there should be some sort of body of knowledge being built about how these systems work that could be drawn upon as needed. The CRS report acknowledges that the systems under development at various times were different, but it reasons, ''[T]hey were built on the limited successes of their predecessors.''

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Examining flight test intercept attempts since the 1980s for these long-range systems, the CRS dryly notes ''the mostly unsuccessfully history of the effort.'' Additionally, it highlights the absence of ''conclusive evidence of a learning curve, such as increased success over time relative to the first tests of the concept 20 years ago.'' Given that in the near past, flight testing has slowed down and suffered from a rash of quality control problems, it would seem that MDA definitely has not learned which processes would help aid the development of the GMD system. This is not to say that progress has not been made. However, with this administration's insistence on reinventing the wheel when it comes to major weapons acquisition strategies, there seems to be quite a lot of institutional knowledge regarding development that is being ignored.

CRS is unable to answer the two major questions about GMD. It terms the possibility of eventually developing a workable version of anything with that sort of capability as ''ambiguous at this juncture.'' And it stoutly refuses to speculate as to whether GMD would work in an emergency, equivocating, ''Currently, there is insufficient empirical data to support a clear answer.''

ANOTHER GUARDED ASSESSMENT

Another report which is subtly skeptical about the reported initial defensive capability of the GMD system is the January 2006 DOT&E report. This most recent version of the annual assessment of the previous fiscal year's activities and achievements for various Pentagon weapon systems came out studiously cautious about the program.

Highlighting GMD's flight test failures, when the interceptor rocket failed to leave the launch pad in both cases, the DOT&E report still inexplicably claims, ''Developmental testing to date indicates that the GMD system may have some inherent defensive capability against a limited missile attack.'' But this is a downgrade from the previous year's assessment of GMD, which had said it ''should have some limited capability.''

''Flight tests still lack operational realism. This will remain the case over the next year.''

At any rate, the DOT&E report does support other critiques of GMD. It explains the flight test failures as a result of ''Quality, workmanship, and inadequate ground testing.'' Across the board, GMD quality control has been appalling, a turn of events that is surprising given the political spotlight shining on the system. Whether this deficiency in quality control is primarily the result of the insufficient oversight or a natural byproduct of fast-forwarded fielding is hard to determine. Either way, it is an area that should require the immediate attention of MDA leadership and program managers.

The DOT&E report echoes claims made by many critics in warning, ''Flight tests still lack operational realism. This will remain the case over the next year.'' Moreover, ''Robust testing is limited by the immaturity of some components.'' This can all be interpreted as dubiousness about GMD's flight test program and assertions that the interceptors' effectiveness in defending the United States against missile attack can be extrapolated from the meager successes it has achieved to date. As the DOT&E report comments, ''The lack of flight test validation data for the simulations that support the ground testing limits confidence in assessments of defensive capabilities.'' Modeling and simulation can only do so much; after a certain point, actual flight tests must be held to determine the reliability of the GMD system. Such tests also must include scenarios that mimic the real-world situations in which the GMD system could conceivably be used. Otherwise, it will continue to be impossible to judge the potential effectiveness of GMD as it is now being developed.

The consistent delays of scheduled tests (or cancellation of them, as was the case when MDA was rushing to meet the 2004 initial deployment deadline) means that chances to learn about the GMD system are being missed. Each $100 million flight test truly is a valuable learning experience for all involved. The DOT&E report observes, ''[O]ptimistic estimates for the development and integration of a GMD capability result in frequent 'fact-of-life' changes to the test schedules.'' Wishing for a capability cannot create one. Missile defense has long been distanced from reality and this would be a prime example of the result.

DOUBLING IN SEVEN YEARS

Looking to the future, expenditure on missile defense will double in seven years if the current rate is maintained. A recent CBO report examined spending on major weapon systems and offered transformational and evolutionary alternatives. The former would be options that ''place more emphasis on acquiring the advanced weapons and capabilities that DOD associates with military transformation,'' while the latter would be a chance to ''forgo those advanced systems and instead pursue upgrades to current capabilities.''

''[I]f, however, costs grow as they have historically, pursuing the programs included in CBO's missile defense projection will cost an additional $3 billion a year, on average, peaking at about $19 billion in 2013.''

Missile defense, given the tremendous size of its budget (over $11 billion for missile defense-related programs in the FY 07 budget request), was one of the programs chosen for further scrutiny. The CBO had to guess as to the makeup of missile defense's eventual architecture, as missile defense has been excused from the normal Pentagon routine of having to establish clearly defined cost, growth, and performance parameters.

Even with this limitation, CBO prognosticates that missile defense expenditure will reach its crest of $15 billion by 2013, after which it would slowly decline once the programs enter their operational stages. Yet the CBO admits it could be higher: ''[I]f, however, costs grow as they have historically, pursuing the programs included in CBO's missile defense projection will cost an additional $3 billion a year, on average, peaking at about $19 billion in 2013.''

This is not the only possibility for missile defense spending. The CBO's evolutionary alternative consists of, ''DOD would deploy no additional ground-, sea-, air-, or space-based missile defenses beyond those already in place. Continuing efforts would be confined solely to research and testing of missile defense concepts.''

With all that objective government agencies have written about missile defense's frailties and weaknesses, redirecting the MDA's emphasis toward working with the technology that it has and ensuring that it works properly makes a dangerous amount of sense. But with the politicization of the program and the prominence given to showing some sort of capability in the field, it seems unlikely that this administration would take this sensible tack. However, it remains as a potent option that the next administration should keep in mind.

TAKING OFF THE ROSE-COLORED GLASSES

Throughout these reports, several common themes emerge. Unrealistic assumptions were made about the pace of missile defense development. In fact, the overarching policy of using spiral development seems to have backfired on MDA, as it slowed progress instead of quickening the pace of development.

The decision by the president to rush the GMD program's fielding created ripple effects that are still being discovered. It inculcated a rushed attitude, where contractors felt that quality control could be ignored just as long as the 2004 deadline was met. Accordingly, GMD has suffered a rush to failure that has put what would be a laughable system in the field . . . if there weren't policymakers who falsely believe that it can be depended upon to provide defense of the United States.

Another consequence of the heavy White House pressure is that MDA has been exempted of most reporting obligations. In theory, this was done to give MDA the freedom to explore every technological approach possible in the hopes that it would soon be able to whittle down choices to a manageable few. It has done the opposite. Programs fail to produce results, run over budget, and delay interminably—but are not killed. Yet because there was no baseline that MDA had to create for the programs, there is a great deal of difficulty in trying to measure what could be termed progress.

MDA's flexibility in accounting requirements has spilled over into how it holds itself accountable. Last year's flight test failures should have been a wake-up call to the agency. After the second test failure in a row, MDA halted GMD's flight test program while it held investigations. An independent review team was created to determine the cause of the failures and what practices would allow for a successful launch. It had five key recommendations for the GMD flight test program. According to the presentation given to Obering in March 2005, MDA should: ''Establish a More Rigorous Flight Readiness Certification Process [with the subcategory of Make 'Test as you fly, fly as you test' the standard]; Strengthen Systems Engineering; ''Perform additional ground-based qualification testing as a requirement for flight testing; ''Hold contractor functional organizations accountable for supporting prime contract management; Assure that the GMD program is executable.'' While these are solid recommendations, the primary cause of the flight test failures—the rush to deploy—is played down.

A Mission Readiness Task Force was also created to review the preparation leading up to the GMD flight tests, and a Director of Mission Readiness was established. The first director was Adm. Kathleen Paige, who had been program director of the Aegis ballistic missile defense system. She retired in November 2005 and it is unclear as to whether she was replaced.

At any rate, MDA's operating mode, despite having created these task forces, has not in any real way changed.

What becomes apparent from reading these seven reports is that changes are imperative. If MDA continues in the same vein it has been, the United States will see itself saddled with a missile defense system that costs tens of billions, possibly hundreds of billions, of dollars, yet provides no actual defense. What's more, by diverting that money to an unfeasible system, the United States will miss out on the protection it could be getting from weapon systems that actually work. An honest assessment of the overall architecture is required before more time and funding is lost.

Mr. EVERETT. Mr. Chairman, I claim the time in opposition, and I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the amendment because it would have a great negative impact on national security by severely curtailing or terminating programs that protect our country against rogue nations.

Simply put, now is not the time to gut our missile defense programs by slashing the Missile Defense Agency's budget in half, given the threats posed by such countries as North Korea and Iran.

This amendment would freeze in place both ground-based and the Aegis midcourse defense capabilities prior to finishing what we started with the Fort Greeley, Alaska, GMD installation. We have had tremendous success with the Aegis program. Six of the seven last intercept tests have been hits. Why in the world would you stop this now?

In addition, this amendment would kill the Airborne Laser and Kinetic Energy Interceptor boost phase defense programs, just when both promises are approaching significant milestones in 2008.

General Cartwright, Commander of STRATCOM, has repeatedly told me how important it is to stay the course with the Airborne Laser Programs, whose directed energy capability is of a critical importance to the Department of Defense. This amendment would kill the ABL program after more than $3 billion has been invested. It would be a tremendous waste of taxpayers' money not to go ahead and follow through with the ABL program to see how well it works.

The amendment cites the Congressional Budget Office report on long-term implications of current defense plans and alternatives. Let me repeat, ''and alternatives.'' The evolutionary alternative in this CBO report is neither a recommendation nor an endorsement by CBO of cutting MDA programs. This report simply looked at the impact of future defense budgets, of alternative options to meet hypothetical, hypothetical spending targets. The CBO, and this was confirmed this today by my staff, does not endorse or support this proposal. It was merely another option as part of funding a ''what if'' drill, an academic situation, if you will.

This amendment could drastically cut the budget of our missile defense. While we all understand the missile defense architecture is complicated and costly, long term, it is crucial in today's world if we will continue our primary national defense into the future.

There will never be a time to cut investments in our Nation's protection. That is what this does. I strongly encourage my colleagues to vote against this amendment.

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

Mr. TIERNEY. Mr. Chairman, I yield 2 minutes to the gentlemen from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Chairman, the Missile Defense Agency has before it really an impossible task. Our current missile system programs have not worked, and wishing will not help it to overcome the physics. The tests have failed repeatedly. It has been confused by decoys, faced numerous testing troubles, and despite spending over $100 billion over the years, we have failed to develop a working system.

Mr. TIERNEY referred to the seven separate reports that are critical of various aspects of this program. Our amendment is not just pulled out of a hat, it focuses this program down to allow the Missile Defense Agency to work in those areas where it can make progress. The programs have gotten so far out in front of the basic facts that it is time to focus this down.

You know, our colleagues say they do not want to shortchange our national defense, but I can assure you that cutting wasteful programs does not shortchange our national defense. Seven separate reports by independent agencies here say that aspects of this program are wasteful. They simply are not working. It is time to focus it down.

You know, one of the craziest ideas I have ever heard is that we should deploy this missile defense system as a way to test it. I cannot think of any aspect of your life, any aspect of military preparedness, any aspect of business or industry where you work that way. It should be thoroughly tested before it is deployed. And to deploy something like this is worse than a waste.

To deploy a flawed system, well, simple strategic analysis tells us that a provocative yet permeable defense is destabilizing and weakens the security of all Americans.

The idea that we have sunk lots of cost is the argument that keeps coming back. That is one of the worst fallacies in human reasoning. We need to stop throwing good money after bad and focus this program down.

Mr. EVERETT. Mr. Chairman, before I yield to my friends on the other side, let me say that the gentleman is probably not aware of a missile which was deployed before it was finally finished, which the Israelis used.

Mr. Chairman, I yield 45 seconds to the gentleman from Texas (Mr. REYES) who is on the Intel Committee and also on the Strategic Forces Committee that handles missile defense.

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

Mr. REYES. I thank the gentlemen for yielding.

Mr. Chairman, I rise in opposition to this amendment in support of the committee's efforts to obtain effective and fully tested missile defense capabilities aimed at defeating real threats.

Today is not a time to be cutting funds from this critical program. I am particularly concerned about the restrictions the amendment would impose on the Aegis and THAAD theatre defense systems, because just this morning a THAAD interceptor was successfully launched against a simulated target.

Mr. Chairman, we cannot afford to slow down this important theater defense program. I urge my colleagues to support this committee's bipartisan approach and to defeat this amendment.

Mr. Chairman, I rise in opposition to the amendment and in support of the Committee's efforts to obtain effective, fully-tested missile defense capabilities aimed at defeating real threats.

H.R. 5122 redirects missile defense funding from longer range programs—such as the multiple kill vehicle—to near term needs, such as buying upgrades for the Patriot and Aegis interceptors that can protect our service members and allies today. It also places restrictions on developing improvements to the ground-based midcourse defense system until after it successfully intercepts two operationally realistic warheads, and it prevents any development of space-based interceptors.

While we might disagree about whether further adjustments or reductions are possible, I commend the subcommittee chairman for this good-faith effort to develop a bipartisan approach to missile defense.

The amendment before us today goes too far in radically restructuring missile defense programs. It would essentially freeze our missile defense capabilities at their current level and it would terminate numerous programs before we obtain useful information about whether they can improve our defenses against missiles launched by a rogue nation.

I am particularly concerned about the restrictions the amendment would impose on the Aegis and THAAD theatre defense systems. Just this morning a THAAD interceptor was successfully launched against a simulated target. We cannot afford to slow down this important theatre defense program.

I urge my colleagues to support the Committee's bipartisan approach and to defeat this amendment.

Mr. EVERETT. Mr. Chairman, let me now yield any time remaining to the gentleman from Alabama (Mr. CRAMER) who is also very knowledgable about missile defense and also on the Intel Committee and the Appropriations Committee.

Mr. CRAMER. I thank my colleague from Alabama and also my colleague from Texas.

Mr. Chairman, I rise in strong opposition to the Tierney-Holt Amendment. I do so reluctantly, because I respect the two gentlemen, and we serve on the House Intelligence Committee together as well.

This amendment would reduce the Missile Defense Agency's $9.38 billion roughly by half. And now is not the time to do that, to say the least. We have been involved in sensitive briefings lately on the Appropriations Committee and the House Intelligence Committee that talk about the threats that we have got to invest our technology in.

In 2005, there were 60 launches that involved short-range ballistic missiles, 10 involved medium- and intermediate-range missiles, and about 10 involved long-range ballistic missiles. We have already invested heavily in several key programs to defend against this threat, and the programs are just now providing the kind of technology that has got to be refined in order to defend us.

We have got sensitive intelligence issues, sensitive defense issues against this country. The negative impacts that this amendment now would have on the budget cuts would be drastic.

I urge my colleagues to oppose this amendment.

The Acting CHAIRMAN. 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 will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. HOSTETTLER

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 printed in House Report 109–461 offered by Mr. HOSTETTLER:

At the end of subtitle C of title V (page 126, after line 12), insert the following new section:

**SEC. ___. SPECIAL OPERATIONS FELLOWSHIPS.**

(a) FELLOWSHIPS.—The Secretary of Defense shall prescribe regulations under which the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict may award a fellowship to an eligible person, as described in subsection (b), in a discipline determined by the Assistant Secretary. The authority to award any amount of funds to any person as a fellowship under this section is subject to the availability of funds for that purpose.

(b) ELIGIBLE PERSON.—A person eligible for a fellowship under this section is a citizen or national of the United States who is enrolled in or is eligible to enroll in a program of education leading toward the completion of a masters degree or a doctoral degree.

(c) FELLOWSHIP REQUIREMENTS.—

(1) DOCTORAL DEGREE STUDENTS.—The recipient of a fellowship who is a student enrolled in a program of education leading toward the completion of a doctoral degree shall agree to prepare a doctoral dissertation in a subject area with military relevance that is approved by the Assistant Secretary.

(2) MASTERS DEGREE STUDENTS.—The recipient of a fellowship who is a student enrolled in a program of education leading toward the completion of a masters degree shall agree to concentrate the masters degree on a subject area with military relevance that is approved by the Assistant Secretary.

(d) REGULATIONS.—The regulations required to be prescribed under this section shall include each of the following:

(1) The criteria for the award of fellowships under this section.

(2) The procedure for selecting recipients of such fellowships.

(3) The basis for determining the amount a fellowship recipient will receive.

(4) The total amount that may be used to award fellowships during an academic year.

The Acting CHAIRMAN. Pursuant to House Resolution 811, the gentleman from Indiana (Mr. HOSTETTLER) and a Member opposed each will control 5 minutes.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Before the Chair recognizes the gentleman from Indiana, the Chair would ask anyone with a cell phone in the Chamber to turn it off.

The Acting CHAIRMAN. The Chair recognizes the gentlemen from Indiana.

Mr. HOSTETTLER. Mr. Chairman, Special Operations Forces have played an increasingly important role in our wars against nonstate actors. Therefore, I believe we need to encourage our Nation's best and brightest military scholars to focus on the scholarly research needs of our special operators.

Mr. Chairman, I believe this new fellowship program will nurture and cultivate the kind of academic scholarship that will help our special operators gain an even greater upper hand against our Nation's adversaries. We supply them with the best weapons in the world. We must, as well, see to it that they benefit from the research of some of our Nation's best scholars.

If enacted into law, my amendment would authorize the Secretary of Defense to prescribe regulations under which the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict will award a fellowship to an eligible person, as described in the legislation, in a discipline determined by the Assistant Secretary.

The authority to award any amount of funds to any person as a fellowship under this section is subject to the availability of funds for this purpose.

Mr. Chairman, I believe it is important that we give our men and women in uniform all of the tools necessary to fight and win our Nation's wars overwhelmingly. And one way to do that is to give them access to the best scholarship available in their respective fields.

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

Mr. ANDREWS. Mr. Chairman, I rise to claim the time in opposition, although I will not oppose the amendment.

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

There was no objection.

Mr. ANDREWS. In fact, I rise to support the amendment. The asymmetric threats that are based by our country today require a complex set of skills to successfully address those threats. Certainly the men and women of our Special Forces possess many of those skills. They do a fabulous job.

And it is our job to try to assist them and facilitate them in their work. The gentleman from Indiana's amendment, I think, gives these American heroes one more tool, one more opportunity to excel.

Asymmetric warfare certainly involves the use of force and the use of strategy on the battlefield. But it also solves intimate knowledge of sociology, language, history, physics, and perhaps other disciplines that go well beyond that.

□ 1445

Our ranking member of the full committee, Mr. SKELTON, has been a leading voice for military education throughout his time here. We think this amendment is consistent with Mr. SKELTON's devotion to that principle.

We want our Special Forces men and women not simply to be physically prepared, technologically armed and equipped but to have the intellectual tools necessary to do their job and defend the country. We believe this amendment serves those values well. We are pleased to support it.

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

The Acting CHAIRMAN (Mr. BONILLA). The question is on the amendment offered by the gentleman from Indiana (Mr. HOSTETTLER).

The amendment was agreed to.

AMENDMENTS EN BLOC OFFERED BY MR. HUNTER

Mr. HUNTER. Mr. Chairman, I offer amendments en bloc.

The Acting CHAIRMAN. The Clerk will designate the amendments en bloc.

Amendments en bloc offered by Mr. HUNTER printed in House Report 109–461 consisting of amendment No. 18; amendment No. 11; amendment No. 12; and amendment No. 14.

AMENDMENT NO. 18 OFFERED BY MS. SCHAKOWSKY

The text of the amendment is as follows:

At the end of subtitle B of title VIII (page 295, after line 20), add the following new section:

**SEC. 815. OVERSIGHT AND ACCOUNTABILITY OF CONTRACTOR PERSONNEL.**

(a) REPORT AND REQUIREMENTS RELATING TO CONTRACTS TO BE PERFORMED IN IRAQ AND AFGHANISTAN.—

(1) INSPECTOR GENERAL REPORT.—Not later than March 1, 2007, the Inspector General of the Department of Defense shall submit to Congress a report on overcharges discovered by the Inspector General under contracts entered into by the Department for work to be performed in Iraq and Afghanistan.

(2) ASSIGNMENT OF SUFFICIENT CONTRACTING OFFICERS.—The Under Secretary of Defense for Acquisition, Logistics, and Technology shall ensure that sufficient contracting officers are assigned to oversee and monitor contracts entered into by the Department of Defense for work to be performed in Iraq and Afghanistan.

(b) REQUIREMENTS RELATING TO EMPLOYEES OF DEFENSE CONTRACTORS OPERATING OUTSIDE THE UNITED STATES.—

(1) BACKGROUND CHECKS.—The Secretary of Defense shall implement a policy for conducting comprehensive background checks on foreign nationals hired by contractors (and subcontractors at any tier) of the Department of Defense operating outside the United States. The type of background check included in such policy shall be suitable for employment screening and shall, at a minimum, include a determination of whether the potential employee is on a terrorist watch list or has a criminal record. The policy shall provide for completing such background checks as quickly as possible.

(2) PROHIBITION ON HIRING CERTAIN EMPLOYEES.—A contractor (or subcontractor at any tier) of the Department of Defense operating outside the United States may not hire any person—

(A) who has been convicted of a violent felony; or

(B) who is determined by the Secretary of Defense to have committed acts inconsistent with the policy of the Department of Defense on human rights.

(c) REPORT AND APPLICABILITY OF DEFENSE INSTRUCTION RELATING TO CONTRACTOR PERSONNEL AUTHORIZED TO ACCOMPANY THE ARMED FORCES.—

(1) REPORT ON IMPLEMENTATION OF INSTRUCTION.—The Secretary of Defense shall submit to Congress a report on the Department of Defense instruction described in paragraph (3). The report shall include information on the status of the implementation of the instruction, how the instruction is being enforced, and the effectiveness of the instruction.

(2) REQUIREMENT TO APPLY TO CONTRACTS.—The Department of Defense instruction described in paragraph (3) shall apply to—

(A) contracts entered into by the Department of Defense after the date of the enactment of this Act;

(B) task orders issued after the date of the enactment of this Act under contracts in existence on the date of enactment of this Act; and

(C) contracts in existence on the date of the enactment of this Act with respect to which an option to extend the contract is exercised after such date.

(3) INSTRUCTION DESCRIBED.—The instruction referred to in this subsection is Department of Defense Instruction Number 3020.14, titled ''Contractor Personnel Authorized to Accompany the United States Armed Forces''.

AMENDMENT NO. 11 OFFERED BY MR. JINDAL

The text of the amendment is as follows:

At the end of title X (page 393, after line 23), add the following new section:

**SEC. 1041. DEPARTMENT OF DEFENSE OPERATIONAL PLANS FOR ARMED FORCES SUPPORT FOR CIVIL AUTHORITIES.**

The Secretary of Defense, in coordination with the Secretary of Homeland Security and State governments, shall develop detailed operational plans regarding the use of the Armed Forces to support activities of civil authorities, known as Defense Support to Civil Authorities missions. These plans shall specifically address response options to hurricanes, wildfires, earthquakes, pandemic, and other natural disasters.

AMENDMENT NO. 12 OFFERED BY MR. LEWIS OF KENTUCKY

The text of the amendment is as follows:

At the end of title VI (page 237, after line 8), add the following new section:

**SEC. 664. PHASED RECOVERY OF OVERPAYMENTS OF PAY MADE TO MEMBERS OF THE UNIFORMED SERVICES.**

(a) PHASE RECOVERY REQUIRED; MAXIMUM MONTHLY INSTALLMENT.—Subsection (c) of section 1007 of title 37, United States Code, is amended by adding at the end the following new paragraph:

''(3) If the indebtedness of a member of the uniformed services to the United States is due to the overpayment of pay or allowances to the member through no fault of the member, the amount of the overpayment shall be recovered in monthly installments. The amount deducted from the pay of the member for a month to recover the overpayment amount may not exceed 20 percent of the member's pay for that month.''.

(b) RECOVERY DELAY FOR INJURED MEMBERS.—Such subsection is further amended by inserting after paragraph (3), as added by subsection (a), the following new paragraph:

''(4) If a member of the uniformed services is injured or wounded under the circumstances described in section 310(a)(2)(C) of this title or, while in the line of duty, incurs a wound, injury, or illness in a combat operation or combat zone designated by the Secretary of Defense, any overpayment of pay or allowances made to the member while the member recovers from the wound, injury, or illness may not be deducted from the member's pay until after the end of the 90-day period beginning on the date on which the member is notified of the overpayment.''.

(c) CONFORMING AMENDMENTS.—Such subsection is further amended—

(1) by inserting ''(1)'' before ''Under regulations'';

(2) by striking ''his pay'' both places it appears and inserting ''the member's pay'';

(3) by striking ''However, after'' and inserting the following:

''(2) After''; and

(4) by inserting ''by a member of the uniformed services'' after ''actually received''.

AMENDMENT NO. 14 OFFERED BY MR. MICA

The text of the amendment is as follows:

At the end of title VI (page 237, after line 8), insert the following new section:

**SEC. 6___. SENSE OF CONGRESS CALLING FOR PAYMENT TO WORLD WAR II VETERANS WHO SURVIVED BATAAN DEATH MARCH.**

(a) IN GENERAL.—It is the sense of Congress that—

(1) there should be paid to each living Battan Death March survivor an amount that is $4 for each day of captivity during World War II, compounded annually at a 3 percent annual rate of interest; and

(2) in the case of a Battan Death March survivor who is deceased and who has an unremarried surviving spouse, such a payment should be made to that surviving spouse.

(b) BATAAN DEATH MARCH SURVIVOR.—In this section, the term ''Bataan Death March survivor'' means an individual who as a member of the Armed Forces during World War II was captured on the peninsula of Bataan or island of Corregidor in the territory of the Philippines by Japanese forces and participated in and survived the Bataan Death March.

The Acting CHAIRMAN. Pursuant to House Resolution 811, the gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKELTON) each will control 10 minutes.

The Chair recognizes the gentleman from California.

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

Mr. Speaker, in the Schakowsky amendment, the gentlewoman from Illinois provides for additional oversight and accountability of Department of Defense contractors deployed in Iraq and Afghanistan. It would make retroactive DOD regulations for contractors issued in October 2005 on previously issued contracts upon any extension brought about by an option.

It would implement a policy for conducting comprehensive background checks on foreign nationals hired by contractors operating outside of the U.S. and would also require a DOD Inspector General report on contractor overcharges and require that there are sufficient contracting officers assigned to oversee and monitor contracts in Iraq and Afghanistan.

The amendment offered by Mr. JINDAL would require the Secretary of Defense in coordination with the Secretary of Homeland Security and State governments to develop detailed operational plans regarding the use of the Armed Forces to support activities of civil authorities known as Defense Support to Civil Authorities Missions.

The amendment that is offered by Mr. LEWIS of Kentucky would provide that no more than 20 percent of a uniformed servicemember's paycheck can be garnished in a single pay period to recover overpayments that have occurred through no fault of the servicemember. That was always my contention.

It would also provide a 90-day grace period before overpayment recovery can begin from servicemembers who are wounded or injured or who incur an illness in a combat operation or combat zone.

Finally, the Mica amendment offered by the gentleman from Florida expresses the sense of Congress that the Department of Defense should provide compensation to American veterans who are captured while in service to the United States Armed Forces on the peninsula of Bataan or the island of Corregidor, survived the Bataan Death March during World War II and have not received previous compensation provided to other prisoners of war.

I might just say about that amendment, Mr. Chairman, these great Americans came back and met with many of us over the last several years, these great survivors of the Bataan Death March. And many of them, according to their testimony, were taken by ship after the death march in which many of them were killed, bayoneted, decapitated, otherwise killed; they were taken to Japan and in many cases were turned over to Japanese industry, including companies that are corporate giants today like Matsui and Mitsubishi. And these Japanese corporations took the Americans as slaves from the Japanese Government. They turned them over to them as POWs. And they put them in slave labor operations, in many cases involving mines, for example, that were considered to be unsafe for Japanese workers. They would push the Americans into those mines.

I can recall some of the Americans testifying when they came back and met with us on the Hill about the brutality that took place. The time one of our great survivors of the Bataan Death March from California had a rock fall on him in a cave-in in this unsafe mine that they were working in as slaves to these corporations, and his leg was crushed by a rock. And an American doctor who was also a POW operated on that Bataan Death March survivor with a single rusty razor blade and the anesthetic was to have the biggest guy in the POW camp knock him out before they did the operation, and then they used maggots to clean the wound. And that great American was back here testifying a couple of years ago to the U.S. Congress.

Those POWs sought redress from the corporations which had used them as slaves in their operations saying we want to be paid for this work that we performed as slave labor. The corporations resisted this mightily in a series of lawsuits. And I thought it was sad that the U.S. Government intervened on the opposite side, on the other side from the American POWs, claiming that the treaty that was signed after the war essentially eliminated any rights on behalf of the POWs other than the one dollar a day that they received as compensation for their POW status.

So those great Americans did not win. They ultimately faced summary judgments in American courts and received no compensation from these massive corporations. In fact, some of the biggest corporations in the world which when they enslaved these Americans were not nationalized by the Japanese Government, but in fact remain private corporations and developed a lot of their operations or carried on a lot of their operations using American slave labor.

So the lawsuits were quashed and these Americans, those that still survive, never got any redress. So I would just say that Mr. MICA's amendment particularly struck a cord with this member of the Armed Services Committee, and I would recommend that all these amendments be supported.

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

Mr. SKELTON. Mr. Chairman, I yield 4 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, I thank the gentleman for yielding me time. I want to begin by thanking Chairman HUNTER and Ranking Member SKELTON and their Armed Service Committee staffs for working with me to bring this amendment dealing with private military contractors to the floor. I really appreciate your help and that of your staff.

My amendment would provide for additional oversight and accountability of the Defense Department contractors deployed in Iraq and Afghanistan. Contractors compose the second largest force in Iraq after the U.S. military. This amendment does not attempt to make any statement on the decision to use contractors or about the wars in Iraq or Afghanistan.

Now that we are more than 3 years into the war in Iraq, this amendment is intended to give Members of Congress new tools so that we can exercise our oversight responsibilities on what has become a major component of our military and to clarify the role of contractors. We can all acknowledge that military contractors should require the same stringent accountability and oversight standards as the U.S. military. After all, private contractors often served side by side with our brave troops, and these same United States troops are often tasked to protect our contractors who are paid with billions of U.S. taxpayer dollars.

This amendment would help to provide increased accountability and oversight for our Defense Department contractors by, first, implementing a policy for conducting comprehensive background checks on foreign nationals hired by our contractors. We want to know who these individuals are and what their backgrounds are and if they are suitable for that role. It also prohibits the hiring of any person that has been convicted of a violent crime or a human rights violation.

Second, this amendment makes retroactive new Department of Defense rules for contractors on contracts that are already in existence or on any contract extension. For example, it makes perfectly clear that combatant commanders are in charge. It outlines carefully that relationship between combatant commanders and contractors so that there is a structure of command or part of the chain of command. The combatant commander decides whether or not they carry a gun, what uniform they would wear and that they have to respond to the combatant commander.

It also would say that anyone that is a contractor or an employee of a contractor must obey the laws of the host country, of international law and U.S. law.

Third, it requires a Department of Defense Inspector General report on contractor overcharges, requires that there are sufficient contracting officers assigned to monitor contracts in Iraq and Afghanistan.

I hope that in the future I can continue to work with Chairman HUNTER and Ranking Member SKELTON to address additional oversight issues regarding the use of military contractors. I also hope we will continue to consider the impact that utilizing contractors has on our military. And I would also like to consider additional means to make it easier for Members of Congress to see Defense Department contracts so we can better monitor them for signs of waste, fraud and abuse.

Again, I thank Chairman HUNTER and Ranking Member SKELTON. I appreciate your support and attention to this important issue.

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Kentucky (Mr. LEWIS).

Mr. LEWIS of Kentucky. Mr. Chairman, I want to thank Chairman HUNTER for his leadership in bringing this legislation before us today.

I am proud to support the bill which reflects the superior commitment to all of those defending the freedom of our Nation. I am certainly appreciative of being able to offer this amendment.

It is a little known fact in the civilian world that when a soldier is accidentally overpaid as a result of a military pay system error, the sum can be recouped in the form of a zero sum paycheck also known as ''no pay due.''

This is a problem long acknowledged by America's military community and service organizations and has been documented by numerous news organizations including ABC News, Army Times, and service organization publications.

Overpayments occur when the military's pay and personnel systems which are currently neither automated nor integrated with one another, do not accurately reflect a soldier's current status and are distressingly common when pay grade assignment or geographical changes are involved. Furthermore, while overcompensation can occur in small amounts over time, the full amount can be recouped by garnishing large portions of entire paychecks when over payment is detected.

The immediate and often unexpected financial burden this places on military families is in many cases overwhelming. Perhaps most disturbing is the common occurrence of ''no pay due'' for wounded soldiers. System failure to recognize cessation of combat pay or other allowances often results in continued compensation which then results in garnishment when the system catches up, all at a time when a wounded soldier's family is most vulnerable.

My amendment simply requires that no more than 20 percent of a soldier's paycheck can be garnished in one pay period to recover overpayment resulting from system error. It would also institute a 90-day grace period before recovery of overpayments can begin for wounded soldiers. This will ensure that families are not blind-sided by recovery of debt incurred as no fault of their own and often with no knowledge.

I ask for my colleagues to support this amendment which carries no cost and which does not seek to absolve debt, but merely to ease its recovery for our military families already serving so selflessly in defense of this Nation. I hope you will join me in lifting the burden of no pay due. Thank you. Our soldiers and their families deserve better.

□ 1500

PARLIAMENTARY INQUIRY

Mr. WELDON of Pennsylvania. Mr. Chairman, parliamentary inquiry. Is it

in order to ask unanimous consent for an additional 2 minutes beyond what has been allotted?

The Acting CHAIRMAN (Mr. LAHOOD). The Chair may entertain such request on terms congruent with the order of the House; that is, with the time divided equally between the sides.

Mr. WELDON of Pennsylvania. Mr. Chairman, I ask unanimous consent to enlarge the debate for both sides by 4 minutes.

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

There was no objection.

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Louisiana (Mr. JINDAL).

Mr. JINDAL. Mr. Chairman, I, too, want to thank Chairman HUNTER, the staff and members of the committee for their very good work on this bill.

I rise to offer an amendment. The National Guard and active duty military troops and assets deployed since Hurricanes Katrina and Rita constituted one of the Nation's largest domestic deployments of military assets since the Civil War. The National Guard and active duty military response saved lives, provided urgent food, water, shelter and medical care to many hurricane victims.

The deployment of National Guard forces before active duty troops is consistent with current U.S. Department of Defense strategy for homeland defense and civil support, which relies on the National Guard in the first instance for civil support.

However, in the wake of these particular hurricanes, Federal and State officials lacked coordination and consideration of requests for National Guard and active duty troop deployments. Local, State and Federal offices had differing perceptions of the number of Federal troops that would be arriving and the appropriate command structure for all troops, causing confusion and diverting attention from response activities.

This amendment requires the Secretary of Defense, in coordination with the Secretary of Homeland Security and State governments, to develop detailed operational plans regarding the use of Armed Forces to support activities of civil authorities in response to a catastrophic disaster.

The amendment works to significantly strengthen the response options to hurricanes, wildfires, earthquakes, pandemic, and other natural disasters.

My amendment is consistent with the findings and recommendations from both the Select Bipartisan Committee to Investigate the Preparation for Response to Hurricane Katrina and the report from the Senate Committee on Homeland Security and Government Affairs, and it builds upon provisions in the base bill, which require DOD to maintain real-time capability assessments of responsibilities under the National Response Plan.

Mr. WELDON of Pennsylvania. Mr. Chairman, I am proud to yield 2 minutes to the distinguished gentleman from Florida (Mr. MICA).

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

The defense authorization bill is one of the most important measures we take before the Congress because it sets the policy for the Department of Defense.

The purpose of the amendment that I have offered and has graciously been included in this en bloc amendment is to recognize the service and sacrifice and make that part of our policy to again realize what took place with the victims of the Bataan Death March during World War II. This amendment also expresses the sense of Congress that the Department of Defense should seek to provide compensation to the remaining survivors.

Those captured in the Bataan Death March spent an average of 3.5 years in captivity in Japanese prison camps and forced labor factories. Chairman HUNTER described some of the torture and forced labor.

In order to compensate for the torture, malnutrition and forced labor they endured, the survivors should be provided at least what was then set forth, which is $4 a day for the time spent in captivity, and the bill provides for some compounded annual interest. Even private contractors who were captured and imprisoned received $60 per day. They were, indeed, victims of torture and injustice and unfairness.

This amendment is important for Congress to recognize the unbelievable sacrifices of our soldiers who defended our Nation and fought in the Philippines.

Very few survivors of the Bataan Death March are still alive today. In fact, one reason I got involved in this is because of a local veteran by the name of Sam Moody, and Sam passed away since I undertook his request. There are only about 900 survivors and widows. So it is not really the money. It is also the policy that we set here today.

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

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield back my time.

The Acting CHAIRMAN. The question is on the amendments en bloc offered by the gentleman from California (Mr. HUNTER).

The amendments en bloc were agreed to.

AMENDMENT NO. 23 OFFERED BY MR. WELDON OF PENNSYLVANIA

Mr. WELDON of Pennsylvania. 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. 23 printed in House Report 109–461 offered by Mr. WELDON of Pennsylvania:

At the end of title XII (page 419, after line 7), insert the following new section:

**SEC. 12__. SENSE OF CONGRESS CONCERNING COOPERATION WITH RUSSIA ON ISSUES PERTAINING TO MISSILE DEFENSE.**

It is the sense of Congress that—

(1) cooperation between the United States and Russia with regard to missile defense is in the interest of the United States;

(2) there does not exist strong enough engagement between the United States and Russia with respect to missile defense cooperating;

(3) the United States should explore innovative and nontraditional means of cooperation with Russia on issues pertaining to missile defense; and

(4) as part of such an effort, the Secretary of Defense should consider the possibilities for United States-Russian cooperation with respect to missile defense through—

(A) the testing of specific elements of the detection and tracking equipment of the Missile Defense Agency of the United States Department of Defense through the use of Russian target missiles; and

(B) the provision of early warning radar to the Missile Defense Agency by the use of Russian radar data.

The Acting CHAIRMAN. Pursuant to House Resolution 811, the gentleman from Pennsylvania (Mr. WELDON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I offer this amendment out of a sense of frustration. I was the prime author of the missile defense legislation in 1998, with our friend JOHN SPRATT, that passed the House with a veto-proof margin calling for a moving forward on missile defense. At the time of that debate and leading the debate, I said to our colleagues, as I committed to the Russians, that we would do joint missile defense in cooperation so as not to create any feeling that we were trying to achieve a strategic advantage over them.

In fact, the weekend before the vote, I took Don Rumsfeld, Jim Woolsey and Bill Schneider to Moscow, along with several of my colleagues from the other side of the aisle, to reassure the Russians that this was not about scoring a strategic advantage.

Unfortunately, Mr. Chairman, 2 years ago, this administration cancelled the only remaining program with the Russians on missile defense. That program, entitled RAMOS, had been attempted to be cancelled back in the 1990s, and Senator LEVIN joined with us in blocking that cancellation. By canceling the RAMOS program, we have sent a terrible signal to the Russian military and to their government at a time when we need to reinforce strategic cooperation with Russia.

I would argue that there is no country that could assist us in dealing with both North Korea and Iran more than Russia at this point in time, but continuing to send mixed signals like the cancellation of our cooperation on missile defense is entirely taking us in the wrong direction.

Now, General Obering, who is in charge of our Missile Defense Agency,

agrees with me. In fact, he had negotiated a contract over a year ago with the Russian General Balyuevsky to gain joint cooperation on missile defense. It was the policy office of the Secretary of Defense that cancelled that contract that had been negotiated by General Obering. To me, that was absolutely outrageous and wrong, but yet, it has still not been corrected.

Mr. Chairman, this amendment is simply designed to lay down a marker to this administration that we do have a need to work together with our Russian counterparts. They have assets that we can use. They have large, phased radar systems that can assist us in areas of the world that we cannot cover. They have the ability to provide targeting opportunities for us. They also have very sophisticated theater systems, including the S–400, the S–500 and the S–600, that we can work on jointly with them to learn the technologies and the techniques that the Russians have employed with their missile defense systems.

So, Mr. Chairman, I offer this amendment as a signal from the Congress, hopefully with bipartisan support, to the Pentagon and to the White House to get back on track, to do what the Congress mandated when we passed the Missile Defense Act back in 1998, and to begin and renew our cooperation, as General Obering has called for, with the Russians on missile defense cooperation, both at the theater level and at the strategic level.

I would ask that our colleagues on the other side would see fit to join with us in having this amendment be included as a part of our defense authorization bill.

Mr. SKELTON. Mr. Chairman, I claim time on this and I would add that I support it. I compliment the gentleman from Pennsylvania, and I certainly think it is an excellent amendment.

Mr. Chairman, I yield back my time.

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield back my time.

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

The amendment was agreed to.

AMENDMENT NO. 21 OFFERED BY MR. TAYLOR OF MISSISSIPPI

Mr. TAYLOR of Mississippi. 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. 21 printed in House Report 109–461 offered by Mr. TAYLOR of Mississippi:

At the end of title X (page 393, after line 23), insert the following new section:

**SEC. 10____. REQUIREMENT THAT ALL MILITARY WHEELED VEHICLES USED IN IRAQ AND AFGHANISTAN OUTSIDE OF MILITARY COMPOUNDS BE EQUIPPED WITH EFFECTIVE IMPROVISED EXPLOSIVE DEVICE (IED) JAMMERS.**

(a) REQUIREMENT.—The Secretary of Defense shall take such steps as necessary to ensure that by the end of fiscal year 2007 all United States military wheeled vehicles used in Iraq and Afghanistan outside of military compounds are equipped with effective Improvised Explosive Device (IED) jammers.

(b) FUNDING.—The Secretary shall carry out subsection (a) using funds provided pursuant to authorizations of appropriations in title XV.

(c) REPORT.—Not later than December 15, 2006, the Secretary of Defense shall submit to the congressional defense committees a report on the cost and timeline to complete compliance with the requirement in subsection (a) that by the end of fiscal year 2007 each vehicle described in that subsection be equipped with an effective Improvised Explosive Device jammer.

MODIFICATION TO AMENDMENT NO. 21 OFFERED BY MR. TAYLOR OF MISSISSIPPI

Mr. TAYLOR of Mississippi. Mr. Chairman, I have a modification to my amendment at the desk.

The Acting CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 21 printed in House Report 109–461 offered by Mr. TAYLOR of Mississippi:

At the end of the amendment, add the following:

Strike section 1 (page 2, lines 1 through 3) and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''G. V. 'Sonny' Montgomery National Defense Authorization Act for Fiscal Year 2007''.

The Acting CHAIRMAN. Without objection, the modification is agreed to.

There was no objection.

The Acting CHAIRMAN. Pursuant to House Resolution 811, the gentleman from Mississippi (Mr. TAYLOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Mr. Chairman, the modification, that the majority was so kind to agree to, would name this year's defense bill after one of the finest gentlemen to ever serve in this body, a former soldier, a statesman from the State of Mississippi, Sonny Montgomery, and the author of the Montgomery GI bill.

The bill does a lot of things this year that I think Sonny would be very proud of, particularly extending the TRICARE privileges to guardsmen and reservists, and since we are told that former Congressman Montgomery is under the weather, we hope that he is aware of what we are doing today because, again, I cannot think of anyone in our Nation who has done more to advance the Guard and Reserve than Sonny Montgomery.

He caught a heck of a lot of heat from people when he used his friendship with then-President Bush to have the Guard and Reserve called up for the first Gulf War. The decision he made then, the decision President Bush made then, was absolutely the right decision, and it has led to the one-force policy that our Nation enjoys today.

So, again, I want to thank the majority for working with me on that.

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

Mr. TAYLOR of Mississippi. I yield to the gentleman from Missouri.

Mr. SKELTON. Mr. Chairman, I certainly applaud your addition to your amendment. Sonny Montgomery was such a good friend when I first came to the House of Representatives. He, of course, was a senior member of the Armed Services Committee, gave guidance and advice; and I had the opportunity to be on the Personnel Subcommittee when his bill, later known as the Sonny Montgomery GI bill, came through, and I had the opportunity to work on an amendment at the subcommittee level, as a matter of fact.

He was a true gentleman's gentleman, a real inspiration to those of us that worked with him, a credit to the House, a credit to the military, a credit to the National Guard, most of all a credit to our Nation. So it is certainly fitting and proper that you should name this measure after G.V. ''Sonny'' Montgomery.

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

Mr. TAYLOR of Mississippi. I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding, and I will be brief.

But I just want to say about Sonny Montgomery, I miss Sonny Montgomery. I can still see him in the House Chamber, and I can see him in the Armed Services Committee where he sat with us, and I can see him walking into the prayer breakfast.

I am not a regular, but I happened to be there that morning, and he walked in when Floyd Spence was having a double lung operation. Sonny would read the casualty roll, just like a soldier, and he said I have got news about Floyd and a hush fell over the breakfast. There were about 30 Members there, Democrat and Republicans, and we thought he would tell us that Floyd Spence had passed away.

Sonny did kind of a double-take at his notes, and he said Floyd just got married. Apparently, he had gotten married coming out of this double lung transplant operation a few minutes afterwards, and lived many happy years after that.

But Sonny Montgomery was a spark of life in this Chamber. He was a great representative for the tradition of the military, Mr. National Guard. There is no question in the world you could posit to Sonny Montgomery and no statement you could make as a witness before the Armed Services Committee that it would not evoke from Sonny Montgomery, what would this mean for the National Guard? I do not care what the issue was, he managed to turn it into a Guard question.

What a great, great American. He served in World War II and had that great feeling for our military, and he is in tough shape right now.

But I have seen the gentleman's amendment to make this the Sonny Montgomery bill. How fitting and appropriate that we do that. Sonny is

still alive, and I know that we usually do this for Members that have passed on; but Sonny is still alive and I say, good, and let us do this. And I thank the gentleman from Mississippi for bringing this up.

Mr. WELDON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Mississippi. I yield to the gentleman from Pennsylvania.

Mr. WELDON of Pennsylvania. Mr. Chairman, I thank the gentleman for yielding, and I want to thank our colleagues and particularly Mr. TAYLOR and the chairman and ranking member for this tribute to our good friend, Sonny Montgomery.

When I first came to Congress as a junior Member, it was Sonny Montgomery who kind of took the freshman Members under his wing from both parties and kind of taught us the ropes of how to work on the committee in a bipartisan manner.

Sonny Montgomery is, in fact, a statesman. He was the kind of leader on defense and security issues that everyone followed and rallied around.

Time and again, we had bills where leadership, under both Democrat administrations and Republican administrations, would want clean bills with no significant amendments. It was always Sonny Montgomery with his Guard and Reserve package that would ensure at least one amendment, and usually it was strong bipartisan votes because of his commitment, as Chairman HUNTER has outlined, to our Guard and Reserve.

The Acting CHAIRMAN. The time of the gentleman from Mississippi (Mr. TAYLOR) has expired.

□ 1515

The Acting CHAIRMAN (Mr. LAHOOD). Does the gentleman from Missouri (Mr. SKELTON) seek 5 minutes in opposition?

Mr. SKELTON. Yes, Mr. Chairman.

The Acting CHAIRMAN. The gentleman from Missouri is recognized for 5 minutes.

Mr. SKELTON. I yield to the gentleman from Pennsylvania.

Mr. WELDON of Pennsylvania. Mr. Chairman, Sonny Montgomery also was the individual who authored the Montgomery GI bill and is responsible for the education of our young people.

So many have used that bill to go on to school, and it has had such a positive impact on the men and women that have served this country that Sonny's name is known by people far and wide in this Nation, not just because of his commitment to the Guard and Reserve, but to the continuing educational needs of our young people.

I had the pleasure of accompanying Sonny on my first codel to North Korea. He led the delegation into South Korea. We drove up to the DMZ. Sonny led the official delegation to bring back the first remains of Americans from the Korean War. He handled that responsibility with a great deal of pride and responsibility, as Sonny Montgomery did on a continuing and frequent basis in representing this Nation and our President, in receiving the first remains of American prisoners that had been found by the North Korean Government.

I would just add my name to the list of all our colleagues who have such high regard for Sonny Montgomery. He is a statesman, and the gentleman has done a great job in making sure that this bill is a lasting legacy to Sonny Montgomery's leadership.

Mr. SKELTON. Mr. Chairman, I yield the balance of my time to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Chairman, I would like to thank my colleagues for their kind words about Sonny Montgomery. I would also like to remind my colleagues that the underlying amendment calls for telling the Department of Defense that by the end of fiscal year 2007, the Secretary of Defense will develop a plan to equip every wheeled vehicle that leaves a compound in Iraq or Afghanistan with an IED jammer.

Mr. Chairman, I voted for the use of force in Iraq and therefore I share in the responsibility for the death of every young person and every not-so-young person who has been maimed over there. It is a very unfortunate tactic by our enemies to use improvised explosive devices that are remote detonated, which have resulted in over half of the casualties and injuries of Americans over there.

Technology exists to jam the signal that triggers that charge. Many of our vehicles in Iraq have these jammers, but not all. Just as we would never dream of sending a helicopter out that does not have protection from missiles, or dream of sending a C–130 to land at Baghdad or Balad that did not have an antimissile defense, we as a nation should not dream of sending one Humvee or one truck outside of a compound that does not have the technology to jam that signal and protect the troops on board.

I have been to most of the funerals of the south Mississippians who have died in this war, and I have visited most of the soldiers at Walter Reed who have been injured. In every instance they were either killed or injured by an IED, and I regret to say, in every instance the vehicle they were traveling in did not have a jammer.

We are the world's greatest nation. We are going to spend $10 billion this year on national missile defense and we have not been attacked by a missile, and yet every day we are having young Americans killed by IEDs. I think it is time we tell the Department of Defense that we as a Congress want to see that every single vehicle in Iraq is protected, every single soldier, airman, Marine, every single Navy personnel who is traveling in these vehicles is being protected.

I welcome the comments of the chairman of the committee, and I very much welcome his support of this amendment.

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

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

Mr. Chairman, I want to thank the gentleman from Mississippi on two counts, first for his offering the amendment on behalf of Sonny Montgomery, and secondly, for this IED amendment.

I just want to tell the gentleman that we have just tested today a new equipment package that has great potential, that we should be able to move into theater that hopefully will be able to be used in dismounted form and mounted form and that could be used on virtually every vehicle that moves out of base camp or out of forward bases.

I think this is absolutely the number one causation of casualties in the theater in Iraq and Afghanistan. Now that the IED has become the weapon of choice for insurgents, it is going to be used in other battlefields around the world. So our ability, our agility to move new technology through the process quickly and get it fielded is paramount, and this amendment helps to do that.

I want to thank the gentleman for the value he has added to the bill by offering this amendment.

The Acting CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from Mississippi (Mr. TAYLOR), as modified.

The amendment, as modified, was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

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

Amendment No. 8 by Mr. GOODE of Virginia.

Amendment No. 22 by Mr. TIERNEY of Massachusetts.

Amendment No. 4 by Ms. JACKSON-LEE of Texas.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 8 OFFERED BY MR. GOODE

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 252, noes 171, not voting 9, as follows:

[Roll No. 141]

AYES—252

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

NOES—171

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

NOT VOTING—9

Cardoza
Evans
Ford
Garrett (NJ)
Johnson (IL)
Kennedy (RI)
Owens
Reichert
Smith (TX)

□ 1546

Ms. BEAN, Mr. WYNN and Mr. FLAKE changed their vote from ''aye'' to ''no.''

Messrs. KIND, RUPPERSBERGER, CONAWAY, and RAHALL changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. JOHNSON of Illinois, Mr. Chairman, on rollcall No. 141 I was inadvertently detained. Had I been present, I would have voted ''aye.''

AMENDMENT NO. 22 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 redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 124, noes 301, not voting 7, as follows:

[Roll No. 142]

AYES—124

Abercrombie
Ackerman
Allen
Baird
Baldwin
Becerra
Berkley
Berman
Berry
Bishop (NY)
Blumenauer
Boswell
Boucher
Brown (OH)
Brown, Corrine
Capps
Cardin
Carson
Castle
Clay
Cleaver
Conyers
Costello
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Doggett
Doyle
Duncan
Ehlers
Engel
Farr
Fattah
Filner
Frank (MA)
Grijalva
Gutierrez
Hastings (FL)
Hinchey
Holt
Honda
Hooley
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Lantos
Leach
Lee
Lewis (GA)
Lofgren, Zoe
Lowey
Maloney
Markey
Matheson
Matsui
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Price (NC)
Rahall
Rangel
Roybal-Allard
Rush
Sabo
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (VA)
Serrano
Shays
Sherman
Slaughter
Solis
Stark
Strickland
Tierney
Towns
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—301

Aderholt
Akin
Alexander
Andrews
Baca
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capuano
Carnahan
Carter
Case
Chabot
Chandler
Chocola
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Cramer
Crenshaw
Cuellar
Culberson
Davis (AL)
Davis (CA)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Drake
Dreier
Edwards
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston

Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marshall
McCarthy
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Meek (FL)
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Otter
Oxley
Pascrell
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schmidt
Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stearns
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Cardoza
Cubin
Evans
Ford
Garrett (NJ)
Kennedy (RI)
Smith (TX)

□ 1557

Messrs. TAYLOR of North Carolina, CAPUANO and PASCRELL changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. BOEHNER was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. BOEHNER. Mr. Chairman, this series of votes that we are in will be the last votes of the day and the week. As many of you know, there was some chance that the budget would come to the floor tonight. We made a lot of progress today, I am very optimistic that we will get there, but we are not there today. I just wanted all the Members to know what the plans were.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Without objection, 5-minute voting will continue.

There was no objection.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON-LEE OF TEXAS

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 4 printed in House Report 109–459 offered by Ms. JACKSON-LEE of Texas:

Page 117, after line 6, add the following new subparagraph (B) (and redesignate existing subparagraphs (B) and (C) accordingly):

''(B) the frequency of assignments during service career;''.

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 415, noes 9, not voting 8, as follows:

[Roll No. 143]

AYES—415

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardin
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
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
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Pallone
Pascrell
Pastor
Paul
Payne
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.
Sanchez, Loretta
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 (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
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
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—9

Bonilla
Buyer
Cannon
DeLay
Hoekstra
Johnson, Sam
Linder
Oxley
Pearce

NOT VOTING—8

Cardoza
Evans
Ford
Garrett (NJ)
Green, Al
Kennedy (RI)
Owens
Smith (TX)

□ 1608

Mr. PENCE changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN. The Chair understands that amendment No. 16 will not be offered.

Mr. STARK. Mr. Chairman, I rise in opposition to this Defense Authorization Bill, H.R. 5122. Only a few months after ruthlessly slashing $40 billion in health care, education and job training benefits for working Americans, the Republicans have shamelessly

brought forth a Defense Authorization bill that wastefully spends taxpayer dollars and does nothing to make this country any safer.

This bill clearly demonstrates that this Republican Congress has a habitual problem of fiscal mismanagement. This legislation spends billions on the development of ineffective or duplicative weapons systems that pad the pockets of big defense contractors. In turn, these defense contractors thank their Republican sugar daddies by filling their campaign coffers.

H.R. 5122 wastefully authorizes $9.3 billion on pie-in-the-sky Star Wars missile defense, a $184 million increase over President Bush's request and $2 billion more than the current level of spending. Rather than allocate billions for a Cold War weapon system that will never work, Republicans in Congress should address the real security threat posed by weapons that can easily be delivered or smuggled into America in a suitcase or container.

The bill provides additional funding to build ships that the Navy has not requested and does not need. The Republican legislation also allocates nearly $46 billion for 20 F/A–22 Raptors, $1.4 billion more than President Bush requested and $2.9 billion more than is currently spent. Yet these planes were initially justified as necessary to compete with a new generation of Soviet fighters that no longer exists.

Since the collapse of the Russian air force, there is no nation that has, or is planning to have, fighter jets as dominant as those the U.S. Air Force currently employs in combat. In Iraq, Kosovo and Afghanistan, the Air Force has demonstrated the superiority of existing U.S. planes. In addition, the GAO recently reported that the costs of the F/A–22 Raptors have ballooned to $1.3 billion more than was budgeted for by the Air Force. Where does accountability begin?

H.R. 5122 does not require the President to provide an exit strategy out of Iraq. Even after spending $315 billion on a misguided Iraq War, the Bush Administration has no clue on how to resolve the situation or an idea of how to get American soldiers out of the conflict.

It is time to stop giving the President a blank check to fight an aimless war. The only thing that the $50 billion outlay in this bill guarantees is that the U.S. will be in Iraq longer than is necessary and that more American soldiers and Iraqi civilians will die without just cause.

I am also very concerned that certain members of Congress have decided to support chaplains who want to push their own religious agenda rather than the military's commitment to religious tolerance. When chaplains join the military, they accept a duty to serve the military's mission in addition to their mission to God. In providing spiritual guidance to our soldiers, chaplains should never carry out their duty in a manner that divides or alienates soldiers of different faiths. Chaplains who press ahead with their own agenda ahead of the military's mission threaten the cohesiveness of military units and the effectiveness of our soldiers in carrying out their duties.

I urge my colleagues to vote against this wasteful and irresponsible bill. It is time we had a defense budget that lives within its means, stops wasting hard earned tax dollars on useless weapon systems, and accounts for what is truly required in Iraq.

Mr. LATHAM. Mr. Chairman, I rise in strong support of H.R. 5122. I would first like to thank the Chairman for including an important provision helping to provide access to health care for our Guard and Reserve members. This provision will, for the first time, allow all drilling Guard and Reserve members to purchase health coverage through TRICARE, the military's health care system. The provision will treat all of our citizen-soldiers equally, regardless of whether or not they were previously deployed.

This is an issue dear to my heart. Over a year ago, I introduced legislation in the House that provided the basis for the provision we find in the bill today. During my visits to Iraq, I had the opportunity to visit with U.S. soldiers serving there, including many Iowans. When I asked what I could do to help them, the overwhelming response I received was, 'Don't worry about us, but please do something to help our families at home, who are dealing with the fact that we are separated from them every day.' In my conversations with these soldiers and my constituents in Iowa, it became clear that our Guard and Reserve soldiers wanted—and needed—access to better health care for them and their families.

We know that today, 40 percent of our enlisted Guard and Reserve soldiers and their families are uninsured. For soldiers who are deployed, family members receive temporary coverage under TRICARE. This coverage ends some time after they return, depending on the length of the deployment. Families that had health coverage prior to a deployment may be subject to waiting periods or exclusions for preexisting conditions when they try to return to civilian coverage. They are burdened with switching between TRICARE and private insurance, along with different hospital and physician networks.

This is an unacceptable situation for our Guard and Reserve soldiers, who are almost certain to be sent to serve in Iraq and Afghanistan, if they have not done so already. Guard and Reserve soldiers currently make up almost half of our forces serving in those locations. Yet they cannot purchase the same health coverage that full time soldiers access for free. The Federal Employees Benefit Program (FEHBP) covers part time civilian Federal employees if they agree to pay increased premiums. At a minimum we owe our citizen-soldiers the same access to health care with a cost sharing arrangement.

Clearly the role of our Guard and Reserve forces has been transformed to play a central part in providing for the national defense. The greater requirements for sacrifice and service placed on the Guard and Reserve must be matched with greater commitment to them on our part.

We owe it to our citizen-soldiers to provide them with access to affordable health care. Providing TRICARE access during all phases of service will provide an important tool to bolster recruitment, retention, family morale and overall readiness for the Guard and Reserve.

I strongly urge my colleagues to support this bill.

Mr. SIMMONS. Mr. Chairman, I rise today in support of H.R. 5122, a bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2007, and for other purposes. This important legislation was made possible thanks to the leadership of House Armed Services Committee Chairman DUNCAN HUNTER of California and Projection Forces Subcommittee Chairman ROSCOE G. BARTLETT of Maryland. These leaders have taken a long and hard look at how best to fulfill our national security needs, and they have led the committee into action. This is nowhere more evident and important than in the House's shipbuilding budget.

This defense bill is nothing short of historic; it marks a turning point in Congress' view of the United States Submarine Force and our undersea fleet's role in the Global War on Terror and beyond. The House has validated what many of us have long known: that our submarine fleet is the backbone of our Navy's efforts in the Global War on Terror, and that it is critical to deterring aggression by potential adversaries.

H.R. 5122 accelerates production of Virginia Class submarines to help the Navy meet its stated requirement of 48 ships. Without adding funding for two submarines per year starting in 2009, the U.S. submarine fleet will eventually drop to 40 or less, presenting our fighting forces with an unacceptable level of risk. It would be irresponsible to set a force level requirement and then miss that goal by some 20 percent. That is why this bill also requires the Department of Defense to maintain a submarine fleet of 48 ships, consistent with the Navy's stated needs. Shame on Congress should it ever turn its back on our Nation's naval requirements, especially in a time of war.

Article one, section eight of the United States Constitution states that ''Congress shall provide and maintain a Navy.'' Our republic's charter document does not vest this authority with any other body—not the President, not the Department of Defense, and not special interests. Congress must ultimately take responsibility for a hollow Navy, and it is Congress that must answer to the American people if our sailors fail for lack of material support. Today, I am proud to say that this body has acted honorably and ably to execute this charge.

Mr. Chairman, history tells us that we cannot wait for danger to find us. There is a growing threat across the Pacific that we simply cannot ignore. 70 years ago, with the leadership of another House chairman, Congressman Carl Vinson, Congress funded our shipbuilding accounts at a level that prepared us for the turmoil of World War II. Had this body not taken action years before the conflict, the Untied States Navy would not have had the capability to stand up to fascism overseas. In fact, in the first 18 months after Pearl Harbor, the U.S. had barely enough carriers to hold the line, let alone project power in the Pacific. At one point in November 1942, only two carriers were operational in that vast ocean. We can only imagine the outcome had Chairman Vinson chose inaction instead of resolve.

Today, we must look forward with the lessons of our past. We must imagine our future if we let our Navy's submarine force atrophy at a time when its missions are only growing. We must try to envision what will come to pass if the U.S. Navy cannot check a near peer in the Pacific Ocean because it is overstretched and under-equipped. As we consider the current and future threats to our Nation, I am thankful that we have Members of the Armed Services Committee willing to act in the spirit of Chairman Vinson.

So, Mr. Chairman, I rise in support of the H.R. 5122 knowing that this bill represents a

giant step toward facing the threats of today and tomorrow. We have won the first battle to supply this great Nation with the Navy it requires.

Mr. HUNTER. Mr. Chairman, I submit the following letters for the CONGRESSIONAL RECORD.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
*Washington, DC, May 9, 2006.*

Hon. DUNCAN HUNTER,
*Chairman, Committee on Armed Services, Washington, DC.*

DEAR CHAIRMAN HUNTER: On May 5, 2006, the Committee on Armed Services ordered reported H.R. 5122, the National Defense Authorization Act for Fiscal Year 2007. As ordered reported by the Committee on Armed Services, this legislation contains a number of provisions that fall within the, jurisdiction of the Committee on Energy and Commerce. These provisions include the following:

Sec. 312. Munitions Disposal in Ocean Waters

Sec. 313. Reimbursement for Moses Lake

Sec. 314. Funding of Cooperative Agreements

Sec. 2917. [Now Sec 2822]—Restrictive Easements

Sec. 3111. Plan for transformation of National Nuclear Security Administration nuclear weapons complex

Sec. 3112. Extension of Facilities and Infrastructure Recapitalization Program

Sec. 3115. Two-year extension of authority for appointment of certain scientific, engineering, and technical personnel

Sec. 3117. Consolidation of counterintelligence programs of Department of Energy and National Nuclear Security Administration

Recognizing your interest in bringing this legislation before the House expeditiously, the Committee on Energy and Commerce agrees not to seek a sequential referral of the bill. By the being not to seek a sequential referral, the Committee on Energy and Commerce does not waive its jurisdiction over these provisions or any other provisions of the bill that may fall within its jurisdiction. In addition, the Committee on Energy and Commerce reserves its right to seek conferees on any provisions within its jurisdiction which are considered in the House-Senate conference, and asks for your support in being accorded such conferees.

I request that you include this letter and your response as part of the report on H.R. 5122 and as part of the CONGRESSIONAL RECORD during consideration of this bill by the House.

Sincerely,

JOE BARTON,
*Chairman.*

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HOUSE OF REPRESENTATIVES, COMMITTEE ON INTERNATIONAL RELATIONS,
*Washington, DC, May 5, 2006.*

Hon. DUNCAN HUNTER,
*Chairman, House Committee on Armed Services, Washington, DC.*

DEAR MR. CHAIRMAN: I am writing to you concerning the bill H.R. 5122, The National Defense Authorization Act for Fiscal Year 2007. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on International Relations.

In the interest of permitting your Committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this Committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill the Committee on International Relations does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name Members of this Committee to any conference committee which is named to consider any such provisions.

Please place this letter into the Committee report on H.R. 5122 and into the CONGRESSIONAL RECORD during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

With best wishes,

Sincerely,

HENRY J. HYDE,
*Chairman.*

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,
*Washington, DC, May 4, 2006.*

Hon. DUNCAN HUNTER,
*Chairman, Committee on Armed Services, Washington, DC.*

DEAR MR. CHAIRMAN: I am writing to you concerning the jurisdictional interest of the Science Committee in matters being considered in H.R. 5122, the ''National Defense Authorization Act for Fiscal Year 2007.'' I appreciate you working with me in your development of H.R. 5122, particularly with respect to Section 911, Designation of Successor Organizations for the Disestablished Interagency Global Positioning Executive Board.

The Science Committee acknowledges the importance of H.R. 5122 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over Section 911 and other provisions of the bill, I agree not to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forgo a sequential referral waives, reduces or otherwise affects the jurisdiction of the Science Committee, and that a copy of this letter and of your response will be included in the Committee report and in the CONGRESSIONAL RECORD when the bill is considered on the House Floor.

The Science Committee also expects that you will support our request to be conferees on any provisions over which we have jurisdiction during any House-Senate conference on this legislation.

Thank you for your attention to this matter.

Sincerely,

SHERWOOD BOEHLERT,
*Chairman.*

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HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
*Washington, DC, May 4, 2006.*

Hon. DUNCAN HUNTER,
*Chairman, Committee on Armed Services, Washington, DC.*

DEAR MR. CHAIRMAN. I am writing to you concerning the jurisdictional interest of the Transportation and Infrastructure Committee in matters being considered in H.R. 5122, the National Defense Authorization Act for Fiscal Year 2007.

Our Committee recognizes the importance of H.R. 5122 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces or otherwise affects the jurisdiction of the Transportation and Infrastructure Committee, and that a copy of this letter and of your response acknowledging our jurisdictional interest will be included in the Committee Report and as part of the CONGRESSIONAL RECORD during consideration of this bill by the House.

The Committee on Transportation and Infrastructure also asks that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference.

Thank you for your cooperation in this matter.

Sincerely,

DON YOUNG,
*Chairman.*

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
*Washington, DC, May 3, 2006.*

Hon. DUNCAN HUNTER,
*Chairman, Committee on Armed Services, Washington, DC.*

DEAR CHAIRMAN HUNTER: H.R. 5122, the ''National Defense Authorization Act for Fiscal Year 2007,'' contains provisions that implicate the rule X jurisdiction of the Committee on Judiciary. However, in recognition of the desire to expedite consideration of this legislation, the Committee hereby waives consideration of the bill.

The Committee on Judiciary takes this action with the understanding that by forgoing consideration of H.R. 5122, the Committee does not waive any jurisdiction over subject matter contained in this or similar legislation. The Committee also reserves the right to seek appointment to any House-Senate conference on this legislation and requests your support if such a request is made. Finally, I would appreciate your inclusion of this letter in the CONGRESSIONAL RECORD during consideration of H.R. 5122 on the House floor. Thank you for your attention to these matters.

Sincerely,

F. JAMES SENSENBRENNER, JR.,
*Chairman.*

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HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
*Washington, DC, May 1, 2006.*

Hon. DUNCAN HUNTER,
*Chairman, Committee on Armed Services, Washington, DC.*

DEAR MR. CHAIRMAN: I write to confirm our mutual understanding regarding H.R. 5122, the Defense Authorization Act for Fiscal Year 2007. This legislation contains subject matter within the jurisdiction of the Permanent Select Committee on Intelligence. However, in order to expedite floor consideration of this important legislation, the Committee waives consideration of the bill.

The Permanent Select Committee on Intelligence takes this action with the understanding that the Committee's jurisdictional interests over this and similar legislation are in no way diminished or altered. I also wish to confirm our mutual agreement that the transfer of the Office of Defense Nuclear Counterintelligence of the National Nuclear Security Administration in no way impairs or affects the Permanent Select Committee on Intelligence's jurisdiction over intelligence activities of National Intelligence Program components of the Department of Energy, including those carried out by this Office.

The Committee also reserves the right to seek appointment to any House-Senate conference on this legislation and requests your support if such a request is made. Finally, I would appreciate your including this letter in the Congressional Record during consideration of H.R. 5122 on the House floor.

Thank you for your attention to these matters.

Sincerely,

PETER HOEKSTRA,
*Chairman.*

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
*Washington, DC, May 10, 2006.*

Hon. DUNCAN HUNTER,
*Chairman, Committee on Armed Services, Washington, DC.*

DEAR MR. DUNCAN On May 5, 2006, the Committee on Armed Services ordered reported H.R. 5122, the National Defense Authorization Act for Fiscal Year 2007. Thank you for working closely with the Committee on Government Reform on those matters within the Committee's jurisdiction. I am writing to confirm our mutual understanding with respect to the consideration of H.R. 5122.

In the interest of expediting the House's consideration of H.R. 5122, the Committee on Government Reform did not request a sequential referral of the bill. However, the Committee did so only with the understanding that this procedural route would not prejudice the Committee's jurisdictional interest and prerogatives in this bill or similar legislation.

I respectfully request your support for the appointment of outside conferees from the Committee on Government Reform should H.R. 5122 or a similar Senate bill be considered in conference with the Senate. Finally, I request that you include our exchange of letters on this matter in the Armed Services Committee Report on H.R. 5122 and in the CONGRESSIONAL RECORD during consideration of this bill on the House floor. Thank you for your attention to these matters.

Sincerely,

TOM DAVIS,
*Chairman.*

Mr. UDALL of Colorado. Mr. Chairman, I rise in support of this bill. As a relatively new Member of the Armed Services Committee, I am grateful to Chairman HUNTER and Ranking Member SKELTON for working with me on a number of provisions in the bill that are important to Colorado.

The bill includes language that highlights the importance of the High Altitude Aviation Training Site (HAATS) in Eagle, CO and its need for enough aircraft to fulfill its mission. HAATS is the primary site for training military aviators on operations in hostile, high altitude, and power-limited environments under all seasonal weather conditions, such as Afghanistan.

As a result of language I had included in the Defense Authorization bill last year, the Army National Guard pledged to provide two Blackhawks to HAATS, but I'm told HAATS needs five Blackhawks in order to sustain training requirements. The language included in this bill asks for the number and type of helicopters that are needed to provide the training necessary to sustain our war strategies and asks for an evaluation of the accident rates for deployed Army helicopter pilots who received high altitude training and those who did not receive such training. I think this information will further underscore HAATS' critical mission and the reason it needs more aircraft.

Second, I worked with committee chairman Representative DUNCAN HUNTER (R–CA) to include language in the bill to name a housing facility at Fort Carson in honor of my friend Representative JOEL HEFLEY, who is retiring at the end of the year. In his 20 years representing Colorado's 5th Congressional district, JOEL has served with integrity and honor and has been a fair and effective lawmaker. I have learned a great deal from JOEL in my years in Congress, and I will miss his good company and collegiality.

I also supported an amendment offered by Representative HEFLEY that requires the Defense Department to report to Congress that it has made every effort to acquire property from willing sellers before using eminent domain to expand Fort Carson's maneuvering site in Pinyon Canyon. Along with other members of the Colorado delegation, I will be watching these developments carefully.

Finally, I'm pleased that the bill includes $3.1 million for the Air Sovereignty Alert Crew Quarters facility at Buckley Air Force Base. Currently, the crews are housed in modular trailers on the edge of the alert aircraft-parking apron, which do not comply with prescribed procedures identified by safety and Air Force Fire Protection instructions. These funds will enable Colorado's Air National Guard to build a facility to help aircrew perform their mission—supporting Homeland Defense capabilities throughout the United States—which was established in response to post 9/11 national strategy requirements.

I am also pleased with many other provisions in the bill. H.R. 5122 includes a provision I advocated to permanently authorize and fund the Freedom Salute Campaign and Welcome Home Warriors Program, an awards and appreciation program for troops returning from duty in Iraq and Afghanistan. This program is a small but significant way for us to show our appreciation for the service and sacrifice of our men and women in uniform and their families, and is also helpful for retaining these dedicated men and women in our Armed Forces.

There are also many broad provisions in the bill that benefit our troops. An important one extends Tricare coverage to all Reservists, something Democrats on the Committee fought for last year with limited success. So I'm very pleased that the bill expands this benefit and underscores the importance of providing the same set of services to all our servicemen and women. The bill also blocks the proposed plan to raise certain Tricare fees. It raises the end-strength of the Army and Marine Corps by 30,000 and 5,000 respectively, thereby helping to ease the strain on our troops, and fully funds end-strength of the Army National Guard. I'm also glad that the bill includes provisions to increase recruiting and retention incentives, provides a 2.7% pay raise for members of the armed forces, and increases funding for up-armed Humvees and IED jammers.

Also important—especially at this time of budget tightening—is the bill's focus on reining in costs of major procurement programs, particularly the Future Combat Systems and other programs that have relied on immature technology. The bill requires the Army to fully fund its maintenance, modular conversion and prepositioned war stocks or face a cap of $2.85 billion on FCS. Funding in excess of the cap would be transferred to reset equipment costs and modularity. H.R. 5122 also redirects missile defense funding from longer range programs to near-term needs, such as buying upgrades for the Patriot and Aegis interceptors that can protect our service members and allies today. It also places restrictions on developing improvements to the ground-based midcourse defense system until after it successfully intercepts two operationally realistic warheads.

On a less positive note, Rules Committee Republicans denied Members of the House the opportunity to debate a number of key amendments which would have improved this bill. Among them was one offered by Ranking Member SKELTON, which would lower the increased retail pharmacy co-payment fees for military families; an amendment offered by Mr. ANDREWS and others to increase funding for nonproliferation programs; and an amendment by Mr. ISRAEL to require that chaplains demonstrate "sensitivity, respect, and tolerance" toward servicemembers of all faiths.

Another amendment not made in order was one offered by Mrs. CAPPS and Mr. SNYDER to strike language in the bill prohibiting the National Park Service from carrying out a 1997 court-ordered settlement agreement that requires the shutdown of a private trophy hunting operation on Santa Rosa Island, part of the Channel Islands National Park. There have been no hearings on this issue, the National Park Service is opposed to it, and the Defense Department has not requested it. The Republican leadership should have allowed debate on this amendment, and I will work with my colleagues to see that conferees on the bill strike this language.

The Rules Committee Republicans also refused to allow debate on an amendment on energy security that I offered and a similar one that I offered with my colleagues Mr. HOYER and Mr. GORDON. Even as Americans struggle to afford near-record high gas prices, Republicans rejected these amendments to increase funding for alternative fuels programs at the Department of Defense. America's addiction to oil from any source means that our security is vulnerable and will continue to be until we have the vision to look beyond the gas pump. I'm very disappointed that the Republican leadership doesn't see this as a priority.

I'm also disappointed that the leadership and the Rules Committee did not provide for any debate on the prosecution of the war in Iraq and Afghanistan.

On the whole, however, the bill we are considering today does a good job of balancing the need to sustain our current warfighting abilities with the need to prepare for the next threat to our national security. It is critical that we are able to meet the operational demands of today even as we continue to prepare our men and women in uniform to be the best trained and equipped force in the world.

Mr. Chairman, this is not a perfect bill. And the process under which it was debated on the floor was not all that it should have been. But overall, this is a good bill, a carefully drafted and bipartisan bill, and I urge its support.

Mr. JOHNSON of Illinois. Mr. Chairman, I rise today to express regret for my absence during roll call vote 141. I was on the floor, but was unable to record a vote on an amendment offered by my colleague VIRGIL GOODE during consideration of H.R. 5122, the National Defense Authorization Act for Fiscal Year 2007. However I want to make it clear that I intended to vote 'aye' for I am a strong supporter of this amendment.

Representative GOODE's amendment authorizes the Secretary of Defense to assign members of the armed forces to assist the Department of Homeland Security in the performance of border protection functions. Securing our borders against terrorists, drug traffickers and illegal aliens is of great importance to our national security. I would like to point out that

I voted for this exact same amendment last year when Representative GOODE offered it during consideration of the National Defense Authorization Act for Fiscal Year 2006.

I am a strong supporter of H.R. 5122, the National Defense Authorization Ad for Fiscal Year 2007 and I voted for its final passage. Again, I apologize for being unable to cast my vote on the Goode amendment and I am pleased this important amendment made it into the final bill which I supported.

Mr. GARRETT of New Jersey. Mr. Chairman, like many proud parents this spring, I will be attending with my family the joyous occasion of watching my oldest daughter graduate high school. Unfortunately, due to this, I regret to inform you that I will be unable to participate in afternoon votes on Thursday, May 11, 2006.

I wish to submit the following statement as to my position on the National Defense Authorization Act for Fiscal Year 2007 that I am proud to support and would have given a strong yeah vote had personal matters not called my away from our nation's capital.

I commend this body, including the Chairman of the House Armed Services Committee, for their work on crafting this authorization for our Department of Defense that will protect our troops as they ensure for the safety and security of Americans and our allies at home and abroad.

The men and women serving and who have served in our armed forces are true American heroes. We must do what we can to give them the tools to win the War on Terrorism and win it safely.

My heart and prayers go out to all who risk so much defending our liberties and freedoms. I wish all a safe and speedy return home to their friends and families.

Ms. BORDALLO. Mr. Chairman, I rise today in strong support of H.R. 5122, the National Defense Authorization Act for Fiscal Year 2007. As my colleagues have stated, this bill includes so many provisions important to our national security and to the fighting men and women who serve our great nation in uniform. Many of them are deployed in combat zones around the world today. I have visited servicemembers in Iraq seven times now and my commitment, like the commitment of this Congress, remains to do everything necessary to provide the heroes sacrificing for our country with the resources they need to fight, to win, and to survive. We continue our important commitment to their quality of life including to their families with this bill.

I take this opportunity to thank Chairman HUNTER and Ranking Member SKELTON for the work that they and their staff members have done to include within this bill provisions important to the people of Guam and to servicemembers who serve on Guam.

For many years leaders on Guam have worked to grow the capability and capacity of the Guam Shipyard, an asset recognized to be of ''vital strategic importance'' to the Pacific Fleet. We learned over the past year that twice as many vessels in support of our Navy are repaired in foreign shipyards in the Pacific, particularly in Singapore, than are repaired in Guam. We also learned that Apra Harbor in Guam is treated as a foreign harbor although Guam and its shipyard are properly treated as a U.S. location. This bill includes important language to remedy these conflicts. I am deeply grateful to members of the committee staff who traveled to Guam and Hawaii in January of this year to review this issue. I am also grateful to the many members of this committee who have visited Guam, including our colleague from Maryland, ROSCOE BARTLETT, and our colleague from Mississippi, GENE TAYLOR. Both Members visited the Guam Shipyard in March of this year and learned first-hand of the value the facility offers to the U.S. Navy.

In rewriting Section 7310 of Title 10, the Committee on Armed Services has made clear that Guam, including Apra Harbor, is fully and properly a U.S. location, and has further made clear that foreign ship repair for reasons of cost alone is unacceptable, particularly when shipyards like the Guam Shipyard are underutilized. Our first commitment must be to sustaining and growing the ship repair industry in America even if such endeavor costs slightly more money. We cannot depend on foreign yards or harbors in time of war for safety, security, reliability and availability. We must therefore remain committed to America's ship repair industry by ensuring stable work, and by extension, the stability of skilled workforce that is the backbone of the ship repair industry. On Guam this is especially true given that the Guam Shipyard represents a particularly important asset because of its strategic forward location. This bill makes a commitment to the Guam Shipyard and its skilled workers whom the people of Guam are so proud. This is a reflection of the great value these workers offer to the Pacific Fleet and to our national security. It is also a reflection of this Congress' unwillingness to outsource our national security. Finally, the language in this bill regarding ship repair is a reflection of the recently released Quadrennial Defense Review which indicates the growing strategic importance of the Pacific with increased Naval activity in the Pacific and therefore the likelihood of increased demands on facilities like the Guam Shipyard.

Mr. Chairman, I would also like to note that this bill requires a comprehensive study on the future of the Guam Shipyard. It is important that the Navy fully evaluate, during this time of change, how best to utilize, manage and grow the asset that is the Guam Shipyard. The report required by this bill is a responsible measure that ensures that the future of the Guam Shipyard is coordinated with the future of our Navy's national security needs in the Pacific.

Also included within this bill is an important provision that makes a commitment to our active duty servicemembers and their families. I worked closely with the committee and with military advocacy groups to secure inclusion of a measure to authorize servicemembers assigned to non-foreign areas outside the continental United States, areas that include Guam and Alaska, to ship a second personally owned vehicle to and from these locations upon assignment. This measure has long been sought by our active duty servicemembers. In an era when we say that we retain the family not just the servicemember, we have now passed a provision focused on the family. With military spouses pursuing their own careers and families venturing off bases for community activities, school commitments, and so much more, one car families are simply impractical—they are a thing of the past. Servicemembers assigned to non-foreign overseas areas, unlike their CONUS counterparts, are permitted to bring only one vehicle with them to their new duty station at DOD expense. This created a situation in which many servicemembers had to hastily sell a car prior to reassignment, usually at a loss, only to buy a new car on arrival at their new duty location, again at a loss. This activity as repeated upon assignment back to a CONUS location. This practice placed an unacceptable burden on military families. I am pleased that this Congress has made a commitment to end this inequity. I know this provision is broadly supported by active duty servicemembers and further has the support of The Military Coalition. I hope that this provision will be accepted in conference and remain in the final bill.

Mr. Chairman, a third provision in this bill is important to Guam and to a recently reached agreement between the United States and Japan. This bill repeals a measure added in law some years ago to prohibit the hiring of foreign labor to work on military construction projects on Guam. Next year $209 million in military construction projects are authorized by this bill to take place on Guam. Over the next ten years $10.3 billion in military construction will be undertaken on Guam. The concern is now whether Guam can deliver the workforce necessary to accomplish these goals on this short timeline, not whether Guam's workforce is being supplanted or bypassed by foreign labor. Therefore, this authorization bill offers the opportunity to repeal this restrictive provision. Its inclusion will ensure contractors on Guam will be able to access the labor market needed for them to compete for and complete government contracts for military construction in the future. Additionally, without the ability to meet the upcoming workforce demands, there is some concern that agreements recently made with the Government of Japan for relocating Marines from Okinawa to Guam on a set timeline would not be able to be realized according to the envisioned, desired, and agreed upon schedule. Ensuring the availability of a workforce necessary to accomplish the construction required for Marines to move to Guam from Okinawa is an important part of meeting both the workforce demand on Guam and United States international commitments.

I have also worked to provide relief to military retirees residing on Guam whom have been disadvantaged by a Department of Defense interpretation of standing law. Retirees on Guam are only able to participate in TRICARE Standard due to the unavailability of TRICARE Prime on Guam. Retirees on Guam were previously reimbursed for travel they were required to make to Hawaii or elsewhere for specialty medical care otherwise available on Guam. Now, in light of a change in policy some 16 months ago and unfavorable DOD interpretation of TRICARE laws, when a retiree is referred by their TRICARE health provider off-island to receive specialty care that is unavailable on Guam a retiree must pay ''out of pocket'' for their travel expenses. Travel from Guam to Hawaii is costly and this creates a large and unfair burden on Guam's retirees. Additionally, this situation results in inequitable treatment for the veteran communities on Guam. A retiree, having served at least 20 years in the military, cannot receive reimbursement for travel necessary to receive medical care available only off of Guam. However, a veteran receiving care from the Department of Veterans Affairs referred for off-island care is reimbursed for his or her travel expenses.

I have raised this issue with the Department of Defense several times and continue to work with DOD for an equitable solution. Retirees on Guam deserve some relief. While this bill contains provisions important to the TRICARE system for members of the military community, it does not specifically address the outstanding issue for retirees on Guam. I will continue to work to resolve this issue. I filed an amendment to this bill with the Committee on Rules that would have provided some relief to retirees. This amendment was unfortunately not made in order and cannot be considered on the floor today. This amendment sought to provide an interim solution. It proposed to give retirees the ability to travel on military aircraft on a space available basis to and from the location of their referred healthcare at an increased priority level. Retirees are currently in the lowest priority category for space available travel. I will continue to work with the Department of Defense on this issue.

Finally, the island of Guam has a robust military recruiting program and many Chamorros and Guam residents join the Armed Services. In fact, Guam has a higher per capita service rate in the Guard and Reserve than any other U.S. location. However, for quite some time, these men and women have had to travel to Hawaii to process their enlistments at a Military Entrance Processing Station (MEPS). Included in this bill is language requiring the USMEPCOM to study the feasibility of establishing a MEPS station on Guam. The burden of processing each recruit through Hawaii significantly extends the time period for processing a recruit and adds additional cost for travel expenses. It is my hope that this review will lead to the re-establishment of a MEPS station on Guam responsive to Guam's Guard and Reserve and to U.S. active duty recruiters. I believe this would also reduce costs of processing a recruit and expedite enlistment.

I was pleased to work with the committee leadership to amend a current requirement in this legislation in such a way to require the Department of Defense to more closely evaluate the transformation it is undertaking of the National Guard and Reserve. It is important that the Department of Defense study closely how it will execute and fund Guard and Reserve transformation, including evaluating budgeting of the costs for equipment repair, transfer and procurement as well as an evaluation of the timeline the transformation will prove achievable. I have long advocated for full parity between active duty and Guard and Reserve forces. Transformation is an aggressive plan to achieve this parity although with significant reorganization of brigades and units within the reserve elements. The task, the cost and the risks must be fully evaluated to ensure transformation is achieved and that it is done in a way that makes our Guard and Reserve forces, who have shouldered so much of the burden in the war on terror, a better force. This transformation promise cannot be yet another in a long line of unfulfilled promises by the active duty components to their reserve counterparts.

Thank you, Mr. Chairman. I urge adoption of H.R. 5122.

The Acting CHAIRMAN. There being no other amendments, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. LAHOOD, 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. 5122) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2007, and for other purposes, pursuant to House Resolution 811, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. SALAZAR

Mr. SALAZAR. Mr. Speaker, I offer a motion to recommit.

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

Mr. SALAZAR. I am opposed to the bill in its current form.

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

The Clerk read as follows:

Mr. Salazar moves to recommit the bill H.R. 5122 to the Committee on Armed Services with instructions to report the same back to the House promptly with an amendment to the bill that inserts the text of H.R. 808, to repeal the offset from surviving spouse annuities under the military Survivor Benefit Plan for amounts paid by the Secretary of Veterans Affairs as dependency and indemnity compensation, as introduced in the House on February 15, 2005.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 5 minutes in support of his motion to recommit.

Mr. SALAZAR. Mr. Speaker, I stand here before you today in support of our troops and their families. This motion to recommit would send H.R. 5122 back to the Armed Services Committee with instructions to bring the bill back to the whole House with the addition of H.R. 808.

I commend my friend Mr. BROWN from South Carolina for introducing H.R. 808, a bill which now has 202 cosponsors, including myself. This bill would end the practice of penalizing surviving spouses of those who have died as a result of service-connected injuries.

Mr. Speaker, the Military Families Tax affects over 50,000 families in the country. It is an unjust burden on those whose spouses served the Nation in defense of our freedom. I commend those families and call upon this House to vote an end to the unfair tax on survivor compensation.

Right now, if a soldier dies, their spouse will have the amount of the Survivor Benefit Plan reduced by the amount they received from the VA as dependency and indemnity compensation. For the loss of a loved one, we penalize spouses with a $993 month reduction in their compensation. Our soldiers families do not deserve to be treated this way, and all of us should continue to fight until we can right this wrong.

I offered an amendment last year to the defense authorization bill that would have eliminated this unjust provision, but we denied a debate. The other body chose to include SBP relief, but the defense conferees failed to adopt it, and we were again denied the opportunity to fix this problem.

In November, my good friend, Mr. EDWARDS from Texas, started a discharge petition to bring H.R. 808 to the floor. That petition now has 168 signatories. Today, I ask my colleagues as fellow Americans to stand up for military widows.

Let us make a statement here today that the Military Families Tax is unjust, unfair and un-American.

□ 1615

Mr. Speaker, we should send this bill back to the committee and demand that they ease the burden on our military families. America can do better to provide for the families of our Nation's military heroes. I urge my colleagues to vote ''yes'' on this motion to recommit.

Mr. Speaker, I yield to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, yesterday this House passed a tax bill that will give Lee Raymond, the just-retired CEO of ExxonMobil, a $2 million dividend tax break, a $2 million tax break for someone who was just given a $398 million retirement benefit package.

That tax bill will cost $70 billion. $22 billion of that money will go to benefit those, such as Mr. Raymond, who are making over $1 million a year. Surely if we could give Mr. Raymond a $2 million tax break yesterday, then today, right now with one vote, we can afford to give military widows a chance to keep their $933 a month in survivor benefits from the Veterans Administration

The question is, whose side are we on? Mr. Raymond, a retired, overpaid executive from ExxonMobil, or some of the 50,000 surviving beneficiaries and family members, widows, of those who spent a lifetime serving our country?

Mr. Raymond made more income in 1 week than most military families

make in an entire lifetime of service to our country. Surely compassionate conservatism does not mean saying ''yes'' to Mr. Raymond's tax break yesterday, but ''no'' to treating our military widows decently today.

I urge the 80 Republican colleagues of mine who cosponsored this legislation to back up your cosponsorship with your vote on this motion to recommit.

Let us stand up for the military families of this country.

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

Mr. HUNTER. Mr. Speaker, I claim the time in opposition.

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

Mr. HUNTER. I yield to the gentleman from Mississippi (Mr. PICKERING).

Mr. PICKERING. Mr. Speaker, I want to thank our chairman, and I want to talk to the Members here to sadly inform them that our friend, Sonny Montgomery is struggling in the last moments of his life. And I want to thank the chairman and the ranking member, Mr. SKELTON from Missouri, for very appropriately and very fittingly naming this the G.V. ''Sonny'' Montgomery Defense Authorization Bill.

As you all know, Sonny Montgomery served in Congress for 30 years. For 14 years he was chairman of the Veterans Committee. His name and his legacy and his service are very rich and very deep, as he passed the G.V. ''Sonny'' Montgomery GI bill.

If you go back home to Mississippi, you see the G.V. ''Sonny'' Montgomery VA Hospital and National Guard complex. He was Mr. Veteran and he was Mr. National Guard, and he contributed greatly to the force that we have today and to the men and women who serve; and most importantly, he was an example to all of us of the best of this institution of civility, of common ground, of bipartisanship, of supporting the men and women that serve in our Nation's military.

He has been my friend, and he has been my example. And so, Mr. Chairman, I want to thank you for naming this the G.V. ''Sonny'' Montgomery Defense Authorization Bill.

Mr. Speaker, he was also the spiritual leader of the House, always calling us to prayer and to remember those in need, those that were sick, and those that were facing challenges. Mr. Speaker, I ask this body to pray for Sonny Montgomery. May God have mercy on him, his life, and his legacy.

Thank you, Mr. Chairman.

Mr. HUNTER. I thank the gentlemen from Mississippi. I am going to miss Sonny Montgomery, with that great smile that illuminated this House and all of our lives.

Ladies and gentlemen, this defense bill passed the committee by a vote of 60–1. It did that because we listened. My great partner on the committee, IKE SKELTON, and I and all of our subcommittee chairmen and ranking members listened to all of the members, worked all of the issues that connect your constituents with you, with all of our troops around the world.

This is our connection, this defense bill, that provides for the policies that run their lives while they are in the military, that provide for the quality of life for their families back home, that provides for the tools that they need to undertake this dangerous mission in this war against terror.

This is your connection. And let me tell you, the theme of the bill this year was troop protection. And to those ends, we moved over $100 million into new jammer capability for IEDs, lots of money, lots of additional money for armored platforms, lots of new technology for body armor for our soldiers, our sailors, our airmen, our Marines. At the same time, for our National Guardsmen, we completed this transition, even when they are not mobilized, for TRICARE, for our health care program. We did great things.

And for those people who have fallen, I want to remind you that last year we moved up that benefit, and it should have been done a long time ago, to half a million dollars in cash for the families of our fallen heroes so that they could carry on their lives.

This bill is your connection to the troops. We did a good job. And I would ask you to trust us, to trust the members of this committee. And with all due respect to the gentlemen who just offered this amendment, you will notice there was no motion to recommit offered by a member of the committee, and that is because this is a good bill. It does a good job. It gives the tools to the troops in this war against terrorism that they need.

Vote against this motion to recommit. Vote for the bill.

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

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

There was no objection.

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

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

RECORDED VOTE

Mr. SALAZAR. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 5122, if ordered, and on the motion to suspend with respect to H. Res. 802.

The vote was taken by electronic device, and there were—ayes 202, noes 220, not voting 10, as follows:

[Roll No. 144]

AYES—202

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
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
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 (NC)
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
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
Shays
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)
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

NOES—220

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
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 (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling

Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
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
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
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
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Cardoza
Evans
Garrett (NJ)
Kennedy (MN)
Kennedy (RI)
McKinney
Meeks (NY)
Smith (NJ)
Smith (TX)
Van Hollen

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1637

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. VAN HOLLEN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted ''aye.''

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

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

RECORDED VOTE

Mr. HUNTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 396, noes 31, not voting 5, as follows:

[Roll No. 145]

AYES—396

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardin
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
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
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Issa
Istook
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)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Oxley
Pallone
Pascrell
Pastor
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.
Sanchez, Loretta
Sanders
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOES—31

Baldwin
Capps
Capuano
Conyers
Frank (MA)
Grijalva
Holt
Honda
Inslee
Jackson (IL)
Kilpatrick (MI)
Kucinich
Lee
Lewis (GA)
Markey
McDermott
McKinney
Miller, George
Moore (WI)
Olver
Owens
Paul
Payne
Schakowsky
Serrano
Stark
Tierney
Velázquez
Waters
Watt
Woolsey

NOT VOTING—5

Cardoza
Evans
Garrett (NJ)
Kennedy (RI)
Smith (TX)

□ 1645

Ms. KILPATRICK of Michigan changed her vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.''.

A motion to reconsider was laid on the table.

Stated for:

Mr. CARDOZA. Mr. Speaker, I regret that I was unable to be present for the following roll-call vote today due to a death in the family. Had I been present, I would have voted ''aye'' on H.R. 5122 (the National Defense Authorization Act).

## AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5122, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 5122, the Clerk be authorized to correct section numbers, punctuation, cross-references, and the table of contents, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill, and that the Clerk be authorized to make the additional technical corrections which are at the desk.

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

There was no objection.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will resume.

There was no objection.

## ENCOURAGING ALL ELIGIBLE MEDICARE BENEFICIARIES TO REVIEW AVAILABLE OPTIONS TO DETERMINE WHETHER ENROLLMENT IN A MEDICARE PRESCRIPTION DRUG PLAN BEST MEETS THEIR NEEDS FOR PRESCRIPTION DRUG COVERAGE

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 802.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. DEAL) that the House suspend the rules and agree to the resolution, H. Res. 802, 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 406, nays 0, answered ''present'' 4, not voting 22, as follows:

[Roll No. 146]

YEAS—406

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
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)
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
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
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kildee
Kilpatrick (MI)
Kind
King (IA)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
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
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.
Sanchez, Loretta
Sanders
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
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
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—4

McDermott
Miller, George
Schakowsky
Stark

NOT VOTING—22

Brown-Waite, Ginny
Cardoza
Eshoo
Evans
Filner
Ford
Gallegly
Garrett (NJ)
Keller
Kennedy (RI)
King (NY)
LaHood
Larson (CT)
Leach
McHugh
Meek (FL)
Neal (MA)
Neugebauer
Reichert
Skelton
Slaughter
Smith (TX)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1654

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

The result of the vote was announced as above recorded.

The title of the resolution was amended so as to read: ''Encouraging all eligible Medicare beneficiaries who have not yet elected to enroll in the new Medicare Part D benefit to review the available options and to determine whether enrollment in a Medicare prescription drug plan best meets their current and future needs for prescription drug coverage''.

A motion to reconsider was laid on the table.

## LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I would like to inquire of the distinguished majority leader the schedule for the week to come, and I yield to my friend from Ohio (Mr. BOEHNER).

Mr. BOEHNER. I thank my colleague for yielding.

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

On Wednesday and the balance of the week, the House will likely consider the Ag, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, which I anticipate will be scheduled for Wednesday, subject to change.

We will deal with the Department of the Interior, Environment and Related Agencies Appropriations Act, and the Military Quality of Life and Veterans Affairs Appropriations Act.

The House will also consider H.R. 4200, the Forest Emergency Recovery and Research Act. The Committee on Resources, Ag, and Transportation and Infrastructure have all completed action on that bill.

In addition to these bills, I continue to hope that we are able to bring a budget resolution to the floor. A lot of progress was made today, but that is an issue that I am hopeful we can deal with next week.

Mr. HOYER. I thank the gentleman for that information. He has now said both initially and again about the budget. You have indicated there will be votes on Friday, obviously.

Mr. BOEHNER. I am very sure that next week there will be votes on Friday.

Mr. HOYER. So no doubt in your mind about that?

Mr. BOEHNER. With three appropriations bills and several other bills, and the possibility of doing the budget, we will have our hands full.

Mr. HOYER. I thank you for that. On the energy bills, do you expect any energy-related legislation on the floor next week, refinery siting, for example?

Mr. BOEHNER. It is not likely we will have any energy bills up next week, but there are a number of energy bills that are in the pipeline with regard to the possibility of drilling in ANWR, the CAFE bill continues to move along, and the refinery legislation that did not receive a two-thirds vote under suspension is likely to be back in some form.

Mr. HOYER. I thank the gentleman for that information. The telecom bill which was reported out of committee, I know it is not on this calendar for the coming week. Could you tell us your expectations of when that might be scheduled?

Mr. BOEHNER. After that bill came out of the Energy and Commerce Committee, the Judiciary Committee filed a request for a referral on that bill. It has been under consideration this week with the Parliamentarians, and we are hopeful that we will have an answer from the Parliamentarians about this jurisdiction which is holding up the consideration of the bill.

Mr. HOYER. Reclaiming my time, would it be your expectation then, once the Parliamentarians make their judgment, that the bill will then be referred to the Judiciary Committee, if that was their judgment, so that it might be some time before that bill came to the floor? I yield to my friend.

Mr. BOEHNER. It depends on the ruling of the Parliamentarians; and until they rule whether there is a jurisdictional claim or not, there is not much that we can do.

Mr. HOYER. All right. Thank you very much for that.

The Voting Rights Act reauthorization, quite clearly that got overwhelming bipartisan support. I know the chairman has worked very hard on that. MEL WATT and other members of the Judiciary Committee have worked very hard on that. Can you tell me when you expect that to come to the floor?

I yield to my friend.

Mr. BOEHNER. I have talked to Chairman SENSENBRENNER and others about the bill. We don't have it scheduled as yet, but we are hopeful that it will be coming to the floor in the near future.

Mr. HOYER. If the budget does come to the floor next week, would you bring it in the early part of the week or the latter part of the week; do you know? I know you have had some hard work on this. I understand that.

Mr. BOEHNER. As I have indicated, when we think we have the votes to pass the budget, we will bring it up, sooner rather than later, I hope.

□ 1700

Mr. HOYER. That is such a pragmatic approach, and I thank the gentleman for that information.

Mr. Leader, I don't want to end the week on an unhappy note, but you and I had discussions in these colloquies the last 2 weeks in a row. After the tax reconciliation bill was reported out, I asked Mr. RANGEL had he been included in the conferences in any meaningful way. It was his view that he had not. You had made assurances that would happen; I don't mean that you could guarantee that it would happen.

I will tell my friend that the ranking member of the committee does not believe there was meaningful participation by the minority in the consideration of that bill which obviously was a bill of some significant import.

I yield to my friend.

Mr. BOEHNER. I thank my friend for yielding. You and I did have a conversation about participation. The conversation was centered around the pension reform bill, only because I am a conferee on the pension bill. What happens in other committees and some of these conferences, they all have their own style and own way of doing their conferences. I understand the gentleman's concern, but that was not the reference that I was making when you and I were having a discussion about the pension bill.

Mr. HOYER. Reclaiming my time, and I accept the gentleman's explanation. It was my thought that we were talking about both conferences that were then pending. I raised both conferences, but I take the gentleman at his word, he has always been truthful with me, that he was referring to the pension conference. I understand that.

I also understand that he is not in control of everything any more than we are on this side. But I will again reiterate, Mr. Leader, your experience and your performance in terms of dealing in a bipartisan way has been different than some, and we appreciate your view on this.

Whether it is the pension conference or any other conference, particularly bills of significance, we would hope that you would use your good offices to encourage and frankly request that the Chairs of the conferences make sure that the minority is included. After all, as I have said, we represent about 125 million people in this country, maybe more than that, and they should not be excluded.

I yield to my friend.

Mr. BOEHNER. I thank the gentleman for yielding, and I appreciate your concern. As the gentleman is well aware, these conferences that occur between the House and Senate trying to resolve the differences in these bills are sometimes dealt with by the majority. I saw it when I was a minority Member of the House. I understand the gentleman's concern.

I will urge my colleagues, my chairmen, to be more open. I share the gentleman's view that we all have a role to play in this institution and having people at the table gives usually a much better product and everyone has a right to voice their approval or disapproval of the actions that the conference is taking.

Mr. HOYER. I thank the gentleman. I think we certainly agree on that.

## DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BOEHNER. 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 (Mr. PRICE of Georgia). Is there objection to the request of the gentleman from Ohio?

There was no objection.

## HOUR OF MEETING ON TOMORROW, ADJOURNMENT FROM FRIDAY, MAY 12, 2006, TO MONDAY, MAY 15, 2006, AND HOUR OF MEETING ON TUESDAY, MAY 16, 2006

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. tomorrow; that when the House adjourns on that day, it adjourn to meet at 2 p.m. on Monday next, and further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, May 16, 2006, for morning hour debate.

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

There was no objection.

## AMENDMENT PROCESS FOR H.R. 4200, FOREST EMERGENCY RECOVERY AND RESEARCH ACT

Mr. BISHOP of Utah. Mr. Speaker, the Committee on Rules may meet the week of May 15 to grant a rule which could limit the amendment process for floor consideration of H.R. 4200, the Forest Emergency Recovery and Research Act. The bill was ordered reported by both the Committee on Resources and the Committee on Agriculture.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation to the Committee on Rules in room H–312 of the Capitol by 2 p.m. on Tuesday, May 16, 2006. Members should draft their amendments to the

amendment in the nature of a substitute to H.R. 4200 which will be printed in the CONGRESSIONAL RECORD and available on the Web sites of both the Committee on Resources and the Committee on Rules by tomorrow. The amendment in the nature of a substitute consists of the text of the bill ordered reported by the Committee on Agriculture with additional language for section 404 of the bill negotiated between the Committee on Agriculture and the Committee on Transportation and Infrastructure.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format and should check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

## APPOINTMENT OF HONORABLE MAC THORNBERRY AND HONORABLE JOHN CAMPBELL TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH MAY 16, 2006

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
*May 11, 2006.*

I hereby appoint the Honorable MAC THORNBERRY and the Honorable JOHN CAMPBELL to act as Speaker pro tempore to sign enrolled bills and joint resolutions through May 16, 2006.

J. DENNIS HASTERT,
*Speaker of the House of Representatives.*

The SPEAKER pro tempore. Without objection, the appointments are approved.

There was no objection.

## WISHING MOTHERS HAPPY MOTHER'S DAY

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I want to take this opportunity just a few days before Mother's Day to wish America's mothers a very happy Mother's Day.

We realize that mothers play so many different roles in our Nation. They are our soldiers, our factory workers, lawyers and doctor and office workers. They are also the workers that make America work; and, of course, our mothers come in all shapes, sizes, religions and of course with enormous diversity.

I wish for them a great and wonderful Mother's Day, and I hope as we plan our future in this Congress we realize that working women or mothers that stay at home care about their children, and that the work we will do will reflect on the goodness of our mothers, whether they are our extended mothers, mothers related to us by blood relationship, or mothers who have simply nourished us.

And might I simply pay tribute to my own late aunt, Valrie Bennett, and my own mother, Ivalita Jackson. For this reason, I think the reasons that mothers are always mothers, it is important to wish them a very happy Mother's Day. To the mothers of the Nation, happy Mother's Day.

## SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## VOICE OF AMERICA

Mr. POE. Mr. Speaker, I ask unanimous consent to claim the time of Mr. JONES.

The SPEAKER pro tempore. Without objection, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

There was no objection.

Mr. POE. Mr. Speaker, the American people expect action regarding the porous borders of the United States. They expect and deserve leadership. Here is what some Americans are saying about our porous borders in correspondence they have sent to me.

Terrence Griffin from Spring, Texas, writes, ''I am angry and fed up with the inaction and lack of leadership for immigration reform. Vote 'no' on amnesty. Illegal means illegal. Secure the borders first. We as Americans feel like thrown away stepchildren. I am taught that charity begins at home. America looks weak and reckless when it chooses to secure the borders of other nations, feed people of other nations and protect other nations when America is left unprotected, unsafe and unsecure.''

Mr. Speaker, Mr. and Mrs. William Wainscott in Dayton, Texas, write, ''Vote against amnesty and providing social services which are supported by the taxpayers. This has gone too long and too far. Our government law enforcement officials look the other way while our country is being invaded by people who choose to violate and disregard our system, that system being of legal entry and immigration. These illegals represent a major burden on taxpayers. They not only take away low-paying jobs, they take away good jobs. I should know. It is extremely difficult for an American citizen to get a job in the construction field because of the number of illegals getting reference in hiring. I speak from experience as a welder and a fitter. Because of preferential hiring practices of construction companies, the American has to look elsewhere for his employment.''

Tracy Blackburn in Spring, Texas, writes, ''A Los Angeles attorney brought into the case last week by the Mexican Consul General's office in Phoenix plans to file another motion claiming Maricopa County Attorney officials are violating State and Federal law because supposedly it is the Federal Government's job to control illegal immigration. Well, why is the Mexican Consul General able to use a local lawyer to try to prevent enforcement of American law? They are not U.S. citizens, what gives these people these rights? I am fed up with the illegal trespassers coming in here and demanding rights that they obviously do not have.''

I also received a correspondence from a high school student from Humble, Texas. Jack writes to me, ''I just wanted to express to you my feelings as part of the generation that will soon be voting. Though it is hard to get our voices out, as we are immediately hushed under the complaints of racism, many of my classmates, whether they are white, black or Hispanic, feel that the restriction of illegal immigrants is obviously a necessary action.''

Further, Mr. Speaker, I have received correspondence from Richard of Houston. He says, ''As Texans, we are on the front lines of this illegal invasion. If we fail to act, the future of our children, the next generation of Texans, is obviously at risk. I urge you to take all possible measures available, including support of local border law enforcement agencies, with the Texas National Guard to stop the threat to security and to our economy. Texans have always stood tall in the face of threats to our State and Nation. Because of the failure of national leadership, it is now this generation of Texans' turn to defend our land.''

I have also received correspondence from Patricia in Houston. She says, ''I am writing to let you know how I feel about the immigration issue. We have laws in effect that are not enforced. The illegal immigrants are breaking the law. They come over here and they do not want to melt into the melting pot of people. Please vote to shut down our borders and build a wall. I will even go down there and volunteer to help build that wall if necessary. You might be surprised how many people would volunteer to help build such a wall. And how dare people compare themselves to the immigrants that were our ancestors. They wanted to be Americans. They even changed their names to be more American. These people are taking Texas back one baby at a time and we are just allowing them. Most Americans, specifically those on the border States, feel that we need to close the border but are afraid of being called a racist. It has nothing to do with race, it has everything to do with the law.''

Finally, Mr. Speaker, I received several cases of bricks from an individual down in Texas. With the cases of bricks that he has sent me this letter, ''I am

sending you these bricks in support of an increase in the border security of the United States. These bricks should give you a start in building a wall. The American public demands some solutions to our open borders. A comprehensive border plan must include a security wall in some places, better technology, more funding of personnel for Border Patrol, and overall increased security presence on the southern border. When our borders are secure, then we can discuss the aspects of illegal immigration issues. We are tired of open borders, uncontrolled immigration, terrorist infiltration, criminal alien gangs, and all of the other horrors that arise due to our defenseless borders and unenforced immigration laws.''

Mr. Speaker, the voice of America continues to cry out for us to enforce the rule of law, protect the dignity and safety of the American people. Government's number one job is public safety, and public safety starts at the border.

We have an obligation to stop the illegal invasion and stop the colonization of our country and homeland by foreign nations. Failure to do so will result in America being lost to foreign nations without even firing a shot.

And that's just the way it is.

## HONORING THOSE WHO MADE THE ULTIMATE SACRIFICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. FRANK) is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, it is an important duty of all of us who serve here to pay respect, to express our gratitude, to join in the sorrow of those and their families who are serving this Nation in a time of war. I have tried very hard to do that whenever the occasion occurred. I have attended funerals of young men who were killed, and in one case a man not so young.

I was pleased on Saturday to attend a welcoming home ceremony for one young man who returned. I attended a ceremony to see off a group of Guardsmen.

The merits of the war are irrelevant when it comes to honoring and expressing our gratitude to those who have served.

□ 1715

Having said that, I want to say that I deeply regretted that yesterday, Tuesday rather, I felt called upon to vote against a bill that was presented here under the suspension of the rules which allowed for no serious debate and zero chance of amendment, a bill which in part protected veterans' funerals from the disruption that they have encountered. And it is true that a particularly contemptible group of bigots are harassing people at some funerals. And we have every right and under the Constitution the power to stop it.

Sadly, a badly overdrafted bill was brought forth with no chance for us to amend it. And I do not think we honor our veterans by failing to honor our Constitution. So I had to vote against the bill. Part of the bill, if it had been in part, if we could have amended it down, I would have proudly supported, the part that would have said you cannot have a demonstration in which any individual is willfully making or assisting in the making of any noise that disturbs or tends to disturb the peace or good order of the funeral, memorial service or ceremony on a military cemetery. But the bill went before that.

The bill says that for 60 minutes before a funeral and 60 minutes after, within 500 feet of the cemetery, you can't hold up a sign that might be offensive to people. You can't picket. It doesn't just say noise. It says diversion, and it defines it, any picketing, the display of any placard, banner, flag or similar device.

When we had an outrageous effort to intimidate a Danish newspaper because they exercised the right of free press and published cartoons of the Prophet Mohammed, which many Muslims found offensive, some people, apologists for this outrageous behavior against the newspaper, said, well, you know it is free speech. But free speech has to be respectful. Free speech has to be within limits.

No, it does not. Free speech is not respectful speech. Indeed, the American Constitution, the principle of free speech precisely protects the right of despicable people to be obnoxious. If you don't believe in that, you don't believe in free speech.

In fact, the particular group of vicious people who have been disrupting the funerals have as their major goal getting rid of people like me, gay men and lesbians. They particularly hate us. But I will not allow their bigotry against me and the reaction against that to be used to reduce the protections of our Constitution.

The parts of this bill that say that if you try to disrupt a funeral you are going to be prevented, they are fine. But telling people that 60 minutes before or after a funeral, within 500 feet of a national cemetery, they can't picket or hold up a banner, that is not free speech. That is not what we fight for.

I have defended previously the right of the Nazis to march in Skokie, to the great horror of victims of the Holocaust, or survivors of the Holocaust.

I told the Muslims who tried to coerce the Danish press that no matter how offensive they found that cartoon, freedom of expression meant that no government should stop you from being offensive.

Disrupting a funeral, of course you should not do that. We should not allow ourselves, through restrictive legislative procedures, to act against an admitted evil, the disruption of those ceremonies, in ways that could undermine the Constitution.

So I hope this will come back from the Senate in a form I can vote for. I would have voted for part of this bill; but I cannot, no matter how despicable the bigots who are defaming this Nation and disrupting cemeteries, I will not allow their behavior to be used as an excuse for undermining the right of other people in other places to hold signs. People holding signs within 200 feet of a cemetery, a half hour after a funeral that some people find offensive, that is free speech. And the way to counter that is to counter that. So I regret very much, in fact, Mr. Speaker, and I don't mean to look for sympathy here. I had an operation here last week. I had a stent, and I was supposed to return early Tuesday to have the stent removed. I delayed my return because I wanted to attend this funeral of the young man who was killed. Obviously, the discomfort of my stent was nothing to what people face who are in Iraq. But I simply want to testify that I will do everything I can to continue to honor these people, but that does not require us to demean the first amendment to the Constitution.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## SUPPORTING THE GOALS AND IDEALS OF NATIONAL NURSES WEEK

Mr. GINGREY. Mr. Speaker, I ask unanimous consent to speak out of turn for 5 minutes.

The SPEAKER pro tempore. Without objection, the gentleman from Georgia is recognized for 5 minutes.

There was no objection.

Mr. GINGREY. Mr. Speaker, I rise in support of America's nurses, and I want to bring my colleagues' attention to the fact that this is National Nurses Week.

As a physician for nearly 30 years, I certainly know the importance of nurses to our Nation's health care system, and I can say without hesitation that nurses are the glue that holds our hospitals and our health care system together. They are literally on the front lines of health care, and they are the faces our patients see day in and day out.

Our Nation is facing a critical shortage in the nursing profession, Mr. Speaker. As Americans grow older and live longer, our health care system will be stretched even further to accommodate new demands. And in order for us to continue to deliver high-quality health care in this country, we will need increasing numbers of health care providers and especially registered nurses.

According to the latest projections from the U.S. Bureau of Labor Statistics published in February of 2004, more than one million new and replacement nurses will be needed by the year 2012.

The importance of quality and trusted nurses is best illustrated by my telling you about two of them who are particularly special in my life. When I was a practicing OB–GYN physician in Marietta, Georgia, Lynn Olmstead was a wonderfully gifted nurse who worked with me for 20 loyal and dedicated years.

Lynn is a graduate of Michigan State University, a Spartan, as is her husband, Ken. She had worked in labor and delivery at Wellstar Kennestone Hospital in Marietta, Georgia, in my district for 10 years; and I had an opportunity to see her and her compassion and working with patients in the wee hours of the morning and was very, very fortunate that she agreed to come and work in my office and where she spent the next 20 years, as I said, working so compassionately with patients and helping me, in fact, make right decisions a lot of the times. And I remain dedicated and grateful to Lynn for that service that she gave to me and our patients at Marietta OB–GYN Affiliates.

The other nurse, Mr. Speaker, is my daughter-in-law, Emily House Gingrey. Emily is a graduate of the University of Georgia. She recently, after making a decision a couple or 3 years ago to go back to school and get her registered nursing degree from Georgia Baptist School of Nursing, now works at the Northside Hospital in Atlanta in the neonatal intensive care unit, taking care of the most fragile, not just premature babies, but what we know as immature babies, those less than 2,500 grams.

And I see Emily as she is beginning her career in that most important area of neonatal intensive care, providing life, really, to these very fragile babies that might possibly not make it in this world without the dedication of young nurses like Emily House Gingrey, the wife of my son, Billy.

So it is with a great deal of pleasure, Mr. Speaker, to take just these few minutes this evening to pay tribute to all nurses, and I rise today to applaud the profession of nursing and encourage young Americans to consider this noble work as a future career.

## IRAQ AND THE FY07 DEFENSE BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, this Congress had a great opportunity today to pass a defense authorization bill that is good for the American people, a bill that reflects the very best of American values. Foremost among those values is our desire for peace, our capacity for global leadership, and our compassion for the people of the world. We could have reflected those values by utilizing the defense bill as a means of voicing our opposition to prolong the war in Iraq. The Rules Committee, however, prevented me from offering just such an amendment to the defense authorization bill.

My amendment expressed the sense of the Congress regarding the war in Iraq in two parts. First, it instructs the President, the Commander in Chief of the United States Armed Forces, to develop a plan to bring the members of the U.S. Armed Forces home from Iraq and to bring the plan to the congressional defense committees.

It is clear that we need to begin the process of bringing our troops home because, among many other reasons, the presence of nearly 150,000 American troops in Iraq is an obvious rallying point for dissatisfied people in the Arab world, making the situation in Iraq worse and not making the U.S. any more secure.

The second part of my amendment describes how the United States should support Iraq once our troops have come home. The amendment directs the United States to engage the international community, including the U.N. and NATO, to establish a multinational interim security force for Iraq. The U.N.'s Department of Peacekeeping Operations actually is particularly well suited to this task.

Next we would have shifted our role from that of Iraq's military occupier to its reconstruction partner. By working with the Iraqi people to rebuild their economic and physical infrastructure, we can give Iraq back to the Iraqis and help to create Iraqi jobs and Iraqi security.

Finally, my amendment urged the President to involve the United Nations in establishing an international peace commission comprised of members of the global community who have experience in international conflict resolution so that they would oversee Iraq's post-war reconciliation process, beginning Iraq's long road to recovery after years of sanctions and war.

The House should have been able to debate the importance of ending the war while we helped to stabilize this war-torn nation. Unfortunately, this Congress had other priorities, priorities like authorizing another $50 billion to continue a devastating war in Iraq that has already taken the lives of more than 2,400 American soldiers, countless tens of thousands of innocent Iraqi civilians, and forever shattered the lives of another 16,000 injured and wounded American troops.

Priorities like authorizing another $10 billion, that is billion with a ''B,'' on a still unproven missile defense system that can't stop the greatest threat we face, nuclear weapons in the hands of terrorists, and has never even been able to stop the missiles it is designed to destroy.

It is beyond dispute that this administration, in tandem with the Republican Congress, has been, to put it mildly, less than fiscally responsible.

Earlier this month I introduced new legislation called the Commonsense Budget Act of 2006 that finally put some sanity back into the Nation's fiscal policy. This bill already has the support of almost 40 cosponsors.

The Commonsense Budget Act would trim $60 billion in waste from the Pentagon budget and put it to work on behalf of the people and programs that truly strengthen America.

These programs include $10 billion for the modernization of every public school, $12 billion for health insurance for every child in America, $10 billion to invest in renewable energy and energy efficiency programs, $13 billion to feed the hungry, $5 billion to improve homeland security, and $5 billion to start the reduction of our deficit.

We need to change the way we think about national security, Mr. Speaker. The return on the investments I have proposed as part of the Commonsense Budget Act will benefit the entire society, and they won't cost us a dime more than we currently spend on our bloated national defense.

Any change in budget priorities, though, has to go hand in hand with change in policy on the ground. The very first of those needs to be an end to the war in Iraq. For the sake of our soldiers, their families and our national security, it is time to bring our troops home.

□ 1730

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DREIER) is recognized for 5 minutes.

(Mr. DREIER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## BUSH ADMINISTRATION TAX CUTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, well, with little notice or fanfare, a modest tax benefit for families who are struggling to help their kids get a higher education expired this year. It was what is called an above-the-line deduction, up to $4,000 towards tuition could become an above-the-line deduction.

Now for a family with $40,000, $50,000 income, that would be worth about 1,000 bucks off their taxes, not insignificant when they are straining on that income to try and help their child get an education, get ahead, realize the American dream.

But the Republican majority, being the fiscal conservatives they are, said it was too expensive. We could not afford to renew this modest tax benefit for middle income families to give them a little help with tuition for their kids. Now, well and good.

When you see their budget that they have pulled from the floor for the third time in 3 weeks, they are going to pass a budget, probably next week, that will have America borrowing $1.4 billion a day, a lot of it from foreign sources.

It will have a lot of us borrowing from this year's Social Security surplus, $193 billion, and spending it on

other things other than Social Security, in part to give tax cuts to wealthy Americans. Also buried in their budget is the fifth increase in the debt limit in 5 years. Fiscal conservatives that they are, they are hiding it in the middle of their budget because they don't want people to see it, another $600 billion increase in the debt limit to nearly $10 trillion.

That is quite an achievement. Nearly doubling the national debt in 5 years is something that they could write home about, but they don't want the people at home to know. So I can understand their concerns.

But, wait a minute, oh, no. We just passed a bill to give $70 billion in tax breaks to wealthy investors. Now, where is that money going to come from? Oh, well, they say tax breaks pay for themselves, especially when you give the money to rich people.

This particular piece of work extends a tax break that wasn't going to expire until 2008. The college tuition deduction has already expired. Middle income families can't get it next year, but wealthy investors were worried that starting in 2009 or 2010 they might have to pay the same percentage of their investment earnings, their unearned income, as people who work for a living.

The Republicans said that would just destroy the economy of America. Those investors are the heart blood of our country, not the people who work and build the country; no, they have got to pay higher rates of taxes, but the people who can invest for a living.

What does their $70 billion tax break do? Well, someone who earns $5.3 million, $82,000 tax relief. They really need it too at $5.3 million, hard making ends meet. You know, their Hummer, 3 bucks a gallon of gas for their Hummer too. Well, maybe it is a limousine driven by a chauffeur, but who knows.

How about the retired CEO of ExxonMobil, $400 million, that is what he got, just retired. Well, this bill gives him an extra $2 million off his tax bill. It was going to be hard for him to maintain his lifestyle in retirement with only $400 million in retirement. So the Republicans feel that working people should borrow $2 million to give to him an additional little tax benefit.

But for a family earning a good income, 75,000 bucks, it is worth $110 a year. So the family that earns $75,000 is going to get up to $110 tax benefit under this. But the retired CEO of ExxonMobil is going to get $2 million, and the family who earns wages and salary at $75,000 is going to pay to retire the debt, because we are borrowing the money to give to the wealthy investors.

How stupid do they think the American people are? How profligate and shameless the Republicans are to do this sort of thing. Help the families who are trying to have their kids get it. That is the next generation of earners. You cannot even extend them a modest tax benefit, but you can shower money on the wealthiest among us, those who need it least.

It is time for new priorities in this Congress. It is time for fiscal responsibility. It is time to give a little bit of a helping hand to middle income and working America and let the rich help carry their fair share of the load.

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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## FIRST ROBOTICS COMPETITION

Mr. LANGEVIN. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Without objection, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized for 5 minutes.

There was no objection.

Mr. LANGEVIN. Mr. Speaker, I had the honor and privilege of attending the 15th annual FIRST Robotics Competition in Atlanta, Georgia at the end of April. I watched teams from both the United States and foreign countries take part in contests using robots that they built with the help of professionals.

While the winning teams were given awards, the primary goal of this competition was to help high school age students discover how interesting and rewarding the areas of math and science can be. As far as I am concerned, all of the students that participated are winners.

Seeing these brilliant students in person inspired me to join my friend and colleague, Congressman CHARLIE BASS on the floor tonight to share the important lessons and insights that we gained from our experience. I am excited to hear what my colleague has to say this evening as well.

Well, For Inflation and Recognition of Science and Technology, or, FIRST as it is known, was founded by my friend Dean Kamen, who is a brilliant inventor with a social conscience. Among his many distinguished achievements, he has invented the first wearable drug infusion pump, the first portable insulin pump, the Segway scooter and the IBOT wheelchair. His real passion, however, is inspiring younger generations and getting them excited about science and technology.

In pursuit of this goal, FIRST uses partnership between businesses, educational institutions and governments. Through FIRST's many programs, students learn the value of teamwork and sportsmanship and have the opportunity to pair up with mentors in their desired field. FIRST also gives students a chance to apply for scholarship awards so they may pursue these schools skills at the college level.

Now the success of this program can be seen by the fact that since 1992, the FIRST Robotics Competition has grown from 28 teams to over 1,000 today. The goal of this organization is one that I have supported since I first cochaired a special legislative commission as a state representative to get young people interested in math and science in Rhode Island.

Now, as many of our colleagues have acknowledged, these are areas that our younger generations are not getting involved in sufficient numbers. This is detrimental to our country in the long run, not only for our reputation as innovators, but also for our national security.

Now, the argument that inadequate research in education systems pose a threat to our national security was made in a 2001 report, the Road Map for National Security: Imperative for Change.

Now, this was issued by the U.S. Commission on National Security, better known as the Hart-Rudman Commission. The report stated American national leadership must understand these deficiencies as threats to national security. Now, if we do not invest heavily and wisely in rebuilding these two core threats, America will be incapable of maintaining its global position long into the 21st century.

This is why I encouraged my fellow members to learn more about the FIRST program. It gets students in their district involved.

It is our job, not only to protect our country, but to inspire the next generation and maintain our status as the world leaders in research and innovation. With programs like FIRST, I am optimistic about the future, Mr. Speaker.

So I would like to congratulate all the teams that participated in the FIRST Robotics Competition and especially the three teams from Rhode Island, La Salle Academy, Middletown High School and Tolman High School, for a job well done. May they all have continued success in their future endeavors.

I would also like to take this opportunity to thank my friend, Dean Kamen, the mentors and everyone who organized the FIRST robotics competition. I congratulate all of them and wish them well.

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. NORWOOD) is recognized for 5 minutes.

(Mr. NORWOOD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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## FIFTEENTH ANNUAL FIRST ROBOTICS COMPETITION

Mr. BASS. Mr. Speaker, I ask unanimous consent to claim Mr. NORWOOD's time.

The SPEAKER pro tempore. Without objection, the gentleman from New Hampshire (Mr. BASS) is recognized for 5 minutes.

There was no objection.

Mr. BASS. Mr. Speaker, following on my friend of Rhode Island, I had the pleasure of joining him and you, Mr. Speaker, in Atlanta a week and a half ago to witness the 15th international FIRST Competition. It was truly an extraordinary experience. There were 1,133 teams represented there, 904 of them were returning teams, and 229 new teams there.

Let me explain, as my friend from Rhode Island talked about how this works. What happens is a mentor or a company or a small businessman or anybody outside an engineer, outside of a school system, will go to a school, a high school and say they want to start a FIRST team there.

You get together a group of kids, the kinds of kids that you might not see on the football field or the baseball field, the kind of kid who might not be the biggest, most popular person in the school. You get together with them, and you tell them about how you could build a robot, go to a competition, win that competition, go to a regional, go to the nationals and really do something that is exciting.

This foundation was started by, as my friend from Rhode Island said, Dean Kamen, a constituent of mine from New Hampshire. Dean Kamen didn't get a college degree. He spent quite a bit of time in college, but he used the skills that were available to him to learn, what was important to learn in order to become successful, a business person, an inventor, an entrepreneur, and obviously an engineer and a physicist.

His dream is not only to be successful in his own life but to be able to communicate that kind of success to kids who may not have the kind of advantages that many of us enjoy. So he put together this organization which he called FIRST. It is designed to give kids, many of whom come from disadvantaged school systems and disadvantaged neighborhoods, and are from families that may have problems, but to give these kids the excitement that one gets from baseball or from football or from other sports, and, indeed, he succeeded.

My friend from Rhode Island went to the Boston regionals and saw how excited these children were, as I did, when I went to the regional in Manchester, New Hampshire, with their team screaming for them in the audience and the robots competing against one another in a ring with referees dressed in stripes judging them.

They handed out over 2,000 awards to these kids nationally this year. Dean Kamen himself made a beautiful clock out of Plexiglass, a beautiful grandfather clock that is given each year to the winner.

Indeed, Dean is a great entrepreneur, a great businessman, and he has brought a lot of great products to society. But his real passion in the world, I believe, is bringing education and excitement in engineering and physics to children.

Now you may ask, is this just the work of one individual and one person's dream? Well, back in 2002, the FIRST Foundation contracted with Brandeis University to do a study about what happens to their graduates. Here are some of their conclusions, key conclusions.

Participants in the FIRST program were more likely to attend college than an average high school graduate. Eighty-nine percent of the FIRST competition alumni attended college. That compares with a 65 percent national average. Once at college, a high proportion of FIRST alumni took courses at internships that were related to math, science, technology. Eighty-seven percent took a math course in college. Seventy-eight took at least one science course. That compares with a 66 percent average in these fields.

Perhaps the most striking finding is that 41 percent of the alumni that went to FIRST actually ended up majoring in engineering in college. Their educational aspirations were well above the national average; 78 percent of the FIRST alumni reported they expected to earn a graduate degree versus 58 percent among college students nationally.

FIRST alumni were more likely to pursue careers in science, technology and engineering. Compared to students in a comparison group, 45 percent versus 20 percent. FIRST alumni also reported continuing involvement in their communities. FIRST alumni were more than twice as likely to report volunteering in the community in the past years than were students in the matched comparison group, 71 percent versus 30 percent. Site visits indicate also that a variety of positive public impact in schools, including new classes, improve school spirit and other great benefits.

My friends, this is a wonderful program that is in its fifteenth year now, has handed out almost $8 million in scholarships, has business, educational institutions and students working together for science and education.

□ 1745

It is a great partnership. I have two challenges: I want my colleagues to get involved in their first regionals, and I want the first participants to contact their Members of Congress and get them involved. This is a great program that is good for America and good for education.

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

(Mr. EMANUEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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## NSA DATABASE OF AMERICANS' PHONE CALLS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Mexico (Mr. UDALL) is recognized for 5 minutes.

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to discuss the news reports released today that the National Security Agency has been collecting telephone data on tens of millions of Americans. With these news reports, we have discovered that the NSA, in conjunction with some of our country's largest telecommunications providers, now has a database with the phone records of millions of Americans.

While the creation of this database does not involve the NSA listening to or recording our conversations, the agency now has detailed records of calls people have made to business associates, to maybe a family physician, to friends, to family. This program is a significant violation of the privacy of all Americans.

Unfortunately, this is not the first time the administration has had the National Security Agency spy on Americans. We discovered just this past December that the President had authorized the NSA to spy domestically. While we still do not have much information on the domestic spying program, we know that hundreds, possibly thousands, of Americans had their telephone conversations and e-mails monitored.

President Bush asserts that he authorized the NSA only to intercept the international communications of people with known links to al Qaeda and related terrorist organizations. Yet we find out months later that during the same period of time, the NSA has been creating the largest database ever assembled, with information from millions of people. We can hardly say that millions of people here in the United States whose privacy has been invaded have suspected ties to terrorism.

The President did this yet again without seeking warrants. This administration has long sought to extend its power and authority at every available opportunity, and this is no exception. If the administration truly needed these phone records, they could have, at the very least, obtained warrants from the FISA court.

The fourth amendment clearly states: ''The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, shall not be violated, and no warrant shall issue, but upon probable cause, supported by oath or affirmation.''

I strongly believe that gathering information on millions of American citizens without first obtaining warrants or any judicial oversight clearly violates this core principle of our Constitution.

I have to ask, where is the oversight? A program of this magnitude must be considered by Congress. While the President has stated that appropriate Members of Congress have been briefed on intelligence activities, this does not constitute oversight. Congress should

hold hearings, question witnesses about the program, and consider its legality. Congress needs to step up and exercise its proper oversight responsibility, something it has failed to do for 5 years. At a minimum, the oversight committees must make a determination on the legality of this program.

Mr. Speaker, I have no doubt that the administration will contend that questioning the existence of this database is undermining our Nation's security efforts. It is essential that the President must have the best possible intelligence to protect our Nation, and he must be able to gather this intelligence. However, this has to be done in accordance with our Constitution, the bedrock of our Nation.

Despite what this administration would have us believe, securing our Nation from all enemies, both foreign and domestic, can be achieved without violations of our constitutional freedoms.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## CONTINUED VIOLATION OF AMERICANS' PRIVACY BY ILLEGAL SPYING CANNOT BE TOLERATED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. INSLEE) is recognized for 5 minutes.

Mr. INSLEE. Mr. Speaker, the continued violation of Americans' privacy by illegal spying cannot be tolerated. Today we found that this administration is building a database of millions of Americans' phone calls to know who we called and who called us. This is a privacy right that needs to be protected and respected, and we have now seen multiple violations of this principle where illegal spying has occurred.

The U.S. Congress must hold hearings. It must stop illegal spying. I will be offering an amendment on the defense appropriations bill to assure that no taxpayer money can be used for illegal spying to violate the privacy rights of Americans.

The excuse we may hear from the administration is that, no, these conversations may not be taped. But who Americans called is a privacy right and is protected by the law, and who calls us is a privacy right and it is protected by the law. It is protected by section 222 of the Communications Act, it is protected by the fourth amendment to the United States Constitution, and it is protected by the common sense of the American people that we ought to protect our privacy and democracy at the same time we are protecting our security. And both can be protected.

The fact of the matter is that the FISA law builds in the ability of the Federal Government to in fact crack down on terrorism, something we all want to do. We want to have an aggressive program of electronic eavesdropping on al Qaeda and other terrorists, but we want to make sure that that is done within the law on the simple proposition that when the Federal Government does electronic eavesdropping, there is another set of eyes overseeing that program: our judges, our judicial system.

What the law demands and Americans demand and the Constitution demands is that there is a review through the warrant process so that a warrant is obtained when this eavesdropping occurs. And if there is not time for that, under the FISA law, warrants can be obtained 72 hours thereafter retroactively.

So what we are saying, and I think the broad swath of the millions of Americans who have to know tonight, is that somewhere in this country there is a database sitting with your records that belong to you that is subject to your privacy that has now been violated by the Federal Government, without any review whatsoever by a judge and without review whatsoever and oversight of the United States Congress. That is wrong, and it has simply got to stop.

The U.S. Congress has an obligation. It is an obligation to stand up to an administration that refuses to abide by the law. This is a precious thing, democracy; and democracy is most precious when it is threatened. When we are currently involved in a war, it is most important to rise to the protection of our privacy.

We have been involved in these fights for our privacy now for some period of time. We have fought to protect the private records of our cell phone records from being sold to telemarketers; we have fought to prevent our tax records being sold to other people who will market to us; and now we need to fight to make sure there is a review and a warrant given before, or at least after, our phone records are put into some master database with the privacy of millions of Americans violated.

The reason we found out about this today is that the journalists have reported on this. Unfortunately, the administration has not been forthcoming to tell the U.S. Congress what they have been doing; and the U.S. Congress, the folks elected by people from 435 districts in 50 States, ought to have access to this information so that there can be oversight. There is not a review of this.

In conclusion, Mr. Speaker, the U.S. Congress needs to stand up and be counted, stand up and be counted for the privacy rights of America, to stop the violation of privacy that we have in our phone records. Who we called and who called us is a private matter. It ought to be protected, and we are going to ensure that it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## DOING BETTER FOR THE AMERICAN PEOPLE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, earlier today I took the opportunity to wish all of our mothers a very happy Mother's Day. Might I include my colleagues and their relatives, the staff of this House and this Congress, because this is an opportunity for us to simply say thank you, thank you to the many mothers who work every single day, whether in the home or outside the home. Whether they are your mom because they are related, or because they have just simply given you a greater opportunity in life, they deserve a thank you.

Might I also offer my appreciation to the moms who are on the front lines in Iraq and Afghanistan and serving in the United States military.

This is an opportunity, Mr. Speaker, to kind of recount where we are in this Congress and to ensure that we really are working on the kind of legislative agenda that really helps our families.

I guess I would argue somewhat with the statement that we have worked as hard as we should have worked. For example, the tax reconciliation bill gives most of the benefit to the richest of Americans. If you make a certain amount, if you are a hard-working single mom, you might even get the minimal $9 tax break. I know we can do better.

Then let me say as we look to the United States military, we should remember that they are on the front lines so that we might be free. I am very proud today that, almost unanimously, this Congress passed by 415–9 an amendment that I offered to the defense authorization bill that will say happy Mother's Day to all the Reserve and National Guard families, because the amendment provides a clarifying feature, and that feature is that we will take into consideration the number of deployments one has had before further utilization of that particular soldier is enacted. We will take into consideration how many deployments there have been.

I have heard from Reserve families all around the Nation, and particularly

in my district, that they have been redeployed one time, two times, three times. Yes, they are patriotic; but it is necessary to be considerate of the families, of the disruption in their income, and, of course, the children.

So I hope as this defense authorization bill makes its way to conference, that this provision that considers the number of times soldiers have been deployed in order to make the determination whether to deploy again will help our families stay together.

Of course, we know as well that pending is a deadline for the enrollment in Medicare part D. I have said to my colleagues that they know that I did not support the legislation that created a ''donut hole,'' where seniors would have a certain coverage, and then all of a sudden mothers and fathers and others would drop into a donut hole.

But May 15 is the deadline. We will hold a massive citywide Medicare enrollment day in the city of Houston in the Communication Workers Hall on Jefferson. We are asking all of the citywide groups and organizations and adult children and others to bring their seniors to this place, because we will have almost an all-day registration. Eleven computers will be there for you starting at 11 a.m., and we will keep it open as long as necessary so that we can enroll those low-income seniors, some 55 percent who do not know that May 15 is the deadline.

To those of you who may be listening, let's make Mother's Day just a little bit sweeter and ask that senior citizen whether or not they have been enrolled over 65 in Medicare part D. Remember, if it is not extended by the President, and I am going to ask the President by letter today to extend it by executive order, if it is not extended, you will have a lifetime penalty of 1 percent, 1 percent, which is a lot of money, for your lifetime, if you do not enroll by May 15, 2006.

I hope, as I started out, that we will wish a happy Mother's Day to America's mothers and others around the world; and I hope that we will not only give them wishes, but we will also give them action.

I believe the amendment that has clarified when you go back into duty based upon a consideration of how many times you have gone is a gift to our mothers and the families of Reservists all over America. But we can give a further gift by making the kinds of tax laws that benefit hard-working Americans and increasing the minimum wage.

Then finally we can do something that is important, cease the divisive debate on immigration and recognize that immigration is a part of America's fabric. We have a system of laws which we can follow. Amnesty is not the question here, because we are not talking about amnesty. We are talking about earned access to legalization, where those who are undocumented would get online and be able to begin to gain access to legalization. The same individuals who are on the front lines of Iraq who are not citizens, their families would have the opportunity to be documented. We can also provide job training from the fees that immigrants will pay to earn access to legalization.

Mr. Speaker, I simply say, we have it in our power to make Mother's Day every day and make mothers happy by having the legislative agenda that gives a better quality of life for all Americans.

Again, happy Mother's Day to all the mothers.

□ 1800

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

(Mr. ALLEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. GILCHREST) is recognized for 5 minutes.

(Mr. GILCHREST addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RUSH) is recognized for 5 minutes.

(Mr. RUSH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) is recognized for 5 minutes.

(Ms. GINNY BROWN-WAITE of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

## MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4297) ''An Act to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006.''.

## OUR TROOPS IN IRAQ

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to address you, Mr. Speaker, and this House Chamber. I do rise in support, and I wish to associate with the remarks of the gentlewoman from Texas (Ms. JACKSON-LEE) who brought up that Mother's Day is coming up, and we need to honor our mothers. They are the source of a lot of the good things about the world. They are the things that civilize us men, I would point out.

And I certainly give my greetings to all mothers and look forward to the day that we formally celebrate that glorious day. A source of compassion and understanding and nurturement, all of the things I will never be in my life are wrapped up in motherhood.

Mr. Speaker, I did come here to speak about a different subject matter, Mr. Speaker. Before I get to the subject of Iraq and the broader war on terror, I feel compelled to address the issue of the National Security Administration and their data mining operations that came to light today in a publication.

I am alarmed in the verbal messages that come around this Chamber, alarmed that there could be that kind of an operation going on in this country.

Before I react, though, Mr. Speaker, I think it is imperative and incumbent upon all of us to step back, to take a good look at the facts, and not run forward with an uninformed response. I concur with the first instincts of the gentlemen from New Mexico and also the gentleman from Washington that spoke on the issue of the data mining of the National Security Administration.

I serve on the Judiciary Committee where we had at least 12 and perhaps 13 hearings on the PATRIOT Act, renewed the PATRIOT Act. We put some insurances in the PATRIOT Act. In a couple of the sections, we set them up with a sunset so that we will be able to go back and review those issues in a shorter period of time to make sure that we are protecting the rights and the privacy of Americans.

Mr. Speaker, when I look at this issue and again, from the sense of alarm that there would be that kind of a potential intrusion into the private lives of Americans. And I would dig a little bit deeper and say this data mining, with the little bit of information that we have at this point, does not look into the details of Americans, and no one is alleging that it does except for the remarks made here in this Chamber, Mr. Speaker.

And it does not, according to the administration, collect any names of anyone, it does not collect any addresses, it does not listen to any telephone calls. None of those things, according to the administration's response at least, and worthy of verification I would add, takes place unless the FISA court is aware of that and unless it happens to be a communication from a domestic call within the United States from or to a caller in a foreign country, and even then the interest would be in al-Qaeda, as the President made clear.

So data mining is a little bit different. It is clear that, you know, it depends on how you define the invasion of privacy. And the allegation was made here, Mr. Speaker, that the administration, and through the NSA's

data mining, that the privacy was invaded. That is a direct quote from the gentlemen from New Mexico.

Well, the definition of the privacy, I think, needs to be clearer before America comes to the conclusion as to whether that privacy was invaded. Now, if it has not been, if no phone calls have been listened to, if none have been recorded, if there were no names, and if there were no addresses that were recorded, if it were just the telephone numbers, and if the telephone numbers were data mined and run through a database to sort out, to see if those numbers also were the numbers that were known phone numbers of suspected terrorists, if that was the indicator that would cause the National Security Administration then to go to the FISA court and ask for a warrant, to perhaps listen in on some of these phone calls, it might have been discovered through the data mining process. That is how I understand this to be.

This is how the administration defends their actions. This is how I hope the facts emerge as we listen more closely to this situation. But I am concerned, Mr. Speaker. I think it is important for Congress to take a real close look at this. And I will be one of the people who will be making these requests to take a close look at it.

Mr. Speaker, I am not willing to go out here and make the allegation that there is a tremendous invasion of the privacy of millions of Americans until I know that factually that is the case.

The administration would need, in order to get a FISA court warrant, probable cause, as the gentlemen from New Mexico stated. And the gathering of information beyond simply an indexing of a phone number that might link to known al-Qaeda phone numbers or suspected al-Qaeda phone numbers, as the administration's position on all of the fervor they have gone with this.

So let's take a deep breath, America. Let's count to 10, America. Let's get the facts in front of us. Let's get a sense of what is actually going on before such time as we would leap to a conclusion.

But I want to announce that I am focused on this and I am concerned about this. And I also would point out that in a hearing before the Judiciary Committee, the Attorney General, General Gonzalez, was asked the question as to whether there were any telephone conversations that were being listened into, domestic calls within the United States without a FISA warrant or without a warrant of any kind.

That answer that he gave that day I recall not to have been a very concise, precise or clear answer. And I intend to look up the CONGRESSIONAL RECORD to determine that answer that was given by Attorney General Gonzalez and see how that comports with this story that came out in the news today of which we will be looking more carefully into.

Just looking at calling patterns of phone numbers, I am not certain that that does rise to the level of invasion of privacy. America will decide that, Mr. Speaker. And we will draw some conclusions ourselves when we get the facts together.

But I would add also, that the White House would not confirm or deny the existence of such a program. I will not draw a conclusion either, Mr. Speaker, as to what that might indicate. But I would point out that perhaps the architect of this plan, the person who was in charge at NSA during the period of time that this data mining was initiated and developed, and certainly during the time of its activity, if indeed it did take place, was General Michael Hayden, General Michael Hayden who has been appointed to be the next Director of the CIA.

And we know that there is friction between the CIA and the White House, and that there is political ideology conflicts going on between the CIA and the White House, and that the appointment of General Hayden, an outsider, a military officer, to come into the CIA to be the Director of the CIA and hopefully to clean up some of the activities within the CIA that have undermined the foreign policy of the President of the United States of America, might just be the reason why there was such a timely leak of this information.

Mr. Speaker, I pose that question to America as perhaps being more important or at least a question that needs to be raised to a high level of importance, alongside the importance of the privacy of the American people.

We will get to the bottom of this, Mr. Speaker. And I will join others in asking these questions and asking for the factual information so that we can draw a conclusion here in the Congress, and that the conclusion in this Congress by right and ought to reflect the conclusions of the well-informed American public. That is the path that we need to go down, Mr. Speaker.

I thank you for your indulgence. I shift then over to the subject matter that I came here to talk about on this floor, and that is the subject of the effort of our great, dedicated, well-trained, well-disciplined, well-performing and well-equipped military of the United States of America.

The effort that they are giving worldwide, globally in this global effort on terror, this global effort that was enjoined against our will on September 11, 2001. And the President went to Ground Zero in New York with a bullhorn and made it clear that we were going to take on this enemy wherever they might be.

And he said, if you are harboring terrorists, you are a terrorist, if you are aiding and abetting terrorists, you are a terrorist. If you are on the side of the terrorists, you are against the side of freedom, and we will identify our enemies as such.

And within months, the Commander in Chief dispatched troops into Afghanistan, a nation of 25 million people, a nation that had never had a free election on that soil ever in the history of the world. A nation that the Khyber Pass was renowned as being a place where you could never send military through there without them being ambushed and shot down, that no nation in the world, including the very powerful Soviet Union, could ever invade and occupy for any period of time a nation like Afghanistan.

And that a military, we were advised that a military effort in Afghanistan would be a failure. And I remember the voices of the people over on this side of the aisle, Mr. Speaker, and they advised America that it would be a defeated effort to presume to go into Afghanistan since all nations throughout all of history had failed in that country because of the rough terrain, because of the tribalism, because of a tenacity of the people there to always reject any outsiders, no matter what kind of good will might come to Afghanistan.

But the Taliban had taken over Afghanistan. And they had been harboring terrorists. They had been harboring al-Qaeda, and they had allowed al-Qaeda to get established on Afghanistan and on the border with Pakistan.

And this al-Qaeda was the worst venom in a very venomous regime there. The Taliban had taken over essentially all of Afghanistan. They has been blowing up the religious symbols and statutes in Afghanistan, trying to wipe out anything that challenged them. They rejected Buddhism, they rejected Christianity.

Afghanistan was one of the few countries in the world, Mr. Speaker, where the life expectancy of the women in Afghanistan was less than the life expectancy of the men, even though the men were the ones that were continually in combat taking on the bullets and the bombs and the missiles and the artillery.

Still, they were so brutal with their women in Afghanistan that their life expectancy was less than that of the men. And the children did not fare much better, Mr. Speaker. Girls could not go to school. The lack of freedom, the lack of an economy had devolved down into barely a survival mode, with a Draconian Islamic cleric regime in place called the Taliban, one of the darkest regimes ever in the history of the world.

But our Commander in Chief saw differently. He got good advice from his military advisers. He took the advice of the military advisers, accepted that. In a period of within a couple of months of September 11, dispatched our troops into Afghanistan, where they joined up with the Northern Alliance.

In a matter of months they swept through Afghanistan, wiped out the Taliban and enabled a free government to be established there. And free elections were held on that soil for the first time ever in the history of the world. That provided the 25 million Afghanis the gratitude of the coalition forces and the United States military. No small feat.

And as that fantastic feat unfolded, the critics from the other side of this aisle, and the liberals throughout America, slowly were muzzled by the success of the operations in Afghanistan. Slowly muzzled, Mr. Speaker, because they came to the realization that it was such a resounding success in all facets of it, from the military perspective, from the security perspective, from establishing a free government having successful elections, and establishing an economy that is now starting to grow and become stable in Afghanistan, from building infrastructure, sewer, water, wells, roads, schools, girls going to school, women voting. The freedom that you see in the eyes of people that are looking out through a burka that had never had the chance to do that before, was an astonishing success that again had not taken place on that place in the globe ever in the history of the world, thanks to the bravery and the courage of our Commander in Chief.

His vision, his courage, his ability to discern the advice that came from his Secretary of Defense, from his military staff, from the Joint Chiefs of Staff, to be able to discern that advice, select the best advice and then act upon that and send an appropriate number of troops with appropriate tactical support with appropriate equipment to be able to initiate and carry out and complete a successful operation in Afghanistan.

And I would point out, Mr. Speaker, that his critics have been muzzled on that issue, even though logistically, population-wise, the degree of difficulty in Afghanistan is greater than the degree the difficulty in Iraq from a military perspective.

The critics have been muzzled because of the resounding success. Slowly their voices have been squelched one after another after another. I point out, Mr. Speaker, that the logistics and the population in Iraq, substantially easier from the military's perspective than the war in Afghanistan, the critics said the same things before the beginning of the operation.

They have not quite been muzzled yet, but one of the people that is helping in that cause is here to join us this evening. That is the gentlewoman from Tennessee who stands up for freedom and free enterprise and our American military, and is there every time they need her and many times comes without even bothering to call, stands up for America on the floor and in committee, and in every facet of her life.

Mr. Speaker, I am proud to share some time here on the floor. I am proud to yield to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from Iowa for his leadership on this issue, and how much we appreciate that leadership.

Mr. Speaker, you know, I stand tonight for our men and women in uniform. And in my district, the men and women and families at Fort Campbell, and also our Guardsmen and our Reservists, and all of those that are deployed, how much we appreciate their sacrifice, how much we appreciate, Mr. Speaker, the great work that they do in order to be able to be certain that we preserve freedom, that we have the ability for children in this Nation to know that they are going to grow up in freedom.

□ 1815

This is so those children will have the ability to dream big dreams, to look at the future with hope, with the expectancy of opportunities that will come their way.

We do thank our men and women in uniform. And I thank them. I thank this House today that approved a bill that will allow for a pay raise for our military. We are grateful for that and for the actions of this body.

I am so pleased to join you tonight as we turn our thoughts to Iraq and what is happening in Afghanistan because those are centers and they are battles in the war on terror. The war on terror is a global war. When we talk about the war on terror, we are not talking about one specific place or one specific battle. The global war on terror is something that is localized right now in Iraq; but we do know that while this is the battleground of today, while Afghanistan is the battleground, while the Middle East is the breeding ground for much of the terrorism that has been disbursed all across the globe, we know that we have to look at this as a global war.

We have to know that this is going to be a long war. We have been told that by our leaders. We have been attacked. We know that we were attacked for two full decades before we stopped looking at terrorism as an act of civil disobedience and we started responding to terrorism as an act of war.

That seemed to all come to a head when we looked at Iraq, when we had a very evil dictator who continued to defy U.N. resolutions, who continued to just repeatedly snub the U.N. and snub the free world and say, I can be the bully of the region if I want to. And that came to an end after September 11.

We commend our men and women in uniform that have gone there to set free, to set free a people, to begin stamping out terrorism and to be certain that we are standing up, democracy and partners in democracy that will yield a peace dividend for our children and our grandchildren.

I appreciate that the gentleman from Iowa took a few moments to talk about some of the women in Iraq and some of the women that have fought so valiantly for freedom and for democracy and for liberty.

I have had the opportunity to work with our Iraqi Women's Caucus and work with our Department of State, and stepped forward and helped to mentor some of these women as they take those baby steps and then as they lead in putting democracy in place.

You know, it is so amazing to talk to them and to read the e-mails that they send to us as we seek to encourage them and their work and their efforts. Some of the stories that they have told about atrocities that they have lived through, how they watched the vicious nature of Saddam's henchmen and how they would brutalize people, brutalize families, and how these women have lived through that and have moved forward to take that leadership role and to step forward and say, Do not leave us now. Do not leave us now. We are on the right track. And we know it looks messy, and we know it is going to be a long process and we know this is not easy, but do not leave us.

Mr. Speaker, I cannot help but think when I have these conversations with these women and when I see some of them, maybe they are missing a finger, maybe there is something that is wrong, maybe they have suffered pain and torture and agony and you can see it in their faces and you can see it in their bodies, but in their spirit what you hear is the desire to be certain that they have their shot at freedom. That is what they want. They want the opportunity to live freely, to enjoy the benefits of freedom. And I think that we have to keep that in mind as we move forward.

One of the things we repeatedly hear and, of course, I know the gentleman from Iowa is like me, we all want to see our troops come home, come home victorious, and we would like to have them all come home, but I think we have to keep in mind that there is not going to be one specific event or one announced time where we say, all right, the work is done, because this is a work in progress. It is a work in progress, and we have seen tremendous progress. We have seen some tremendous stepping back. We have seen some failures, but we are seeing progress. And we are going to continue to see progress take place.

We have seen the elections in January of 2005, all the way to the election in December of 2005. We have watched the formation of a new government, and now we can look forward as they are putting in place a permanent government. This is not a provisional government. There is a government that will rule in that country. They will govern. They will be making the laws, setting the laws, and at the same time we are watching the Iraqi security forces train, develop the competencies that they need in order to secure their nation and begin to stand up and take charge.

It is exciting to see that type of progress take place. It is exciting to see progress in Afghanistan. It is exciting to see that there is that hope there, and it raises our concerns we have about the rest of the Middle East, about Iran, about the areas that surround there. And you know, Mr. Speaker, I think we have to keep in mind why we do this, why we are there, why we are rooting out terrorism, why we

have rooted out a brutal dictator. Why we do this is because if we are fighting there, we are not going to have to be fighting that over here. How very important for us to keep that in mind.

Taking this battle to them, right there in the Middle East, in that breeding ground of terrorism, taking the battle there helps us to do our best to keep this Nation secure, to allow us to continue to be a trustee of this great and wonderful legacy that we call freedom.

I want to thank the gentleman from Iowa for yielding. I want to thank him for his excellent work that he continues to do to speak out to support our men and women in uniform and to support our troops with the good work that they are doing and always his good words in protecting the cause of freedom.

With that, I yield back to the gentleman.

Mr. KING of Iowa. I thank the gentlewoman from Tennessee for her presentation here, Mr. Speaker. It is always with great gratitude that I have the privilege to share some floor time and address this Chamber.

Mr. Speaker, picking up on the remarks made by the gentlewoman from Tennessee (Mrs. BLACKBURN), several things pop to mind as I listened to her discussion. One of them is passing the DOD authorization bill here a little more than an hour ago. It is encouraging to see that we come together with that kind of unity in supporting our military here. A few dissenters I would say, but the core of this Chamber does support our military, and that was evident today.

I would also like to compliment Chairman HUNTER, who did an excellent job of putting the bill together. He brought into play a number of interests and was able to work this out in a fashion that I think demonstrates the unity of the American people as voiced through the United States Congress.

One of the elements in that bill that we did not discuss is a directive in the bill that will ensure that the military chaplains can pray reflective of their faith, reflective of their consciences; and that they will not be told by the ACLU or any other anti-faith group out there that may want to interfere with their relationship between God and our soldiers as reflected between them by our chaplains.

When this bill gets to the President's desk, our chaplains will be protected to operate and to pray consistent with their faith, consistent with their consciences, consistent with their duty as they always have until this more enlightened era, as some might call it, when they began to interfere with the faith relationships. We put our soldiers on the battlefield and we ask them to put their lives on the line for us. The least we can do is let them worship in the fashion that they would prefer.

That is one of those constitutional guarantees. We can go overboard in trying to make sure we sanitize our religion to the point where no one is offended. In fact, I think that is a major mistake in the approach to many of the issues that we have, the idea that somehow we can move through this society and make progress without offending anyone. No, there are people who are grievance experts in America and around the world who will be offended no matter what you do. And if you keep backing up and backing up, they just bring their line of offense to follow you back to some point where you get your back against the wall when you cannot retreat anymore and they will still be offended when you cannot back up anymore.

Then what do you do? It is pretty difficult to step back and plant your foot and fight, Mr. Speaker. I submit that we have to draw a line consistent with our moral values, our religious values, our constitutional values and stand up for those principles that we hold dear, but also stand up for the principles that have made the United States of America a great Nation.

Some of those principles of course are on the line right now around the globe. They are on the line in Afghanistan where the President committed troops in the fall of 2001, and successfully I might add. The critics have been muzzled. And yet before Mrs. BLACKBURN took to the floor I had taken this, Mr. Speaker, up to the point where we made the decision in this Congress to endorse the President's authority to go into military operations in Iraq, and I point out the similarities between Iraq and Afghanistan: 25 million people in each of those two countries; both of them being Arab countries, Muslim countries. And some might argue about the Arab-ness about the Afghanis, but Muslim countries certainly. Those similarities. Fair amounts of desert in each. Far more mountains in Afghanistan than there are in Iraq, but similar-size countries, countries without large economies, countries that had not made a lot of progress in the last 35 or more years.

One country was ruled by the Taliban and the other was ruled by Saddam Hussein. Who is to say which is worse. The Taliban did random violence and intimidation and pushed that country back into the Stone Age, sometimes one person at a time, small groups at a time. They turned their soccer fields into execution fields where they executed women in front of a crowd.

□ 1830

It is a brutal thing going on in Afghanistan, but the brutality in Iraq was not quite so obvious. It was not submitted to us so much on the media because those things took place behind the scenes, but Saddam Hussein, the tyrant that he was and tyrant that he is, was committing atrocities against his own people.

The rate of those atrocities can be calculated a number of different ways. The lowest number that I come up with is that he was killing his own people at a rate of something just less than 100 a day. The highest number that I come up with is that he was killing his own people something over 200 per day, but however it is calculated, and if you want to figure the lowest average versus the highest average, and these are numbers that come off the Web pages designed to show how many Iraqis have suffered, it is not a pro-administration Web page by any means, but it is the only numbers we really have about the levels of Iraqi civilians that have died since the liberation of Iraq that began in March of 2003.

By any measure, Mr. Speaker, when one measures the loss of American life, plus the loss of Iraqi troops who are on our side fighting for their freedom, plus the loss of civilian Iraqis, however one measures those fatalities, those killed in action, those casualties that resulted in death, and then one calculates the loss of Iraqi lives under Saddam, that loss of Iraqi life under Saddam was far greater than the loss in lives during any operation or any period of time that one wants to select as broader than a few minutes during the whole period of the operation during 3 years in Iraq.

Saddam's killing of his own people, add up all of those numbers and subtract the lives that have been sacrificed in Iraq that have gotten them to this point of freedom, and there are still, by any measure, at least 100,000 Iraqis who are alive today because of coalition forces, because of our American military, because of the effort of the Iraqi people to step up and defend themselves.

This effort that is ongoing in Iraq is more than the function of our daily casualties, more than the function of the daily casualties of Iraqi military and Iraqi civilians. What we see are bombing in the street. We see the news media that is there. It is as if Al Jazeera gets called whenever there is going to be a bomb detonated and they can be there to turn on their movie cameras and record the videos of what is going on for the level of violence in Iraq.

Now, I think it is too high, and I pray that we can get this violence reduced and get Americans out of the line of fire so they are not taking on the casualties. I also pray that the Iraqis who are taking more casualties than Americans are and other coalition forces will be able to quell this violence, but however we measure this, the loss of American lives, plus the loss of Iraqi military, lives of people that are allied with us, plus the loss of innocent civilian lives that we see on television every day as the bombs detonate, still result in a massive net saving of Iraqi lives because Saddam Hussein was so brutal to his own people.

There are not mass graves that are now filling with bodies in Iraq like they were during the Saddam regime. Those things have stopped. The level of violence that is there in Iraq and Iraqi civilians are taking this violence and

those killed are far greater than Iraqi military who are taking more casualties than the American soldiers who are taking more casualties than the balance of the coalition forces. That is how that rank order of loss goes, tragic as it is.

But if we look at the real circumstances in Iraq, and we ask the question, how can anybody live in that country with daily constant bombings and people being killed every day in the course of going to the barber or going to the store or walking down the street or driving through the intersection or going to school or getting on a bus or lining up to volunteer for the police force or for the Iraqi military or even for the rarest of occasions, I am allowing even going to vote, how can they tolerate that level of violence in their country?

Well, what is the level of violence in Iraq? And so I looked up those numbers, and it turns out that the annual fatalities due to that kind of violence, due to violent deaths in Iraq, the same way we measure violent death in the United States, by a form of murder, first and second degree murder and manslaughter, that kind of violence in Iraq is a rate of just a little over 27 per 100,000 people. So you can multiply that across the 25 plus million people that are there and come up with that number, now 27 for 100,000 people.

How does that compare then being an average civilian Iraqi compared to other places in the world where a civilian has a risk of dying a violent death on any given day? I looked up the statistics for Washington, D.C. I live here part time and part time in Iowa. My wife lives here part time and part time in Iowa. It turns out the risk to me, more important than to me, the risk to my wife Marilyn for being on the streets in Washington, D.C., is almost twice as high here as a civilian in Washington, D.C., as it is to be an average civilian in Iraq. Twenty-seven times per 100,000 in Iraq as civilians due to violent death, and the number here in Washington, D.C., is 45 per 100,000 here, not quite twice as high but significantly higher than Iraq.

So what would it be in some other places around the country? Well, let us see. Detroit, not one of the safer cities but a little safer than Washington, D.C. That number is 41 per 100,000 compared to 27 per 100,000 in Iraq. So it is significantly safer to be an average citizen in Iraq than it is is to be an average citizen in Detroit, Michigan.

If we took a look at where would be the most dangerous place in America, that would be down in New Orleans before Katrina. Before Katrina in New Orleans, the violent loss of life there was 54 per 100,000, and I will say that is statistically twice as dangerous to be a citizen in New Orleans as far as taking the risk of violent death, murder, manslaughter, than it is to be hit by a bomb or a murderer over in Iraq itself.

So that puts it into perspective for us on how dangerous it is in Iraq. I have been both places within the last few months, and I think it is important for us to take a look statistically because what we do not have is the news media sensationalizing the violence in New Orleans or the violence in Washington, D.C., or the violence in Detroit. That is the difference, Mr. Speaker. We do not have the news media sensationalizing. So America gets this sense that it is an intolerable level of violence in Iraq and that it cannot be quelled.

Some Members of this Congress declare, as the junior senator declared from Iowa, that there is a civil war going on in Iraq, and I would submit that if there is a civil war going on in Iraq, if that were to happen, we would know it. It is not what is going on there today. A civil war would be defined as when the uniformed military of Iraq, the 254,000 strong now that are in the field taking the fight to the insurgents and to the enemy, when they choose up sides and start to shoot at each other, Mr. Speaker, there will be a message that there might be a war that has begun in Iraq. Until that happens, they are not choosing up sides.

We have Sunni and Shi'as and Kurds all wearing the same uniform, all defending the same flag, all defending the new free Iraq, all defending the new government that has been established there, the new government that has now finally been formed and been put in place with a cabinet that soon will be approved perhaps by the parliament, and they will be launched upon the political solution of this.

But the violence in Iraq is nowhere near the level that the news media would have us believe, but it is very much sensationalized.

And how does it compare, the violence of an average citizen in Iraq, to maybe a Nation like Colombia or Honduras? Well, it is significantly more dangerous to go to either one of those two countries than it is to go to Iraq. The murder level in Honduras is nine times that of the United States. So it is significantly safer to be a regular citizen in Iraq, again, than it would to be a regular citizen in places like Colombia or Honduras or let alone Swaziland where that country has the highest murder rate in the world at 88 per 100,000 people. So to go visit Swaziland and walk around on the streets in a country like that, you can divide 27 into 88 about as well as I can, Mr. Speaker. It is not quite four times as dangerous, but 3.5, 3.6 times more dangerous to go visit Swaziland. Reading the news media, you could do a Google search and have difficulty finding such a statistic.

I would submit also, Mr. Speaker, that we had some choices. The President had some choices, and engaging in the liberation of Afghanistan was an excellent choice because it took the habitat that bred the Taliban and supported al Qaeda, that habitat that bred terror, erased that habitat, cleaned it up and established a new habitat there. If you want to think about this from an environmentalist perspective, there was an environment that bred the kind of terror that came to visit us on September 11 and had attacked us for 20 years and attacked many of the countries around the world and continues to do so at a far lesser scale than it would be otherwise.

The habitat that was there bred terror. The habitat that replaces it breeds freedom. That is the Bush doctrine. That is the vision that was put in place within 2 months of September 11 when our military was ordered into Afghanistan, when the people over on this side said it cannot be done, that our troops would be bogged down, but it has been a resounding success.

That same approach, with that same philosophy, the Bush doctrine of erasing the habitat that breeds terror and replacing it with a habitat that is a free habitat that grows freedom was brought to bear in Iraq, and I will point out that many of the same advisers that had advised President Bush in Afghanistan advised President Bush in Iraq. Some of the same tactics that were used in Afghanistan were used in Iraq, but the same thought process, the same evaluation, the same willingness to take risk, measure risk, make sure that we had the resources that were necessary to complete the operation was all considered.

To argue that the President did not listen to the right people in Iraq, none of the people that argued against the President's decision-making are willing to endorse that he listened to the right people for going into Afghanistan. They simply do not talk about that operation, as if the global war on terror only has one front, only has one battlefield, and only had one conclusion or one way to conclude it and one way to do so, and that in retrospect for them would be send a half a million troops in there, not 150,000 or 167,000 or 168,000 troops in there to do this operation.

The President sent enough troops to do the job that was in front of them. He used the best information he had at the time. He knew who to listen to before he went into Afghanistan. He listened to a lot of the same people going into Iraq. Tommy Franks has not stepped forward and said, oops, I wish I had another 350,000 troops. I would submit, Mr. Speaker, that another 350,000 troops in Iraq would have taken so long to mobilize, and the cost of mobilization and the difficulty of doing such a thing would also put more of our troops in harm's way.

I would point out that if one looks back statistically, that if you are going to stand up a military, when you put young men and women in the same place where you have machines that move fast and are heavy and instruments that are designed to deal death and destruction, as our military is designed to do, there will be accidents and you will lose people due to accident that are not combat fatalities.

In fact, one out of every five fatalities in Iraq has been a noncombat fatality, the result of an accident, but those accidents take place whether it is a civilian on the streets of America or whether it is a military wearing the uniform on a base somewhere where we never hear about that accident. If we add up the loss of American lives as a price to be ready, because those accidents that take place in training they take place on the base, the in-uniform accidents, if we add them up for the period of time between Desert Storm and Operation Iraqi Freedom, there were 5,000 Americans who gave their life to this country for our freedom as a price to be ready to take on the enemy. We mourn them as well as we mourn the soldiers who we lost in combat. They all paid the price for freedom, and we need to take advantage of this freedom and exercise this freedom and defend this freedom here the same way they defended it overseas for us.

But those loss of lives are still hard when it is a family that gives up a son or a daughter due to a price to be ready as opposed to the price to be engaged in combat. All need to be honored, all need to be respected, and of course, we add an extra level of honor to those who went into the line of fire for our freedom.

But the price remains as a price paid to be readied. There has been a price paid due to accidents in Iraq, as well as loss of life due to combat, but there is freedom there in Iraq. They held three elections in the year 2005, all successful, and they said it could not be done. They said that the violence would be so great that we could not open the polling booths and allow Iraqis to come to the polls and vote, but they did, Mr. Speaker, and each election the number of Iraqis went up, not down.

□ 1845

The smiling Iraqis with the purple fingers coming out of polling places, those numbers got greater and greater. As that happened, we were transitioning from the military security phase of Operation Iraqi Freedom to the political phase. And now we are into this political phase full blown, full bore. The Iraqi people have established their prime minister, their president and their speaker of their new parliament along with names that have been presented to their cabinet. That cabinet is endorsed by a majority of the parliament. They will be up and running.

When they are seated at the United Nations, they will be the most sovereign and most representative Arab nation in the world, the Nation that reflects the will of their own people far greater than any others.

We often think of the United Nations as an organization that is the democracy for the world. It is a voice of all of these nations, and the ambassadors from the countries represent the voices of the citizens of the country that they come from. That is not the truth. The truth is that there are some democratic countries that come to the United Nations, that appoint an ambassador to go to the United Nations to speak the will of the people. That is some of the countries.

Then there are the other countries that are significantly different. These are the ones that come from the dictators and tyrants who do not allow their own people to have a voice, but they send their ambassador to the United Nations and they have a voice there, a voice equally weighted to the voice of the ambassadors who actually represent a free people.

Mr. Speaker, I would submit that the Iraqi ambassador soon to be named to the United Nations will be a voice of a free Arab people, and that is a significant improvement, a significant change from the way it was in the past 3½ years ago. And, in fact, that ambassador will stand out in the United Nations hopefully as a beacon of freedom to the Arab people. And hopefully this freedom that is emerging in Iraq as we speak will be the freedom that becomes contagious and emanates across the borders to the other countries of the Middle East in such a fashion that they will stand up and say I want my freedom, too. I will celebrate when that day comes, but that would be the next phase of the Bush doctrine. That phase where the President understands that the clarion call of freedom calls all people, and that freedom is the right of every person and the future of every nation.

It may not be in this year or this decade or in this generation. It may not be in my lifetime, but it is inevitable that the yearning for freedom will bring every country to a level of freedom over time. I believe, as they say in the Arab world, it is God's will that we arrive at that point.

The alternative that the President had, given the challenges in front of him after September 11 was we could have looked at this from a law enforcement perspective, as did the previous administration. But the President chose to take the battle to the enemy in Afghanistan with a model for that country almost a mirror image of Iraq. If an approach to Afghanistan was wise, and the same approach to Iraq was not wise, I wish the people on the other side of the aisle and the critics of that effort would stand and tell me those distinctions. I can give distinctions, but it is Monday morning quarterbacking now. We must complete this task.

If we should pull out of Iraq, if that should happen, the effects on the future of the United States of America and the free world and the global war on terror would be catastrophic in their magnitude. The message that would be sent to the rest of the world would be that the United States does not stick with its commitment to go in and liberate. The message that came from Muqtada al-Sadr, when I was there on one of my visits a couple of years ago when he said if we keep attacking Americans, they will leave Iraq the same way they left Vietnam, the same way that they left Mogadishu and the same way that they left Lebanon. That is what I heard in live real-time out of the voice of Muqtada al-Sadr.

In fact, I took the trouble to put it in a poster, Mr. Speaker. I would point out that I heard this as I was visiting in Kuwait City watching Al Jazeera TV. He made the statement that if we keep attacking Americans, they will leave Iraq the same way they left Vietnam, the same way they left Lebanon, and the same way they left Mogadishu.

That message gets through to our enemy. They understand that the United States, if we do not stick to a mission, a subsequent military and American civilians will pay the price for not sticking to that mission for a generation or more after the fact.

There are those who add to this argument and who add fuel to this fire. Here would be an example. This is the senior Senator from Massachusetts who said that this was a war made up in Texas, this whole thing was a fraud, and Iraq is George Bush's Vietnam, which is really my point.

This message out of the mouth of this senior Senator from Massachusetts went through the satellite versions of television and within seconds, in fact at the speed of light, can emerge on the other end in the Middle East directly into the ears of Muqtada al-Sadr and Zawahiri and Zarqawi and Osama bin Laden, and you name the leaders over there who are committed to killing people who are not like them. They believe that is the path to their salvation. They are encouraged by these kinds of messages. It cost the lives of American soldiers.

We must stand together and complete this task. If we fail to do so, our only alternative will be to retreat back to the shores of the United States of America, fortify everything that we have that we want to protect, that we hold dear, guard every bus stop, guard every school and hospital, and guard every restaurant. They do that in Israel. If you go down the streets of Israel, the military are required when they are out on the street to carry their gun. They guard everything, and still their women and children, their families are blown to bits by terrorists who are committed to killing them for some religious reason I will never understand. That is our alternative here in America if we do not complete this task in Iraq.

Some of the things that we have done to provide stability in Iraq are demonstrated on this poster. The yellow spots here and the green dots, those are initiated and I believe they are completed operations of construction projects. Yes, the green is completed operations. The yellow are projects that are in progress.

As I traveled around, I was down in Basra in the south and on up to Kirkuk

in the north, and I have been around the Mosul area as well, these projects are all things that American taxpayer dollars have invested to upgrade the infrastructure that is there. That includes water, sewers, hospitals, roads, all kind of structure that are designed to add some stability to the country of Iraq that in the last 38 years, aside from coalition forces and the dollars that have been committed into the country since the liberation, had not made significant progress.

Now there is progress being made in the country. There is more progress that needs to be made before our troops can come home victorious, to quote the gentlewoman from Tennessee some moments ago.

I will submit that we have to stick with this task. We do not have an alternative except to succeed, and we are on the path of success. It is a long, hard slog, as the Secretary of Defense, Mr. Rumsfeld, has pointed out. He has been realistic and upfront and candid in his positions that he has taken. I think he has taken on a yeoman's task to reorganize our military at the same time we are involved in a conflict overseas. But the alternative is not acceptable, and that would be not to reorganize our military at a time when we need to be lighter, quicker, faster and still stronger than we were before.

I have met with the Secretary of the Army who has laid out this plan for me, and I am impressed with the level of organization and level of discipline that they have provided. And I am impressed that Secretary Rumsfeld has gone down this path and has seen the vision and directed that it take place in the reorganization of our military.

I am not surprised though, Mr. Speaker, that some of the generals who were steeped in the old way of thinking and who maybe have a little different approach might be a little disgruntled. We have about six generals that have spoken up. That means there are some 9,000 who have not spoken against the Secretary of Defense. I think it was untimely of them to do so. It did not help this cause for them. I think that if they had stepped back and taken a look at it from the perspective of the long-term best interest of America, they might not have taken these issues to the public because their voice echoes across through satellite TV, picked up by Al Jazeera, spread through the ears of al Qaeda and Osama bin Laden and Zarqawi and Zawahiri and al-Sadr who is maybe on the side of the government of Iraq and doing business there. It does not help to send the message of dissent.

If you have a message of dissent, take it to the White House. They will close the door on the Roosevelt Room or perhaps in the Oval Office and you can have your say and it will be considered. But to have your say and say it to our enemy at the same time you might convey that disagreement to the President of the United States through the media is not a constructive way to fight a war. If this goes on, it will be one of the reasons why democracies have a difficult time in succeeding.

I point out that the country I live in is a constitutional republic, and I am glad it is. I look forward to the day our military comes home victorious. I do not know how soon that might be. But I would point out that the previous administration sent troops to Kosovo and gave a time frame at which time they would be deployed back to the United States, and that time frame was 1 year. It has been well over 10 years since those troops were deployed to Kosovo, and we still have troops there.

I am not raising an issue about that except to say we cannot give a drop-dead deadline for our troops to leave Iraq. That empowers the enemy and allows the enemy to prepare for the day when they can emerge from their holes in the ground, having accumulated their military supplies, and then descend upon the less-equipped people that are there defending the country.

That idea that has taken place in a resolution over in the other body, joined in by the junior Senator from Iowa, is the wrong idea at the wrong place at the wrong time. The right idea and the right message is we will be there, Iraq, as long as you need us. We are going to encourage you to get out of the nest and fly. You are doing a good job so far under difficult circumstances and your fighting spirit is there. The judicial branch is there. Saddam Hussein needs to be tried. You need to get done with the trial. You need to accumulate a record for the Iraqi people so they understand the history that is going on within the country of Iraq. The era of Saddam Hussein must be recorded. When it is recorded, it will be fine with me if justice is served and an appropriate punishment should he be found guilty is made consistent with Iraqi law. And I am advised that there is only one penalty that is provided for an individual who might be found guilty of crimes against humanity and that punishment is death. I believe that is too gentle a penalty for someone who may have committed crimes of that magnitude, but it is the one that they have and it is all that we would have in this country as well.

Mr. Speaker, I urge this body to stand with our military, to stand with their mission, make the point that you cannot be for our military and against their mission. We cannot ask people to put their lives on the line and say you should not be doing this, I am against your mission, but I support you. I will send you some warm socks and an MRE and something cold to drink. I am for you, troops, but you shouldn't be there. That is wrong.

If you are not for the mission, you are not for the troops. You cannot ask them to put their lives on the line for you and be opposed to their mission. They are one and the same. You support the troops and you support their mission all together, not separately. You do not get to choose one or the other. It is a fallacy in the argument.

I stand with the troops and the mission. I am committed to seeing this thing through to the end. We owe that to our brave soldiers and Marines who have given their lives for the freedom of the Iraqi people, for the safety and security of the American people, that have taken the fight to the enemy globally overseas, who all of them volunteered to go over there. All of them volunteered to face the enemy. They knew they were taking a risk. God bless them for it, Mr. Speaker, and God bless our soldiers and our Marines in their effort, and God bless the United States of America.

## OUR NATION'S SECURITY

The SPEAKER pro tempore (Mr. CAMPBELL of California). Under the Speaker's announced policy of January 4, 2005, the gentleman from California (Mr. SCHIFF) is recognized for 60 minutes as the designee of the minority leader.

Mr. SCHIFF. Mr. Speaker, the single most important function of the Congress is to ensure our Nation's security. Since the time of the Revolutionary War when the Continental Congress directed the efforts of our fledgling Nation to free itself from British rule, the legislative branch has made the security of our Nation a priority.

Bipartisanship has been at the center of America's national security policymaking for much of our history.

□ 1900

In standing behind our Armed Forces and standing up for our diplomatic priorities, in supporting the Intelligence Community, and in supporting the President in times of crisis, Congress has often spoken with one voice. This unanimity was never stronger than the aftermath of the September 11 attacks on the World Trade Center and the Pentagon.

When President Bush addressed Congress and the Nation on September 20, there were no Democrats or Republicans in this Chamber. There were only Americans. That unity extended around the world to friends and foes alike.

In London, 2 days after the attacks, Queen Elizabeth ordered the Coldstream Guards to play the Star Spangled Banner at the changing of the guard at Buckingham Palace, the first time a foreign anthem had been played at that ceremony.

In Paris, the newspaper Le Monde ran an editorial on September 12 that was entitled simply, ''We Are All Americans.''

In the wake of the attacks, NATO invoked for the first time in its history, article 5 of the NATO charter, declaring an attack on the United States to be an attack on the alliance.

As American military assets rushed towards Afghanistan in preparation for the invasion that would topple the

Taliban regime, NATO Airborne Warning and Control System, AWACs air craft patrolled American skies in round-the-clock patrol to protect us.

Four and a half years later, this national and international unity seems quaint. Here at home, our country is now bitterly divided. Our States are red or they are blue. Our communities are divided too. Americans don't even get their news from the same place anymore. Many Republicans only watch Fox, and many Democrats will only watch, well, anything else.

Overseas, we are isolated. Where America was seen as a victim in the wake of 9/11, in the capitals of even some of our closest allies we are now too often viewed as an aggressor. American troops are fighting and dying in Iraq while many of our closest friends sit on the sidelines refusing to provide even promised economic support.

The policies of the current administration and majority in Congress have not only squandered domestic unity and international goodwill; they have poorly managed the war on terror and failed to adequately improve our security here at home. Even as we spend $1 billion a week in Iraq, basic security at home remains underfunded. And as we shall hear from my friend and colleague, CHRIS VAN HOLLEN, Afghanistan is in danger of slipping back into the grip of the Taliban.

In the days after September 11, the President vowed to capture Osama bin Laden, dead or alive, and that we would smoke al Qaeda out of their caves. Tragically, Mr. Speaker, Osama is still very much alive, and the inability of the pre-eminent super-power to capture him is as dangerous as it is emblematic of the need for a new strategy in the war on terror.

Tonight I have a message for the American people: the Democrats have a plan to win the war on terror. Our plan is tough, it is smart, and it is comprehensive. This plan is part of an overall effort to reconfigure America's security for the 21st century, a plan that we call Real Security.

Several week ago, Members of our party from both the House and the Senate unveiled a comprehensive blueprint to better protect America and to restore our Nation's position of international leadership. Our plan, Real Security, was devised with the assistance of a broad range of experts, former military officers, retired diplomats, law enforcement personnel, homeland security experts, and others who helped identify key areas where current policies have failed and where new ones were needed.

In a series of six Special Order hours in the evening, my colleagues and I have been sharing with the American people our vision for a more secure America. The plan has five pillars, and each of our Special Order hours has been addressing them in turn.

The first is building a military for the 21st century. The second is winning the war on terrorism. The third is securing our homeland. The fourth is a way forward in Iraq. And the fifth is achieving energy independence for America.

Two weeks ago, we discussed the first pillar of our plan, building a military for the 21st century. This would involve rebuilding a state-of-the-art military, making sure that we have the world's best equipment and training, providing accurate intelligence and a strategy for success, providing a GI bill of rights for the 21st century, and strengthening the National Guard.

In future weeks we will address Homeland Security. In the wake of 9/11, there have been numerous commissions and investigations at the Federal, State, and local levels as well as a multitude of private studies. All of them have pointed to the broad systemic and other flaws in our homeland security programs.

Almost 2 years ago, the independent bipartisan 9/11 Commission published its report, but most of its recommendations have yet to be implemented.

The Homeland Security plan will implement the 9/11 Commission recommendations. We will screen all containers and cargo. We will safeguard nuclear and chemical plants. We will prohibit the outsourcing at ports, airports and mass transportation to foreign interests. We will train and equip first responders, and we will invest in public health to safeguard Americans.

We will also be discussing a new course in Iraq that will ensure that 2006 is a year of significant transition to full Iraqi sovereignty, with the Iraqis assuming primary responsibility for securing and governing their country with a responsible redeployment of U.S. forces. Democrats will insist that Iraqis make the political compromises necessary to unite their country and defeat the insurgency, promote regional diplomacy, and strongly encourage our allies in other nations to play a constructive role.

Our security will remain threatened as long as we remain dependent on Middle Eastern oil. The fifth pillar and the one with the most far-reaching ramifications for our country and the world is to achieve energy independence for America by 2020. This will involve eliminating reliance on Middle Eastern oil, increasing the production of alternative fuels in America, promoting hybrid and flex fuel vehicle technologies, and manufacturing and enhancing the energy efficiency and conservation incentives.

The pillar of Real Security that we are going to address tonight is in many ways at the center of all of these issues. Since 9/11, the war on terrorism, specifically radical Islamic terrorism, has affected our entire conduct of national security policy. Unfortunately, there is a clear consensus among most experts that we need a new strategy to win the war on terror.

Tonight, I would like to introduce you to our plan. When Democrats are in charge, we will finish the job by eliminating Osama bin Laden, by destroying terrorist networks like al Qaeda, by finishing work in Afghanistan and ending the threat posed by the Taliban. We will double the size of our Special Forces, increase our human intelligence capabilities, and ensure our intelligence is free from political pressure. We will eliminate terrorist breeding grounds by combating the economic, social, and political conditions that allow extremism to thrive; lead international efforts to uphold and defend human rights; and renew longstanding alliances that have advanced our national security objectives.

We will secure by 2010 loose nuclear materials that terrorists could use to build nuclear weapons or dirty bombs. And we will redouble efforts to stop nuclear weapons development in Iran and North Korea.

Our first priority is to eliminate Osama bin Laden and destroy al Qaeda and its other terrorist networks. Who would have imagined on September 11 that after more than 4½ years, the man responsible, the mastermind of the greatest single loss of American life in a single attack, Osama bin Laden, would still be at large? And now, in fact, al Qaeda has morphed into a worldwide amalgam of discrete cells that are even more difficult to track down.

Under Real Security, Democrats will use all of the tools at our disposal, military, intelligence, diplomatic, legal, to fight terrorism. To destroy al Qaeda and other terrorists on the ground, we will double the size of our Special Forces.

Special Forces were instrumental in working with local Afghan forces to drive the Taliban from Afghanistan, and they are uniquely suited to counter insurgency and counter terrorist operations. Unfortunately, many of the Special Forces units that were working to build a new Afghanistan were diverted to Iraq and replaced with less versatile troops.

Building a military for the 21st century begins with an acknowledgment that we are in a new era that has a set of challenges and threats distinct from those we faced during the Cold War. In this new world, we need a military that is highly mobile, self-sustaining, and capable of operating in small units.

On the one hand, our ability to use air power has extended our global reach and allows us to engage enemies without large numbers of ground troops being employed, as was the case in Kosovo and Afghanistan.

On the other hand, the war on terror, ongoing operations in Iraq, and the increasing need for American forces to play a stabilizing role as peacekeepers and peace enforcers demands the sustained commitment of American forces. Special Forces units are mobile, lethal, adaptable, and trained to work with indigenous forces, a key to winning against insurgencies and terrorists who are expert at portraying

Americans as infidels bent on destroying Islam, undermining local societies and local customs and culture.

But even the best military cannot obtain its objectives without good, sound intelligence. In many respects, 9/11 was a failure of intelligence. Agencies that should have been sharing information with each other could not or would not, and tantalizing, vital threads were left unconnected. This failure was followed by the deplorable failure of our intelligence on Iraq's weapons of mass destruction in which dissenting voices within the intelligence community were stifled, and group think took hold and steered analysis.

The U.S. intelligence community is made up of some of America's brightest minds and most dedicated servants, but these talented individuals are working harder and harder just to maintain a status quo that is increasingly irrelevant to the new challenges presented by weapons of mass destruction.

America's enemies today are different from those we faced during the Cold War and pose far more complex threats to our national and international security. We have more numerous and diverse intelligence targets today, with dozens of national and hundreds of non-state entities able to strike a devastating blow to our territory and our economic interests.

Furthermore, the weapons that pose the greatest dangers to our strategic and economic interests are difficult to detect and even harder to counteract. Both the 9/11 Commission and the Silbermann-Robb Commission advocated sweeping reforms of the intelligence community to streamline procedures and facilitate better flows of information and analysis. Both commissions identified resistance to change as the greatest obstacle to better intelligence for senior policymakers.

What we need is an intelligence community that is flexible, able to respond quickly and effectively to an ever-shifting environment and to the rapid pace of today's technological changes. The dispatch of Porter Goss as CIA director indicates that these changes at the agency have still not been undertaken. The coordination we need is still not present in our intelligence community.

The Intelligence Reform Bill that Congress passed in 2004 created a new Director of National Intelligence, but gave the office only ambiguous authorities to carry out its broad responsibilities. The challenges faced by the DNI are myriad, building better human intelligence networks, improving the quality of analysis produced by the 15 agencies under its control and rebuilding the morale of a community that has been badly shaken by 9/11, by Iraq and which continues to this day.

Even as the DNI, the Director of National Intelligence, struggles to control numerous organizations with separate missions and cultures, he needs to preserve a diversity of analysis and a community-wide culture that encourages structured debate among agencies and analysts over the interpretation of information while cooperating in a common purpose with a shared strategic vision.

□ 1915

For too long, the demands for current intelligence have presented the intelligence community from adopting a broader strategic perspective. Such an approach is essential for developing long-term plans, for penetrating today's difficult targets, and identifying political and social trends, shaping tomorrow's threats.

Perhaps the most important piece of our plan is a commitment to eliminate terrorist breeding grounds. Terrorists who attacked this country on September 11 emerged from a part of the world where oppression often finds its outlet in jihadi extremism and hatred of the West, especially the United States.

After the 9/11 attack, the President and other senior administration officials vowed to ''drain the swamp'' that birthed al Qaeda and other radical Islamists. Despite this boast, the administration has done little to combat the social, economic and political conditions that allow extremism to thrive.

Under Real Security, Democrats will fight terrorism, not only militarily, but also by leading international efforts to eradicate poverty, universalize education and provide economic opportunity for those who now provide such a fertile ground for the recruitment of suicide bombers.

We will also renew the long-standing alliances that have advanced our national security objectives for more than a century. We will encourage the growth of civil society, democracy and free-market economics in the Middle East. Extremism thrives and spreads in countries where brittle, autocratic regimes jealously guard wealth and political power while the vast majority of its citizens languish in poverty.

For example, despite the Arab's world vast oil wealth and its rich cultural history, the region has languished in large part because its leaders refuse to enact the liberalization necessary to release the power of hundreds of millions of people. We will use the power of diplomacy and economic aid much more consistently and effectively to bring about real meaningful change that allows for the growth of political, secular institutions. As we have seen in too many cases in recent years, millions of Arabs face the choice between secular, authoritarianism and theocratic rule by religious extremists.

Strong diplomatic relations are essential to America's security. As Madeleine Albright, who served as Secretary of State under President Clinton, has said, diplomacy is our first line of defense. During the last several years, we have failed to use this essential tool of American power wisely, and it has cost us dearly. Democrats will again make human rights central to our conduct of national security, living up to our values, even as we make ourselves safer.

In a few minutes, I will address in specific terms the threat posed by loose nuclear materials and the lethargy at which we are trying to secure those materials.

But before I do, I want to introduce my friend and colleague, CHRIS VAN HOLLEN of Maryland, to share his thoughts on the dangers posed, in particular in Afghanistan, but also his thoughts on intelligence reform and on the Democrats' Real Security Plan.

I yield to the gentleman from Maryland.

Mr. VAN HOLLEN. Well, let me thank my colleague from California (Mr. SCHIFF) on his leadership on national security issues and helping to lay out the Democratic national security plan, and thank him for taking us back to 9/11/2001 and the new security challenges that posed for our country, indeed for many others around the world, and reminding all of us that at that time the American people rallied behind the President and the Congress and said we need to take action against al Qaeda, we need to take action against the Taliban.

This body, the United States Congress, was united, Republicans and Democrats alike, in taking that action, toppling the Taliban government, and working to try and root out al Qaeda and find Osama bin Laden. Indeed, as Mr. SCHIFF mentioned, the international community rallied behind us as well.

So let us go back to that point in time and see what has been done. If you look at the recent trip that President Bush took to Afghanistan and India, Pakistan last March, it was a reminder to all of us that was probably, number one, the closest he will ever get to the man who masterminded those attacks on September 11th, on the United States, Osama bin Laden, who is believed to be hiding in Pakistan along the very rugged Afghan-Pakistan border. It was a reminder that we have not accomplished our mission of destroying Bin Laden and al Qaeda.

We all recall back in May of 2003 aboard the aircraft carrier, the USS *Lincoln*, when the President unveiled a big banner that said, ''Mission accomplished.''

Well, before that time, before the unveiling of that banner, there had been 138 American troops who died in Iraq, 542 wounded. Since declaring ''Mission accomplished'' aboard the aircraft carrier, there have been 2,405 American troops dead and over 17,000 wounded. As we all know, the situation in Iraq continues to be a very difficult one.

But certainly that ''Mission accomplished'' banner could not have applied to the main objective we had after September 11, 2001, to destroy the al Qaeda network and capture, destroy the person at the top of that network, Osama

bin Laden, and fulfilling that mission. Preventing a resurgence of the Taliban will depend on the actions that we take today and in the months ahead in Afghanistan. This is no time for us to be reducing our commitment in Afghanistan.

At the very time the President was in Afghanistan last March, the Director of U.S. Defense Intelligence, General Michael Maples, was testifying before the Congress, and he testified that the Taliban insurgency is growing and will increase this spring, presenting a greater threat to the Afghan central government's expansion of authority than at any point since late 2001.

Under these circumstances, the plan, the current plan in place to replace 2,500 U.S. troops in southern Afghanistan later this summer with contingents of Canadian, Dutch, British, Romanian and Australian troops should be considered. We welcome having those additional troops there, but given the intensifying Taliban insurgency, we should consider whether or not those new forces should augment and supplement the forces we have there and not replace them. Replacing them could send exactly the wrong signal to the people of Afghanistan and to Osama bin Laden and al Qaeda. Now, it is hard to ignore the fact that the Taliban has stepped up its operations recently.

Last year, attacks by the Taliban and other anti-government troops jumped by 20 percent, according to the Defense Intelligence Agency. Suicide bombings increased almost fourfold, and strikes with improvised explosive devices, which is a tactic imported from Iraq, doubled last year.

The main battlegrounds in this insurgency are in the provinces of Qandahar, Oruzgan, Helmand and Zabol, the Pashtun areas that form the Taliban stronghold in southern Afghanistan. And as recently as January 10 of this year, Mullah Mohammad Omar, who was the Taliban leader, who was born in southern Afghanistan and forged a very close tie with Bin Laden, rejected a call to reconcile with the new government of President Hamid Karzai and publicly exhorted his followers to fight.

It appears from all indications that his followers have been listening. The Assistant Administrator of USAID told Congress earlier this year about the deaths that have been taking place in many of the provinces and the attacks, school teachers killed. As a result, 200 schools in Qandahar and 165 support schools in the province of Helmand closed for security reasons, and on and on. February was a deadly month, and March and April.

In May, earlier this month, The New York Times wrote an article, headline, Taliban Threat Is Said to Grow in Afghan South. I am just going to read a few excerpts. The Taliban and al Qaeda are everywhere, a shopkeeper told the commander of American forces in Afghanistan. He said it is all right in the city, but if you go outside the city, they are everywhere, and the people have to support them. They have no choice.

The article goes on to note that the fact that American troops are pulling out of southern Afghanistan in the coming months and handing matters over to NATO peacekeepers, who have repeatedly stated they are not going to fight terrorists, has given a lift to the insurgents and increased the fears of Afghans.

I think it is very important that we not send a signal that we are reducing our commitment to the people of Afghanistan and to the fight against al Qaeda and Osama bin Laden. But stopping that action is going to require forceful action, stopping that violence and stopping the Taliban attacks.

Until now, the NATO forces have been stationed in relatively quiet areas. Their role has been primarily limited to peacekeeping rather than combat operations, and there are real questions about whether they will be able to engage the Taliban as aggressively as U.S. forces there.

It is also likely that the withdrawal of these 2,500 U.S. forces from Afghanistan will weaken our ability to put pressure on the Pakistan government to cooperate with us in trying to track down al Qaeda elements in Pakistan. We know that Pakistan Interservices Intelligence Agency has historically had a very cosy relationship with the Taliban. Many in the Afghan government, if you talk to them, doubt Pakistan's commitment to denying the sanctuary to Taliban fighters along the Afghan-Pakistan border. So we should be careful about the signals that we send.

Afghanistan's stability depends on strengthening the central government, developing the economy and limiting the booming opium trade there. Progress on these fronts requires that the Taliban be neutralized and security improved.

It has been said now from a number of Afghan leaders that the anticipated withdrawal of some of the U.S. forces has already caused some local leaders to hedge their bets with respect to the Taliban and figure if we are not going to be protected by U.S. forces, maybe we ought to bet on the Taliban being the future here. That is a very, very dangerous thing indeed.

It is important for us to remember that the Taliban came to power in Afghanistan in the chaos that followed the Soviet Union's withdrawal from that country, and the subsequent U.S. disengagement and lack of interest in the region.

With the Bush administration and much of political Washington focused on Iraq, many Afghan leaders worry whether the reduction in our forces there signals a lack of commitment and a signal that we will again lose sight of Afghanistan. We do so at our peril because we need to remember, as my colleague reminded us, that the September 11 attacks, September 11, 2001, did not come from Iraq. They were from Afghanistan. That raises a very serious question about how we came to be in Iraq and raises the question of failure of intelligence.

I think it is important to note that whether or not you were for taking military action in Iraq or against military action in Iraq, we all should be in favor of getting the intelligence information right. It is especially important in this time when we are trying to disrupt terrorist networks.

The fact of the matter is the President told the American people we were taking action in Iraq for two reasons. He said, there are weapons of mass destruction there, and he said that there was a connection between Saddam Hussein and al Qaeda. Well, we know now that both of those statements proved false. It is important, going forward, that we get the intelligence right.

One of the essential components of the Constitution of our country is a system of checks and balances, making it clear that every branch of government has an obligation to take the responsible actions within its own sphere. Unfortunately, this Congress, especially this United States House of Representatives, has failed to exercise that responsibility. Instead of being a check on the executive branch, we have been a blank check for this administration. Instead of being a balance, we have been a rubber stamp.

The result of that failure of oversight has been to allow the mistakes and failures of this administration in the area of intelligence gathering to continue, because if you don't pay attention to failure, if you look aside from failure, if you ignore failure, you are going to get more failure.

One of the greatest failures, of course, has been the failure of this Congress to hold the administration accountable for its failures to gather intelligence information and for its abuse of the use of intelligence.

Now, every administration, Republican or Democrat, is entitled to have its own policies. But they are not entitled to their own facts. Facts are stubborn things.

In the war on terror it is critical that we gather good intelligence information. We need to base our policy on the facts, not decide to make up the facts based on our policy.

Now, we should all agree that we don't want to put our troops in harm's way because we don't have adequate intelligence. We shouldn't sort of make up the facts in a way that leads to those consequences.

But in the lead-up to the war in Iraq, many in the administration ignored those professional voices within the executive branch, the civil servants, who had been there for years, have years of experience, who got it right.

□ 1930

For example, the professionals in the Bureau of Intelligence Research at the State Department and the professionals at the Department of Energy

said these aluminum tubes were not evidence of a nuclear weapons program in Iraq; they were evidence of a rockets program. Yet their information, their input, was relegated to a footnote, because people did not want to see beyond the world as they wanted to see it to justify their own policy decisions.

Those intelligence failures have consequences. Not just immediate consequences for our military and our Armed Forces; they also undermine our credibility around the world and are coming back to haunt us.

Secretary of State Colin Powell, we all remember when he went before the United Nations. He had his charts; he had his displays. He said to the world, Iraq is developing weapons of mass destruction, in fact, has weapons of mass destruction. They did not. Secretary Powell has acknowledged that was one of the low points of his career.

Contrast that to the Cuban missile crisis, when our ambassador to the United Nations, Adlai Stevenson, showed the world satellite photos that the Soviets were putting missiles in Cuba. The Soviets had been denying it, but they couldn't deny it in the face of those facts and that evidence. It was a high point for credibility at the U.N. Our display there was a low point.

The problem is not just that we look bad. The problem is it is hard to make back lost credibility. As we go to the U.N., as we go to international partners around the world now and talk about the situation in Iran, we talk about the situation in North Korea, we talk about the situation and threats elsewhere in the world, people remember what we said before, and even the President, President Bush, has acknowledged that we face increased skepticism as a result of our failures of intelligence. Those have serious, serious consequences.

There is a lot more that can be done in the intelligence area, and I think tonight we should talk about some of the missteps that were made and how we intend to correct those missteps going forward. But I think we should all agree, Republicans and Democrats alike, that getting the intelligence information right is essential to our national security. We need to allow the professionals with the experience to call the facts as they see them, not how any administration would like to see them to justify a certain policy.

I yield back to my colleague from California as we continue this discussion about how we think that this Congress can do a much better job of enhancing the national security of this country.

Mr. SCHIFF. I thank the gentleman for all of his leadership on these issues and the superb work he has done to improve the Nation's security.

You mentioned the growing problems and growing threats we are experiencing with IEDs, with suicide bombings in Afghanistan. I have had a chance to visit our troops there a couple of times.

I was very struck by what one of the soldiers I talked with said during my first visit. He said, You know, we all feel we are in the third front of a two front war, Iraq being the first, then the war on terror, and Afghanistan being the forgotten war. We have Americans fighting and dying there, unfortunately, all the time. For those that are on the ground, Afghanistan is very much the first front. Given the origin of the attacks of 9/11, it really is the first front in the war on terror. Given the presence of Osama bin Laden somewhere in the mountainous regions between Afghanistan and Pakistan, that is the central front on the war on terror.

I want to touch on some of the last two planks of our war on terror plan, and then I would like to come back to some of the comments you made on the lack of oversight in this body, because I think your remarks are right on the money, and it is really an institutional abdication of this Congress not to do its job of oversight.

Under Real Security, we will confront the prospect, the specter, the danger of nuclear terrorism by greatly accelerating the pace at which we are securing nuclear material that can be used to make a nuclear weapon or a dirty bomb, by eliminating loose nuclear material by 2010. We will also redouble our efforts to stop nuclear weapons development in Iran and North Korea.

While Democrats understand that no option can be taken off the table, we are committed to muscular diplomacy as the best option for curbing Pyongyang and Tehran's nuclear ambitions.

Osama bin Laden once termed the acquisition of weapons of mass destruction a religious duty. Intelligence officials have warned that al Qaeda and other radical Islamists are committed to obtaining a nuclear weapon and using it against the United States.

A number of experts feel if we fail to change course, an act of nuclear terrorism is only a matter of time. They are equally united in the conviction that we can avert such an attack by taking a series of steps to prevent nuclear material from falling into the hands of terrorists.

The President has repeatedly called the prospect of a nuclear attack by terrorists the greatest national security threat facing the United States. However, the administration's lackluster efforts to prevent terrorists from acquiring WMD demonstrate a failure of leadership. In fact, the 9/11 Commission Public Discourse Project gave the administration a D grade in this area on its December 2005 report card.

The Democratic Real Security plan commits to an aggressive effort to secure by 2010 loose nuclear material that terrorists could use to build nuclear bombs or dirty bombs. The Democratic approach to prevent terrorists from acquiring WMD is tough and smart. It uses our resources and know-how to make weapons material and capabilities secure and to deter countries from building weapons in the first place.

In many cases, we know where there are nuclear and chemical facilities and materials that aren't adequately protected. Around the world, there are hundreds of tons of weapons grade nuclear material without the level of security we have established for our own nuclear material. This material is spread across hundreds of sites in dozens of countries. We must lock down these materials before they fall into the wrong hands.

But we are moving very slowly. At current rates of progress, it could take us decades to secure materials that could be used in a nuclear attack, a nuclear terrorist attack on the United States. We can do better. To do anything less is grossly negligent with our Nation's future.

A comprehensive strategy to prevent terrorists from acquiring weapons of mass destruction has several parts. It involves securing nuclear material around the world to a gold standard and actually removing nuclear material from the most vulnerable sites. It involves detecting and defeating efforts to smuggle nuclear material and technologies. It involves strengthening the international community's efforts to prevent the proliferation of nuclear weapons.

To protect Americans as fully as we can, we must work in a global partnership to keep these weapons away from terrorists and governments that would use them against us. The United States can't be everywhere, can't catch every violation or pay for every inspection. Illegal weapons networks now span the globe, and our partnerships to stop them must be equally global. We need other nations to help do this hard, expensive work and help communicate the benefits of playing by the rules and the consequences when the rules are broken.

We need our allies to share in the burden of global security. To get our allies' support, Democrats will press to include the security of nuclear material in the agenda and diplomatic efforts at the very highest levels. Without the necessary leadership, cooperation negotiated by mid-level bureaucrats will be limited to the slow pace of the last decade.

In addition, Democrats will work with the international atomic watchdog group, the IAEA, to develop comprehensive gold standards for the security of nuclear material and assure that other nations have the ability and will to implement these standards. The international community has demonstrated its support for this approach through U.N. resolution 2004. It will require American leadership to translate this vision into action.

Here in our government, Democrats will demand interagency cooperation and program innovation to accelerate progress on combating loose nukes.

There are several Federal programs working to secure nuclear material that do not interact well with each other. Further coordination will improve the best use of resources and the sharing of best practices.

The President has not charged the Federal bureaucracy with creating fresh and innovative programs to secure nuclear material, and business as usual or modest increases in funding to limited programs will not reach the goal of securing all bomb-making material by 2010.

We must also move quickly to secure the global supply chain. Millions of containers move around the world every year containing the goods that we need. However, they are also an easy target for terrorists to smuggle WMD material. Under the Real Security plan, every container shipped to the United States will be scanned at the point of origin.

Despite the urgency of this global threat, the administration and majority have not taken action commensurate with the threat. On more than one occasion, legislation has been introduced by Democrats to provide real security, but has been blocked.

An amendment by Representative OBEY would have provided an additional $2.5 billion for homeland security, including substantial support for nuclear nonproliferation activities, but it was blocked by the majority. An amendment offered by Representative MARKEY to scan all shipping containers was also blocked. Legislation that I introduced to require the screening of cargo on commercial planes, on passenger jets, commercial cargo on passenger jets was also denied a hearing. The administration and majority have failed to translate the urgency of preventing WMD and nuclear terrorism into action. This must change.

After the attacks of September 11, senior officials repeatedly asserted that we had failed to prevent the attacks because of a failure of imagination. This was the central finding of the 9/11 Commission.

We know about the danger of nuclear terrorism. We are in a race with terrorists who are actively seeking nuclear weapons. The choice is ours: accept the present failure of leadership and risk a nuclear disaster, or take action to prevent it. When one considers the consequences, the choice is really no choice at all.

But I would like to turn now to an issue that was raised by my colleague from Maryland, and that is the role that we have in this body to provide oversight, oversight of the security of our troops overseas.

Today I offered an amendment to the defense department authorization that requires periodic reports on our efforts to disable, to interdict, and to destroy these improvised explosive devices that are claiming the lives of so many Americans.

I have lost at least four of my constituents in Iraq, most of them from improvised explosive devices. I am not satisfied that we are doing all we can to up-armor our vehicles, to provide the state-of-the-art body and side armor that will keep our troops alive. I am not satisfied that we are acting swiftly enough to deploy these technologies that are being developed to jam and otherwise disable these improvised explosive devices.

My constituents would be willing to line up around the block to work in a factory overnight around the clock to produce these materials to protect our troops. There is no lack of a willingness to serve. There is no lack of a willingness to sacrifice among the American people. But they have to be asked, and we in Congress have to provide the leadership to make sure that we are doing everything we can to provide the protection of our troops.

We also have to make sure we are doing our oversight in this body, to make sure that we have the intelligence agencies doing the work to protect us, and, at the same time that we protect our Constitution.

My friend from Maryland makes the point that administrations and majorities can choose their own policies, but they can't choose their own facts. I would add to that, Mr. VAN HOLLEN, they can't choose their own Constitution either. We all operate under the same Constitution. It is a Constitution that has served us very well. It is a Constitution that has allowed us to adapt to the changing needs of the Nation and its people and to the emerging threats facing the country.

As one of our justices said some time ago, the Constitution is not a suicide pact. It doesn't prevent us from taking the steps we need to protect the country. But it does do an awfully important job of making sure, at the same time, that we protect our civil liberties.

I, like my colleague, have been very concerned that some of the NSA programs which could be done under the oversight of the FISA court, and in my view are legally required to be done under the oversight of the FISA court, are not being done with court review.

Today there was yet another revelation of a broader NSA program that may be obtaining information about tens of thousands, perhaps millions, of calls within the United States, a program that probably until news leaks today, Americans and Members of this body were unaware of.

□ 1945

Now certainly there is a need for confidentiality. But at the same time in this body, in classified hearings, there is a need for oversight. And we have not been willing to do it. There has been an allergy by the majority to do the oversight, to make sure that the limits on the executive go beyond the mere good faith of the executive.

When the Attorney General testified in the Judiciary Committee, I asked him what were the limits of the authority as Commander in Chief? Could they bug purely domestic calls without court approval? And the Attorney General said, well, he would not rule it out.

If that is the case, then what is the limiting principle? It is nothing other than the good faith of the executive, and that is not the limiting principle of our Constitution.

I would be delighted to yield to my colleagues the gentlemen from Maryland.

Mr. VAN HOLLEN. Mr. Speaker, I thank my colleague from California in his leadership on these issues. We both serve on the Judiciary Committee. And we know the revelations about the domestic wiretapping program came out back in December. And as of today, we have not had a single nearing in the House Judiciary Committee devoted specifically to that issue.

And whether people are for it or against it or undecided, we have an obligation as a separate branch of government to do our oversight, to get the facts, to ask the hard questions. And that committee has been AWOL on this issue, just as it has been, this Congress has been on so many other issues.

And I am very pleased that my colleague pointed out in the 9/11 Commission's sort of final report card they issued last November with respect to the issue of nuclear nonproliferation. They did give this Congress and the Bush administration a big fat D, D on that effort.

My colleague from California has been active in proposing different ideas for how we can strengthen those, but this Congress has not moved ahead. I just want to cite from that report card where it says, ''Countering the greatest threat to America's security is still not the top national security priority of the President and the Congress.''

What is that top priority, they say? A maximum effort by the U.S. Government to secure WMD. The fact of the matter is, we know after 9/11 that the most toxic combination of all would be some terrorist group getting their hands on weapons of mass destruction and the consequences to the people of our country.

We are getting a D on that. We can do a lot better. That same report card gives this Congress a D in another area, an area we have been talking about. Under the category of congressional and administrative reform, there is a subcategory, intelligence oversight reform.

Grade D. We would be embarrassed if our children brought back Ds from school, and yet Congress gets a D for this. And it is important to point out in this area, this is an area entirely under the control of the leadership in Congress. The Republican leadership could decide today to fix this.

This one has nothing to do with the administration. This has to do with decisions that can be made tomorrow by this Republican leadership. They have decided not to do it. Apparently a D is acceptable to them. And I think it is

important to go back to the consequences of that failure of oversight.

Now, we know in the lead-up to the Iraq war the failures of intelligence. The former Director of CIA, George Tenet, very decent guy, said it is a ''slam dunk case'' that there are weapons of mass destruction.

Well, what happened? Well, first the President awarded him the Presidential Medal of Freedom. The guys in intelligence and research in the State Department who got it right, they have never gotten any recognition. And then what happened?

Mr. SCHIFF. If I can interject, Mr. VAN HOLLEN. Prior to the vote on the authorization to use force, several of us were invited to the White House to sit down with Mr. Tenet. I was most concerned about the nuclear program, Iraq's nuclear program, about the evidence that you discussed a moment earlier.

And I asked Mr. Tenet and then head of the NSA, our now Secretary of State, Condoleezza Rice, how confident were they in the intelligence on Iraq's nuclear program? On a scale of 1–10, how confident were they?

They were a 10. They were supremely confident. And they were supremely wrong. And as you very well point out, this has had the most enormous of consequences in terms of this Congress making a decision to go to war, in terms of our credibility vis-a-vis Iran now.

When we talk about oversight, the lack of oversight has these most far reaching consequences.

Mr. VAN HOLLEN. Mr. Speaker, that is exactly right. Very serious consequences for the American people. And that is why it was surprising, I must say, that after George Tenet left the CIA as Director, that the administration decided to replace him with Mr. Porter Goss. Now Mr. Goss is a very decent, well-meaning person. But the fact of the matter is he was the chairman of the House Intelligence Committee at a time when this House failed to ask the hard questions and failed to do its oversight job. It accepted what the administration told them at face value, and it was a rubber stamp when it came to taking the administration's word on intelligence.

And yet he was the one they decided to make the head of Central Intelligence. And he brought with him some of the members of his committee staff. He brought his staff director and some of the other people who were very politically close to him, including his staff director, Patrick Murry.

And what was the result of that? Well, I think it is important to take us back to, this is what happened right after that appointment at the CIA. And I am reading from a Post story back from November 2004.

The deputy director of the CIA resigned yesterday after a series of confrontations over the past week between senior operations officials and CIA Director Porter Goss's new chief of staff that have left the agency in turmoil, according to several current and former CIA officials.

John McLaughlin, a 32-year CIA veteran who was Acting Director for 2 months this summer until Goss took over, resigned after warning Goss that Goss's top aide, former Capitol Hill staffer Patrick Murry, was treating senior officials disrespectfully and risked widespread resignations.

The day after this, the story says, the agency official who oversees foreign operations, Deputy Director of Operations Stephen Kappes, tendered his resignation after a confrontation with Murry.

It goes on to say, it is the worst roiling I have ever heard of, said one former senior official with knowledge of the events. There is confusion throughout the ranks and an extraordinary loss of morale and incentive.

That was the result of the Goss appointment at the CIA. Now, we see that Goss is being pushed out. And they are trying to bring back the guy, Kappes, in fact it looks like he will be coming back, that Goss's chief of staff essentially pushed out. He got in a confrontation and Kappes said, the person with great experience said, I am out of here.

But a recent Post article of today, looking back on this period, said, former and current intelligence officers say Goss never had a strategic plan for improving spying on terrorist networks.

I think it is also important to note another recent development with respect to people who were brought in at the top of the CIA, because another one of those people was a gentleman by the name of Kyle ''Dusty'' Foggo. It says, and I am quoting from a very recent Washington Post story, other Goss lieutenants at the agency also appear to be on the way out following Goss, who resigned Friday.

Kyle ''Dusty'' Foggo, brought in by Goss as the CIA's Executive Director, number 3 official, announced to agency staff in an e-mail yesterday he plans to resign as well.

The FBI said it is investigating whether Foggo steered contracts to a friend, Brent R. Wilkes. People may recognize that name, Wilkes. He is the defense contractor who got caught up in the Duke Cunningham bribery scandal that we all know about and is an example of what is wrong in this House.

So these people who are at the CIA were appointed by this administration. I do not think it gives people confidence to know that the same people who appointed Michael Brown as the head of FEMA were the people who made these appointments to the CIA, an agency the American people depend on to gather good intelligence for our security.

And yet we have been a rubber stamp in that area. And the 9/11 Commission report continues to give us a D. And this Congress deserves a D because the Republican leadership has not done anything. Until we get our act together with respect to conducting serious oversight in the intelligence area, we are going to continue to get policies that are not based on fact, but instead policies that are based on the world as people would like to see them, not the world as it really is.

In this day and age, we need people who are clear-eyed and can see the world as it is, because that is necessary for our national security.

I yield.

Mr. SCHIFF. Mr. Speaker, I thank my colleague. I was struck, and perhaps you were too, as some of the networks pointed out with the near identity of language that the President used in describing his proposed nominee, General Hayden, for the post of Director of the CIA, saying that he was the right man at the right time for the right job, which was merely identical to what he said about Porter Goss a year and a half earlier, which kind of begged the question about what time he was referring to today. Is his proposed nominee the right man at the time a year and a half ago, or the right man right now when the last right man is being pushed out the door?

But I suspect what it means is that during the last 18 months the agency has been adrift and that we are not much farther ahead than we were a year and a half ago in assimilating our intelligence agencies and coordinating them and improving the quality of our human intelligence which was identified as such a glaring weakness within our overall intelligence capability.

But getting back to the consequences of all of this, the consequences of Congress' lack of oversight. When we talk about Congress being in the dark about this new NSA program, for example, the problem is that without someone being able to review whether these programs make sense, whether they are getting the results we need, we may be expending enormous sums of money and manpower and time and energy in fishing expeditions that lead us nowhere.

Even if they were within the confines of the Constitution, which is a substantial enough question, that does not mean that they are actually effective. We may have mountains of data about domestic calls to the United States that is of little or no value except to raise the anxiety of the American people that their privacy is being eroded.

There would be nothing worse than the erosion of our privacy without any commensurate benefit to the national security. But unless we do our oversight, it is impossible for us to know. And, unfortunately, I think that dearth of oversight has allowed these intelligence reforms to drift along or, worse, allowed the coordination of intelligence to degenerate over the last year and a half.

Mr. VAN HOLLEN. Mr. Speaker, that is right. If I can just say to my colleague, you know this Congress was

relatively quick when the 9/11 Commission recommended changes to the executive branch, in redesigning our national security review apparatus. We have the Director of National Intelligence now, Mr. Negroponte, and trying to change around the oversight within the administration, even though it is important to remember that the Bush administration originally resisted that reform and fought the reform.

They realized that when the 9/11 Commission on a bipartisan basis came out in favor of that recommendation that change would have to be made.

□ 2000

But here in the Republican-led Congress they have not done anything to address the 9/11 Commission's recommendations with respect to oversight. And I think everybody understands that at a time when we are trying to identify terrorists who are trying to do harm to our country and respond against them, it is absolutely essential that we get it right. It is important that we get it right for our military men and women. It is important that we get it right for the American people. It is important that we get it right for our own credibility.

In order for us to do that, we know we have to expand our abilities in human intelligence gathering overseas. You need to have people who know more foreign languages. It is a shift in paradigm somewhat. And what is absolutely clear is that this administration has not had that paradigm shift when it comes to intelligence. Certainly the leadership in this House of Representatives has not had a paradigm shift, because they have not supported the bipartisan recommendations of the 9/11 Commission with respect to the issue of oversight. And so unless we do something, we are going to be caught with our lenses looking one way when the danger to this country sneaks up from another direction.

We need to get it right. We need this oversight. It is like a board of directors that decides to go on vacation for four years and not pay any attention to the company. That board of directors would be sued for malpractice by the stockholders if something went wrong. We know some things are not going right and you have got to hold people accountable. And when you reward people who fail to punish or ignore people who get it right, you have got a recipe for failure. We need a recipe for success.

Mr. SCHIFF. That is very well put, and we have seen the consequences of our intelligence failures. They manifest. We have seen the consequences of our diplomatic failures as we are seeing in abundance now with Iran where we just had a terrible setback in our efforts to mobilize the international communities to deal with Iran's weapons program.

We have seen the consequences in our failure to stop North Korea from proliferating. But I am confident with our Real Security plan we can reverse the decline in our own national security, and I want to thank the gentleman from Maryland again for all of his great work and for joining this Special Order hour.

Mr. VAN HOLLEN. I thank my colleague from California.

## THE OFFICIAL TRUTH SQUAD

The SPEAKER pro tempore (Mr. REICHERT). Under the Speaker's announced policy of January 4, 2005, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 60 minutes.

Ms. FOXX. Mr. Speaker, if all the American people listened to the Democrats and what they say here night after night, day after day on the floor, you would think that we lived in the worst country in the world.

It is just amazing to me that people are risking their lives every day to get into this country when you hear what they have to say, because from their perspective all Republicans are evil. All Republicans are liars. All Republicans are no good, and this is the worst place in the world to be living. And yet we have one of the best economies that the country has ever had, and as I said, people are risking their lives every day to get into this country. I think because it is the greatest country in the world. And frankly, I think that it is not good for this country, for our colleagues to constantly, constantly be saying negative things about it.

We are not perfect. Nobody is perfect. The President is not perfect. No Member of Congress is perfect. No elected official is perfect. But we certainly do work hard trying to have a good country where the basic instincts of the people are good and people are trying to do good for their neighbor as well as for their country. And frankly, I get a little tired of it and I know a lot of my constituents tell me that they are tired of it too.

I want to come here tonight and talk a little bit about positive things. I think that while we can all acknowledge that we are not perfect and the country is not perfect, we do not have to dwell on the negative all the time. And I want to talk a little bit about our economy tonight and some other things relating to the economy and the impact that actions of the President and the Republican Congress have had on the economy.

I am going to put up one chart to start with because I want to keep with our theme that a group of us have come up with so that we can present the truth. The Truth Squad is here tonight. Just part of the Truth Squad is here, but we are going to try to keep our record of getting out the truth to the American people.

The economy is strong and it is continuing to grow; 138,000 jobs were created last month alone. That is April 2006. In the past 12 months, 2 million new jobs have been created; and since August of 2003, more than 5.2 million jobs have been created. Our unemployment rate is 4.7 percent, lower than the average of the 1960s, 1970s, 1980s and 1990s. The GDP grew at a strong 4.8 percent annual rate in the first quarter of this year. This follows economic growth of 3.5 percent in 2005, the fastest rate of any major industrialized nation.

Over the past 12 months, employment increased in 48 States and four States set record-low unemployment rates.

Now, our colleagues on the other side would say, well, you know, yeah, there are new jobs being created, but they are not good jobs. They are just service jobs; they are no good. So I thought I would share a little bit about where those jobs are.

Between May 2003 and March 2006, job growth in key sectors, the five key sectors, in transportation, 197,000 new jobs; in the financial area, 294,000 jobs; in construction, 808,000 jobs; in education and health services, 1,039,000 jobs; in professional and business services, 1,288,000 jobs.

Now, those do not sound like bad jobs to me. And they must not be real bad jobs since our unemployment rate is only 4.7 percent. It must mean that Americans like those jobs pretty well because they are taking them.

Now, our tax policies, Republican tax policies, have spurred this economic momentum. Republicans have reduced income taxes for every American who pays income taxes. Republicans doubled the child tax credit, reduced the marriage penalty, cut taxes on capital gains and dividend, created incentives for small businesses to purchase new equipment and hire new workers, and put the death tax on the path to extinction. Together this tax relief has left $880 billion in the hands of American workers and businesses.

Now I have said this before, there is an easy explanation or easy definition for the difference between Democrats and Republicans. Democrats think that the government knows how to spend your money better than you know how to spend your money. Republicans believe that you know how to spend your money better than the government knows how to spend it. We do not want to take any more of your money than we absolutely have to to do the things that Americans cannot do for themselves. The Democrats want to take all of your money.

If you listened to their leader this weekend, she talked about no deficit, no deficit if Democrats were in charge. But when pressed to say how she would get rid of the deficit, she really could not quite bring herself to say raise taxes, but the commentators pointed out that is the only way you can keep spending and do away with the deficit, and especially spend more as they have said on this floor they want to do and in committees. They want to spend billions more dollars, and all that would do would be to add to the deficit.

Now, I want to share a chart that shows some information about what

Americans pay in taxes because, as I mentioned, the tax cuts benefit all Americans. Let me put this one up first. I will start at the lower-income levels. The top 20 percent of people in this country pay 87 percent of all Federal income taxes. And if you look at the chart, people who make between 10 and $20,000 a year get a rebate of $686. They do not pay anything in taxes. In fact, people earning more are actually giving some of their money to these people in the form of a rebate, mostly earned income tax credit.

People making between 20 and $30,000 get a rebate of $183. People earning between 30 and 40,000 pay approximately $1,000 a year in taxes. People earning between 75 and 100,000 pay approximately $7,500 in taxes.

Now let's look at the higher incomes. People making between 100 and $200,000 pay almost $16,000 in income taxes. People who make more than a million dollars pay $609,670 in taxes. So as I said earlier, the top 20 percent pay 87 percent of all Federal income taxes.

This information is very widely understood and produced so it is not something Republicans are making up. These are the facts, again, coming from the Truth Squad. But if the Democrats in Congress had had their way, they would have let tax relief expire.

Earlier this week we were able to extend the tax relief that had been put in place 3 years ago because we know that cutting those taxes is what is going to keep our economy going forward. And we did not want to see a tax hike on all Americans. Middle Americans would have been hit with that tax hike as well as all other Americans. But the Democrats all voted against that bill, or most of them voted against the bill, I think we did pick up a few, but they understand what this is all about.

They understand that the economy depends on you having more of your money in your hands and not the government having that money. But they do not want to vote for tax cuts because they want to keep their mantra going that all we are doing is giving tax cuts to the rich. Well, it is the wealthier people that are paying the taxes and the people who are not paying any taxes are not going to get those tax cuts. They will wind up, probably many of them, getting more in rebates.

Well, early on Saturday morning, I got up and turned on the TV and I heard the last few minutes of the ''Neil Cavuto Show'' and it really struck a nerve with me, something that I had been thinking about that was going on in this country, and he presented some information that I want to share with you tonight as well as some information from a study being done, that has been done by a very well respected organization in this country.

Neil Cavuto called it ''the greatest story never told.'' He talked about how this very, very positive economic news is not getting out and not being presented to the American public by and large by the news media.

Now, we know that some of our news media do give us fair and balanced reporting. However, some of our media has failed to share the good news with the American public. And so people depend, they are working hard. They are doing their jobs. They are depending on hearing what is going on in the country and forming their opinions from it. But our economy is humming along under this Republican Congress and the leadership of President Bush, but the American people are not hearing that. They are hearing a very slanted story that affects what they think about the economy.

So despite one of the strongest economies in recent history and last month we collected the largest amount of money in revenue, the second highest that has ever been reported and collected in this country, that did not get reported very well. Neil Cavuto said this weekend this quote: ''I think it's the greatest story never told: an economy that is humming but most in the media insist we are bumming.''

Many in the media would report that ''only'' 138,000 new jobs were created last month. Well, 138,000, that is a whole lot of jobs. I do not understand why some in the media continually put qualifiers like ''only'' in front of such an accomplishment.

You know, I have spoken before on the floor about the importance of language. Our language is very, very important. It governs our perception of things. When we have done our best to try to cut spending here, we have been merely trying to cut the rate of spending and the rate of increases, but the Democrats say we are engaging in massive budget cuts.

Another example I could use is just the words ''unemployment rate'' or ''employment rate.''

□ 2015

We talk all the time about the unemployment rate. Our unemployment rate right now is about 4.7 percent. So the employment rate is 95.3 percent. Again, you get the perception if you are always putting the emphasis on the negative, then that is what you are going to think about, but our employment rate is 95.3 percent.

I want to give you some other examples of the way some in the media try to influence the way we think about things through the use of their language.

When is the last time that you have heard the media follow the statistic about our unemployment rate with the phrase that I used earlier, lower than the unemployment rate of the 1960s, 1970s, 1980s and 1990s? You almost never hear that in the media, and you will never hear again an employment rate of 95.3 percent because that sounds way too positive.

Now, I am not the only one who is concerned about this issue. As I listened to Mr. Cavuto this weekend, and it was very, very early in the morning when I heard it, but it really struck a nerve for me. I was thinking back to the comparison of the way many in the media compared things that were happening in the Clinton presidency with what is being said now.

I do not have a whole lot of real positive things to say about the Clinton presidency, but during parts of his time in office, our economy was strong and, in many ways, similar to the economic surge we are experiencing today.

However, I seem to remember that during the Clinton presidency, the good news about the economy was everywhere, often shouted from the rooftops by the media to anyone who would listen.

Now, during the Bush presidency, the economy is just as strong and, in some cases, even stronger, but many in the media are nowhere to be seen.

I am not the only one, again, who has noticed the difference in coverage between the Clinton days and today.

The Media Research Center is the largest media watchdog organization in America. It was formed in 1987, and it has made media bias a household term, tracking it and printing the compiled evidence daily. The founder and president of the Media Research Center is Brent Bozell, a nationally syndicated writer whose work appears in publications such as the Wall Street Journal, the Washington Post, the Washington Times, the New York Post, the LA Times and the National Review.

So let me talk a little bit about one economy and two spins. In a recent report, the MRC compared economic conditions during the Clinton presidency and the Bush spit. Amazing: Economic conditions portrayed as positive during Clinton were presented as negative for Bush. For example, economic growth under President Clinton averaged 2.2 percent; under President Bush, 3.7 percent.

Many in the media have given President Bush consistently negative press about perceived poor job creation and unemployment, especially in the summer of 2004, but their reports were overwhelmingly positive when President Clinton ran for reelection in the summer of 1996 under similar circumstances.

Let me give you some highlights of the report. Clinton, good; Bush, bad. Stories about jobs during Bill Clinton's reelection campaign were positive 85 percent of the time, more than six times as often as they were for Bush, despite similar economic data. Reporters praised the Clinton unemployment rate of 5.6 percent as low, but they downplayed a 5.4 percent rate under Bush and called job growth anemic.

Now, let me repeat that. The unemployment rate in 2004, when President Bush was running for reelection, was 5.4 percent, lower than the unemployment rate was under President Clinton when he was running for reelection, but many in the media portrayed the unemployment rate under President Bush as something a lot worse than it was under President Clinton.

How do they make good news become bad news? Under Bush, reporters presented good economic data as bad news stories by minimizing positive achievements and emphasizing people who might be out of work or regions of the United States that were still ''struggling.'' The opposite approach was taken under President Clinton. Then, reporters explained away a 2/10ths of 1 percent rise in unemployment as minor.

The media's slanted scorecard is presented in a chart in Brent Bozell's report on this. In 1996, they did a list of the stories for Mr. Clinton. Positive stories: On ABC, 4; CBS, 6; CNN, 3; NBC 4; New York Times, 12; Washington Post, 6. These are positive stories. Negative stories: ABC, 1; CBS, 0; CNN, 3; NBC 0; New York Times, 1; Washington Post, 1. A total of 35 positive stories, 6 negative ones.

Now, President Bush in 2004, positive stories: ABC, 1; CBS, 0; CNN, 1; NBC, 1; New York Times, 1; Washington Post, 2. Six positive stories. Negative stories about President Bush and the economy: ABC, 6; CBS, 7; CNN, 4; NBC, 4; New York Times, 10, Washington Post, 7. A total of 38, a flip-flop. Actually, more negative stories in 2004 when the economy is actually better off than it was in 1996. Thirty-eight negatives for President Bush, six positives. Thirty-five positives for President Clinton, six negatives.

I am a former college professor and president and sort of teacher all my life. So I always like to look for the data when you can get it. Again, my gut was telling me this, and I think the American people see this, but it is always great when you have got the data to back up what you are thinking about.

While the business press reflected the strong economy, much of mainstream media coverage of employment did not. The reporting under Clinton was overwhelmingly positive. For Bush, it was overwhelmingly negative. Eighty-five percent of the stories portrayed the economy under Clinton in a good light. Only 13 percent of the stories gave the employment situation under Bush the same treatment.

Many in the media commenting about employment and job growth during the Bush reelection campaign tell the whole story. They used terms like ''poor,'' ''stalled,'' ''struggling,'' or ''lackluster.''

Comments during the similar time period during the Clinton presidency were the exact opposite. Many in the media instead used terms like ''showing its muscle,'' ''encouraging,'' ''surprisingly strong'' and ''impressive, but not excessive.''

I have come to the floor many times and talked about, again, the importance of language in our country. To everybody, actually, language is very important, and in many ways, we are not as precise with our language in this country as some other languages are, but I think it is important that we point out the bias that occurs in much of our media about what is happening in the economy.

It is one of the reasons why the Truth Squad has been so concerned about getting out the truth. We realized that we have challenges presented to us. Not only do our colleagues misrepresent the facts, but we have many in the media where a lot of Americans get their information about the economy and form their opinions are being presented negative kind of information.

Now, I want to give a couple of more charts to show some other positive things that are occurring in the economy that have been put together by members of the Truth Squad.

Since the President signed the Jobs and Growth Act in May 2003, this is an example of how the GDP has gone up. Again, that is a result of our having cut taxes, letting people keep more of their money. It works to cut taxes. Again, if you listen to our colleagues on the other side of the aisle, you would think that cutting taxes is the beginning of Armageddon, but cutting taxes is what helps make this economy grow. If the government has your money to spend, it is not investing it. It is spending the money. It is not an investment. People do the investments in the private sector, not in the government.

Again, this chart shows when the President signed the Jobs and Growth Act and what happened with unemployment. We see unemployment going down. We see job growth going up and going up significantly. This is not a small little line going up here. This is major in terms of what we have seen, the job growth, in this country since we cut taxes, and I am really proud that Republicans have understood that and voted this week to extend many of those tax cuts.

What we need to do now is to work to get the death tax made permanent. We heard a lot from businesspeople this week about that. They can then plan their lives, plan for investments, plan to know what they are going to be able to do, so that businesses can stay in the families. That is one of the biggest challenges still facing us, and if we can get the Senate to understand more about economics and what that means to us, then hopefully we will make that permanent.

Now, let me give you a couple of other charts. Again, we can tie this very directly to the Jobs and Growth Act, and you can see how that spurred business investment and how that went up. This is before President Bush came into office. You can see that the economy was beginning to slow down, and then, of course, we had 9/11 and we saw investments go down. Once we got the tax cuts made, we see investment going up, and that is what we needed to do in this country to get the economy growing.

The last one shows revenue growth and what we project revenue growth to be in the next 5 years. We expect it to grow at the rate of 5.3 percent in the next 5 years. The President has promised that he would cut the deficit in half by 2009, and we think we can do even better than that, especially with the revenue that came in last month, the second highest amount in the history of this country.

So cutting taxes spurs growth in the economy. That is the economic lesson here, and it is the facts. We can point to it. We can see it, and I think it is, again, very, very unfortunate that it is so difficult to get that message out to the American people, but I can promise you that there is a group of us that is going to continue to do that, despite the fact that our colleagues are always shouting gloom and doom and the fact that many in the media do not want you to know that there are a lot of positive things happening in this country and many of them are related to the tax cuts that the Republicans have put into place.

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## 30 SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes.

Mr. MEEK of Florida. Mr. Speaker, it is an honor once again being before the House. We would like to thank the Democratic leader for allowing us to have the time on the floor here, NANCY PELOSI; and Mr. STENY HOYER, who is our Democratic whip; Mr. JAMES CLYBURN; Mr. JOHN LARSON, Mr. JAMES CLYBURN, the chairman of our caucus; Mr. LARSON, who is our vice chair. Once again to come to the floor to share not only Democratic ideas but American ideas, to help push this country forward. Also, to point out some of the issues that are being thrown upon the American people by the Republican majority and their lack of working with the Democratic side of the aisle to bring about good policies for our country.

Tonight I am joined by my good friend from Ohio, Mr. TIM RYAN, who is a great American. That is just not by my standards but by the people in his district and many people throughout the country.

Mr. Speaker, I think it is important to be able to identify or point out the fact that once again this week the Republican majority tried to pass an unjust budget on the backs of the American people. Well, due to the fact that we, those of us on this side of the aisle and hopefully a couple of the Republicans on the majority side is saying no, saying no to the fact that we are here every day at the highest level that we can be without Members being absent from the floor to make sure that we vote en bloc against this Republican budget, that we will set America back versus moving it forward.

I think also there are some Members on the majority side that understand by casting a positive vote for this unjust budget that was supposed to have been passed by April 15, they know that if they vote in the affirmative for that budget that they may very well be making a career decision. The American people are watching this process daily and they have been made aware of what is going on here under the Capitol dome due to the fact of the lack of governance on their behalf. I encourage the American people to continue to pay attention.

Tonight, Mr. RYAN and I will attempt to share with the American people and with Members of Congress, mainly Members of Congress, of their responsibility to have the backing of the American people and not the special interests. This budget that the Republican Congress passed long ago to bring to the floor out of committee, if it was so great, it would have been passed by now. It is very, very important that we share this with the Members, if we had the opportunity or were given the opportunity to have some positive input into this budget, that maybe, just maybe, we would have passed the budget and we wouldn't have appropriation bills moving through the process without a budget.

Right now, appropriation bills are being heard in committee and will be heard in committee for the next 3 weeks, but without a passed budget. I think it is important that Members and the American people pay very close attention to how the Republican-controlled 109th Congress, be it House, Senate or White House, continues, even under the light of a 22 percent approval rating by the American people, and, in the White House, a 31 percent approval rating by the American people based on the White House and 22 percent here in Congress. Still, Republican leaders are trying to shove this budget down the throats of the American people.

I yield to my friend from Ohio.

Mr. RYAN of Ohio. Just to clarify and add on to what you said, the process down in Washington is that we pass a budget, broad outlines with specific numbers to say, Department of Defense can spend this much, Health and Human Services this much, Education this much. It is all broken down, just like a family budget. And then after you get the budget, then you start divvying up the money as to where it is going to go and which program based on the revenue that you take in.

What is happening now is that the Republican majority has not passed a budget, but yet next week they are going to come and start writing the checks. Checks for what? They are going to start the process of spending the money without a budget. I know there are many families at home and this Republican Congress that came in in 1994 talked a lot about, it is like a family budget. And what does the family do? Well, the family needs a budget and they need to live within their means. This Republican Congress, the bobblehead Congress that says ''yes'' to everything President Bush wants, continues to go down the road of undisciplined spending.

Some people, Mr. Speaker, may say, well, TIM RYAN from Ohio and KENDRICK MEEK from Florida are just talking again. This isn't us. It is not just us talking about it. It is not just the Democrats. I want to get our third-party validators up and running early here tonight.

Mr. MEEK of Florida. Why not?

Mr. RYAN of Wisconsin. This is Pat Toomey, President of Club for Growth, a conservative advocacy group. He was one of the most conservative Members of Congress for many years here, I believe, all through the nineties.

Here is Pat Toomey in the Philadelphia Inquirer last Monday:

''Republicans have abandoned the principles of limited government and fiscal discipline that historically have united Republicans and energized the Republican base. Too many Republicans have gotten too comfortable in office.''

That is Pat Toomey. That is not TIM RYAN. That is not KENDRICK MEEK.

Mr. Toomey went on to say:

''There is a very high level of frustration and disappointment among rank-and-file Republicans when they see a Republican-controlled Congress engaging in an obscene level of wasteful spending.''

We see it day in and day out: $9 billion in Iraq, nobody knows where it is; $16.3 billion, corporate subsidies to the oil companies; $16.3 billion of public tax money that hardworking citizens sent down here, the Republican Congress took that money and gave $16.3 billion of it to the energy companies. Wasteful spending, corporate welfare, time and time and time and time again. The family budget would not allow for money just to be spent. You ask yourselves, where did it go?

Former House Speaker Newt Gingrich, another third-party validator, talking about the Republicans. This was at the end of March:

''They are seen by the country as being in charge of a government that can't function.''

That is not me. That is Newt Gingrich, the father who gave birth to the Republican revolution. When Newt Gingrich is saying this, when Pat Toomey is saying this, we have a real problem in our country.

What Democrats have tried to do, Mr. Speaker, time and time and time again is implement rules of the House that will constrain spending by saying, if you want to spend money, you either need to cut it from a program that we currently have or you need to raise the revenue somewhere, but it has got to be budget neutral. It is called PAYGO, pay-as-you-go. We have tried to do this.

Mr. SPRATT, the ranking member on the Budget Committee, tried to offer an amendment, rollcall number 87, on March 17, 2005. Not one Republican voted for it. Again, this is rules that we can put in place here that won't allow you to spend more money than you have. Or if you are going to spend it, you have got to get it from somewhere. Democrats offered an amendment here. Mr. SPRATT offered a substitute amendment again on March 25, 2004. Republicans shot it down. Charlie Stenholm when he was here tried to do it. DENNIS MOORE of Kansas tried to do it. Time and time and time again, Mr. Speaker, the Democrats want to put these fiscal restraints in place. So it doesn't matter if there is a Republican Congress or a Democratic Congress, the rules are in place. These rules were in place all throughout the nineties. That is why we had surplus money. That is why we made the targeted investments, focused in certain areas that yield results, that yield tax money.

Investments in education, you get a good return on that. We had a study done at the University of Akron, Mr. Speaker, a few years back, this was on State tax money in Ohio, but when the State spent $1 on tax money that went towards higher education, they got $2 back in taxes. Education is a great investment. Let's make this investment. Let's invest and do it in a way that we can get a good return on our money down the line. But today the Republican Congress has just been tied up in knots with the special interests, the oil companies, the energy companies, the health care industry. Time and time again they are given public tax dollars in the form of corporate welfare. Stop the corporate welfare. Stop the corporate welfare and let's move forward.

But I want to say that it is not me, Mr. Speaker. It is not me. It is Pat Toomey. It is Newt Gingrich. It is a lot of the conservatives, or some of the conservatives that are still left on the Republican side. All we want to do is get this country back together. Because where we are getting the money, because we are running deficits, how do you plug the hole? You got to go borrow it. The Republican Congress continues to borrow from the Chinese government, from the Japanese government, from OPEC countries.

This is really happening. This is one of the K Street fairy tales. This is like a K Street fairy tale. The Republican majority is borrowing money. As we run these deficits and they give millionaires tax cuts, $42,000 they are going to give them more next year. As they do that and we run these huge budget deficits, we can't fill the gap, so this Republican Congress and this Republican President, they are going to OPEC to borrow money from OPEC to help plug the hole. Can you imagine? It is like you are making it up. It is another K Street fairy tale that we have here. Running huge deficits. Gas is $3 a gallon. You not only give the oil companies $16.3 billion in corporate subsidies, but you also borrow money from OPEC countries to help plug the deficit because you are giving tax cuts to millionaires.

Now, I am not opposed to giving middle class people a tax cut. I am not opposed to giving a small business a tax cut. But I am against giving a millionaire $42,000 back when you are fighting two wars, your average people are struggling, tuition costs have doubled in the last 5 years, and you are giving Bill Gates another tax cut? That just doesn't make any sense. I don't care what your party affiliation is. That is irresponsible. That is irresponsible governing. And until we get the Republican Congress out and the Democratic Congress in, we are not going to be able to fix this thing, because we have tried. Mr. SPRATT has tried. Mr. SABO has tried. We have all tried.

But, Mr. MEEK, as you know, we are having a very difficult time doing it.

Mr. MEEK of Florida. When we start talking about what Republicans are saying, prominent Republicans, the chart that you had up with Newt Gingrich saying they are seen by the country as being in charge of a government that can't function, number one, Mr. Speaker, he is saying ''they.'' ''They'' means he is separating himself and he no longer knows the Republican Congress that he gave birth to and that he was the Speaker of. I guess all along the game plan was when we get really in the majority, let's get some years down the road that people forget about the Contract with America, and we will start catering to the special interests. What is so unfortunate here is that the fiscal irresponsibility that has taken place in this Chamber, in the committee rooms down the hall, Mr. Speaker, across the hall, in the White House, has taken this country in a direction that it has never been in in the history of the Republic.

□ 2045

I am not talking about in the 108th Congress or the 107th Congress or the 93rd Congress. I am saying in the history of the Republic, this Republican Congress and the President have taken us down the road.

Now, I just want to say this to my colleagues, those that are Republicans and the one Independent that we do have here. This is not a local, Democratic club. This is the U.S. Congress. And we are here to share fact and not fiction, because we believe that the American people should be leveled with. And we also believe that they deserve a government that is going to represent them, not represent the individuals on K Street.

Let me explain K Street. Mr. RYAN mentioned K Street fairy tales of what is actually happening. The Republican majority embraced a program called the K Street Project. And in this K Street Project, it was a system of individuals on K Street contributing to Republican campaigns. And it was a pay-to-play philosophy. And I still feel that it is a pay-to-play philosophy, because they are getting what they want. The oil companies are getting what they want out of this Congress, not the American people. Other special interest groups are getting what they want out of this Congress and not the American people. If the American people were getting what they wanted out of this Congress, Mr. Speaker, Congress would not be rated and viewed by the American people with a 22 percent approval rating.

Members come to the floor and talk about the President of these United States at a 31 or 30 percent approval rating. We are here, we vote here every day; and the Republican Congress, this Congress that is led by Republicans are at a 22 percent approval rating. So that means that there is a super-majority of the Americans that are not agreeing with this majority. But, still, Members, the Republican majority is still going down the line of fiscal irresponsibility. They are irresponsible. Irresponsible.

Now, let me just say this. Some may say that is a heavy charge there, Mr. RYAN. Well, it is nothing like the printed word. This is not my stationery; this is the U.S. Department of the Treasury. Let me put up my Treasury Secretary's picture here, Mr. Snow, who I think is a decent man. He is just doing his job. He is the accountant for the United States of America. He lets us know pretty much when we are headed down a dark path. And at the end of the tunnel it is actually a train and it is not sunlight.

Here is a letter that he wrote December 29 of 2005. Now, let us think, on the 29th, Mr. RYAN, I was back in my district in Miami with family and friends. Actually, that was a couple of days, maybe 4 days, it was 4 days after Christmas, the birth of Jesus Christ, a very religious time for many religions. As a matter of fact, Kwanzaa is being celebrated during this time.

But Secretary Snow found himself in his office on this day. And he wrote a letter to the majority whip in the U.S. Senate saying that, in essence, he is saying that this letter is to inform you that we must raise the statutory debt limit, or we will be unable to continue to finance government operations.

Okay. When you get a letter on the 29th, the end of the year, saying hello, excuse me, I'm sorry, we don't have enough money to run the company. You have to raise the debt limit.

Now, Mr. Speaker, I want to make sure the Members understand what I am saying. Raising the debt limit means that you have not done a good job of being stewards of the taxpayer dollars.

That is not the only letter, Mr. RYAN. Just in case we didn't hear the Secretary, he turns around on February 16. Mr. SPRATT wants to know what's going on, who is the ranking member on the Budget Committee. I got this letter that you wrote on the 29th. I mean, we were on recess and all, and you were here in Washington writing this letter. Tell me more.

He goes on. On December 29 I wrote to Congress regarding the need to increase the statutory debt limit. Because the debt limit has not been raised, I must inform the Congress, pursuant to 5 U.S. Code, that, in my determination, that by the reason the public debt limit is not raised, I will be unable to fully invest in the government security investment fund that is called the G fund of the Federal Employee Retirement System in a special interest-bearing account.

Now, let me just say this. Again, a letter by Secretary Snow, appointed by the President of the United States, confirmed by the U.S. Senate, wrote a letter saying we are in trouble. Mr. Speaker, I wish that was the only letter, but it is not. Here's another letter on the 6th of March. Again, I am notifying you, and he gives his reason why he is notifying, that I have determined that the debt insurance suspension period will be on March 6 and last until March 26. During this debt insurance suspension period, the Treasury Department will suspend additional investment of the amount credited to what we call the G fund again. But he is saying that we are not in fiscal good standing at this point. He is saying that he is going to have to suspend.

Mr. RYAN, he is saying that he will suspend it on March 6 of 2006, and he wrote the letter on March 6, 2006.

So the Secretary, Mr. Speaker, waited till the last day to inform the Congress, you know, I have already written you two letters. You are embarrassed to raise the debt limit because it will let the American people know that you are not governing.

Now, if we worked in a bipartisan way, Mr. Speaker, maybe, just maybe I wouldn't be able to come to the floor and say that this is a product from the Republican majority, but it is.

Bipartisanship can only be allowed if the leadership allows it. The Republican leadership has shut out the Democratic voices in this Congress and shut out the one Independent voice we have here in this Congress. So now, for Members that come to the floor and start saying, well the Democrats this, that and the other, we are not in the majority. We cannot bring a bill to the floor. We cannot stop this Republican majority and this out-of-control spending.

One other point, Mr. RYAN. I will take Secretary Snow down for now. Again, Mr. Speaker, you all have seen this chart before. 224 years of 42 Presidents, prior to President Bush, borrowed from foreign countries $1.01 trillion. That is 224 years. That is a long time; 224 years? That is at least four or five generations, if not more of my family personally. Was only able to borrow $1.01 trillion. The President, and the Republican Congress that we have a picture here of, in 4 years, from 2001 to 2005, and this chart will be updated, from 2001 to 2005, have borrowed from foreign nations $1.055 trillion. They have beat out 224 years of history, Great Depression, World War I, World War II, Vietnam, Korea, you

name it, bad economic times, good economic times, they have beat out natural disasters. They have beat out 42 Presidents, Democrat and Republican, Mr. RYAN, $1.01 trillion, 42 Presidents. That is all they could muster up. But we give this Republican Congress and President Bush the gavel, $1.05 trillion in 4 years, just 4 years. How does that shake out? Well, who is investing in America now? Who is owning a part of the American apple pie? Who will continue to own, if this Republican budget, Mr. Speaker, is passed, who will get even more of the American apple pie?

Mr. RYAN of Ohio. As you are going into that, it is very important, just a day ago, we passed, the Republican Congress, passed another tax cut that will give a millionaire $42,000 back, okay? Money that we don't have we are going to go out and we are going to borrow it and you will tell us from who, to pay for the tax cut. And in 2003, Mr. MEEK, if you made $10 million a year, you got $1 million back in taxes. You made $10 million, you got $1 million back. We don't have it to give you.

We are political people. I mean, we are Members of Congress and we are public servants, okay? I would love to go to my constituents and say, I am going to give all of you a tax cut. And the really rich ones who may donate to my campaign, I am going to give you a big tax cut, real big. You made $10 million last year. I am going to give you $1 million back. I would love to do that. Everybody would love to do that, Mr. Speaker. We can't afford to do that. We can't afford to go borrow money from a foreign country and give it to someone who made $10 million last year so they could have a tax cut. And the old argument that they are going to take that money and invest it in the United States, that doesn't exist. They are going to get the money and invest it in Asia. They are going to invest it in funds, invest it in other countries. I yield back to my good friend.

Mr. MEEK of Florida. Thank you for yielding back, Mr. RYAN. Let me just point out real quickly: we will start out with the big one here. People look at Japan; they look at the United States. They say how could a country that size invest in the United States of America $682.8 billion, Japan? American apple pie. They have a big piece of it. China, Red China, Mr. RYAN. Communist China, Mr. RYAN and Mr. Speaker: 249.8 billion of the American apple pie. I know that makes our World War II veterans feel pretty comfortable right about now. And I am saying that in a way that I know that they are highly upset at the point that Japan can come back and own so much of the American apple pie, and not because of their doing but because of the irresponsible spending on the Republican majority side. I am just calling it what it is, Mr. Speaker, because like some folks say, it is what it is, Mr. RYAN.

The U.K., $223.2 billion of the American apple pie. Caribbean nations. Many of us go to vacation. I represent a lot of folks from the Caribbean. But guess what, they own $115.3 billion of the American apple pie, buying our debt. Our debt. Historic debt that we have given them in the last 4 years. And I am going to explain that a little further, Mr. RYAN, because I think people need to understand that prior to this Republican Congress and President Bush being elected, there were surpluses. That means that folks were projecting, not a deficit, but money left over for things that we need to tackle. Yes, we need a middle-class tax cut. Yes, we need to shore up Social Security. Yes, we need to have a health care plan so that businesses don't have to ask people to be on Medicaid to pay for their health care on the backs of the American people.

No, this Republican Congress and the President opted to give it to millionaires. I don't know how many times I can say that. Millionaires. It is not what I am saying. You can pick up the paper and find out what is happening up here. Taiwan, $71.3 billion of the American apple pie that has been sold away because of irresponsible policies. Canada, $53.8 billion. Korea, again, my veterans, $66.5 billion.

Meanwhile, under the Republican budget, Mr. RYAN, veterans are going to be paying a higher copayment, thank you, a la the Republican majority, that is saying that we are for you. Germany, $65.7 billion. Again, our veterans. OPEC nations. This is very interesting, Mr. RYAN, and it is actually covering my State of Florida and Georgia and South Carolina. OPEC nations. Who are they? I mean, these are the nations that are in charge of all the oil. Iraq is in that, owning some of our debt. Iraq. We are spending all kinds of money in Iraq, but guess what? They have enough time to own some of our debt. Iran. Iran. Oh, my goodness. Is this the country, Mr. RYAN, that we are concerned about, that Israel is concerned about and many of our friends in the Middle East that are trying to bring about democracy we are concerned about? You have a number of the United Arab Emirates, again, nations that we are concerned about as relates to Dubai, port deals. There are a number of countries that are here that we are bringing into question.

Let me just, Mr. Speaker, let the Members take a look at this map. Empty without the debt on it. I think it is important that Members understand that Democrats, we are the only party in this House that has actually balanced the budget.

□ 2100

People can talk about it. They can write great studies about it. But until you do it, you don't know what it takes. Obviously, based on those letters from Secretary Snow, and based on the fact that the Republican Congress has taken pride in endorsing everything that the President has said, we want to give millionaires a tax break and give middle class people a $10 tax break or a $50 tax break. Done.

We want to give oil companies, as a matter of fact, I read this last night, I think it is important and I am going to read it again, since I passed by a gas station today and it was $3.07 right here in Washington, DC.

This is a Washington Post article dated November 16 of 2005. The White House documents show that executives from big oil companies met with Vice President CHENEY's energy task force in 2001, something long suspected by environmentalists but denied, as of November, 2005, last week, by industry officials testifying before Congress.

The document obtained by the Washington Post shows that officials from ExxonMobil, also from Phillips and Shell Oil Company and BP of America met in the White House complex with Vice President CHENEY's aides in developing a national energy policy, parts of which became law, parts of which are still debated in Congress.

I rest my case on that. Again, Republican Congress said, energy bill, Mr. President, so shall it be written, so shall it be done, without a question asked.

Do you want to go down to the whole issue of what is happening with our seniors now, prescription drugs? So shall it be written, so shall it be done; propane, from the Republican Congress, we will do it because you told us to do it. All this debt that I have right here, under this stamp. Mr. President, do you want to raise the debt limit, okay, fine, we are right with you. Let us raise the debt limit on the back of Americans.

Meanwhile, I must add, that when we look at raising the debt limit they are cutting student aid to students to be able to be our workforce in the future and to be able to afford a college education. I am glad to announce that this is actually a bill proposed by Democrats here in this House. This is not a Democratic proposal, this is an American proposal.

I believe that Americans are sick and tired of being sick and tired. This is legislation that is now filed by Representative MILLER here in this House and also from Senator DICK DURBIN in the Senate reversing the rate on student loans or student aid. The bill cuts interest rates from 6.8 percent to 3.4 percent for students, with subsidized loans, which can go to students with the most financial need and move it from 8.5 percent to 4.25 percent for parents starting July of this year.

This is legislation that is filed now. Earlier this year, in the Republican budget earlier this year a Republican-led Congress cut $12 billion out of the Federal student loan program in order to finance tax breaks for the wealthiest Americans.

Mr. RYAN, I am just going to go to this page, and I am going to yield to you, sir.

Yesterday, reading is fundamental. I blew it up because I thought it was important for me to come to the floor and share with Members because there are

to be some Members come this November that will say I don't know what was going on. Do you think they hoodwinked me on this? Here is a copy of the paper right here if you have it on their desk.

This is the way the cover looks, Republicans Reaches Deal on Tax Cuts. What does that mean, Mr. RYAN? I will tell you what that means. That means that for Americans that make between $10,000 and $20,000 a year, the average tax savings will be $2. That means for those that are making $20- to $30,000 a year, that means that their average tax break will be $9; $30,000 to $40,000, $16. $40,000 to $50,000, $46; $50,000 to $75,000 a year, household income, $403; $100,000 to $200,000, $1,388; $200,000 to 500,000, $4,599; $500,000 to $1 million, $5,562; and those that are making more than $1 million will receive $41,977.

Who has whose back? People that I represent, I can tell you right now, very few, I can probably count on both hands and maybe one foot that are making more than $1 million that will celebrate the $41,977 tax break.

Meanwhile, guess what? We have men and women that are at war in Iraq. We have men and women that are in Afghanistan right now, and we have companies trying to figure out how they are going to provide health care for their employees. Meanwhile, we have the Republican Congress here saying everything is fine. What are you talking about?

I yield, Mr. RYAN.

Mr. RYAN of Ohio. The thing is, my friend, we don't have the money to give a millionaire a tax cut. We have had 5.4 million people slip into poverty since President Bush took over. We have middle class families struggling with gas, fuel costs, energy costs, tuition costs, health care costs. We have got a lot of issues for middle class people, lower class people, people who are slipping into poverty, living paycheck to paycheck. It is so irresponsible to give someone who makes millions of dollars a year a tax cut, it just doesn't make any sense.

I said it before, Mr. Speaker, I would love to go to the folks that I know that make millions of dollars a year and say I am going to give you a tax cut. You could put a little more Italian marble in your home. But that is not just reality.

We represent the public. We get paid by the taxpayer. We represent 700,000 people apiece. We need to start talking about the common good, decisions that could be made down here that benefit everybody. Ask everybody in the country to contribute. Wealthy, middle class, poor, everyone is going to have to contribute something, but everyone will benefit them. A rising tide does lift all boats.

Right now, this tide is not lifting everyone up. It is lifting a very small group of people that continue to make money and profits after profits after profits.

I think profits are great. I think they are super. But when the oil companies are making $113 billion, almost up $80 billion from 2002 and everyone is struggling and the Republican Congress gifts the oil industry $16.3 billion in public money, something is wrong there. I think the structure has broken down. I think you are absolutely right. We don't have the money to do this, not only don't have the money, we are neglecting our priorities in education, health care, reform. Let's think about this for a second.

Government is not working, and I showed the quote from Newt Gingrich, when he said the Republican Congress is perceived by the country as running a government that cannot function.

When you look at what happened with Katrina, and the inadequate response from FEMA, when you look at the war, losing $9 billion, losing $9 billion and nobody knows where it is. When you look at what is happening, all the struggles for body armor and up-armored Humvees, we fought for tooth and nail for years to make sure that the troops had that equipment that they didn't have out of the gate. The lack of preparation, the lack of an exit strategy, the lack of recognition of a long-term strategy in Iraq and in the region, these are colossal mistakes.

These aren't boo-boos, these are big-time mistakes that, quite frankly, I get frustrated because I think what have you dealt to my generation? This is kind of personal and may be a little bit selfish. But what are you leaving this next generation? We started this 30-Something group to talk about issues facing our generation and 20s and 30 somethings.

Look at what is being left to us to fix. I mean, I do not know how long I am going to be in government. I don't know how long you were going to be in government.

But we are going to spend the better part of our lives trying to fix the colossal mistakes that this President and this Republican Congress have made. Budgets, lack of fiscal discipline, the war, lack of investment in education.

When you look at what the Democrats want to do, when you look at what we want to do. One is balance the budget, put in these PAYGO rules to make sure that we can only spend money that we actually have and stop borrowing money from all these foreign interests, Democrats have been trying to do that for years. We did it in the 1990s and it worked.

We want to do it again and get the country back on the right path. We want to invest in innovation. Our innovation plan has every household getting broadband technology in the next 5 years so that everyone in our society can compete within this global economy against 1.3 billion Chinese workers, again over 1 billion workers from India, against Ireland, who is just going gangbusters. Their economy is just going gangbusters. We want to be able to compete against these people.

If we don't make the proper investments, we won't be able to do it. We are going to have a plan that we will invest into the Pell Grant. We will cut student loans in half to try to relieve some of the pressure from middle America, from middle income families. This is something that we need to do. We have a responsibility to do it.

I want to make a point, because I believe if we unleash the potential of the American people, that we will be able to address some of these problems. I can't be convinced that we can't solve the energy problem. I just can't believe it.

I am so glad that this President and this Congress weren't around during World War II, weren't around when we were trying to go to the Moon, because there would never have been that challenge. We can do this. Let us unleash the potential of the American people.

The different philosophy here is that our Republican friends want to think that if they give a tax cut to millionaires that will trickle down and somehow help middle America. It is not working. It is not working.

Rich people keep getting richer, middle class people keep struggling and falling behind. More people keep slipping into poverty, 5.4 million more people have slipped into poverty since President Bush became president, 5.4 million people. That is a drain on Nation's resources. Invest in those people, get them broadband technology, make sure they have adequate health care, make sure they have an opportunity to go to college, and you will see the potential of this country unleashed.

It is just frustrating as we talk on the floor and off the floor about a lot of these issues about the challenges that our generation is going to face down the line. You can't tell me that we can't be a competitive country, because I just don't believe it. The Republican philosophy is saying we hope that maybe one day it works its way down, the tax cuts to millionaires work their way down to the middle class. We hope one day that happens.

What the Democratic plan is just to invest into the American people, everyone. We want businesses to do well. We want middle class to do well. We want rich people to do well, we want poor people to do well. This is America. This is the American family. This isn't just your family and your family and everyone separate and nothing ever connects. That is not what made America great.

What made America great is our policies coming out of World War II. Our policies in the 1960s, we are about the common good.

I know that we don't need those same policies. We know as Democrats that it needs to be different because it is a different world. It is not what would Johnson do, what would Kennedy do or what did Johnson do, what did Kennedy, what did Roosevelt do?

□ 2115

It is not about what they did, it is about what would those great leaders do today?

I believe that the Democrats have this plan, with our innovation agenda, with our real security agenda that reduces our dependence on foreign oil. We are just so entangled in this oil mess. Let's stop.

Let's invest in the American people, Mr. MEEK. We will come up with an alternative energy source, bio-diesel, hydrogen, ethanol, sugar. We'll figure this out. But unleash the potential of the American people. We will do this and create another great surge in the middle class of the United States of America, and everything then will take care of itself; pensions, wages, health care. Everything else will take care of itself, because we are going to unleash the potential of the country.

I believe it just takes leadership to do that, and we haven't been getting much leadership here. It is really a lack of leadership that has put the country in the position it is.

When times change, when circumstances change, you have to change. Unfortunately, this President and this Congress, no matter what the facts are, stay focused on tax cuts for millionaires and let's hope that that solves all the problems.

We are starting to see now with this increase in interest rates, 16 times, what a terrible problem this is going to be; higher credit card rates, higher mortgages, cars, everything else. You are going to pay more money. So even if you do get a little bit out of the tax cut, if you are a middle class American getting 30 bucks back, gone. That is gone, eaten up with higher interest rates.

Mr. MEEK of Florida. Thank you, Mr. RYAN. I think it is important for us to identify, you mentioned our real security plan, Democratic homeland security plan, balanced budget plan. We have actually done it. We know how to do it. We have experience there.

Mr. RYAN of Ohio. In 1993, my friend, not one Republican vote.

Mr. MEEK of Florida. Not one Republican vote in passing the Democratic balanced budget plan. Mr. Speaker, that is fact, not fiction.

Mr. RYAN of Ohio. I am not saying that to brag. The Republicans could do it. They just don't. We have done it. And it is not being a braggart, but it was Clinton as President and it was a Democratic House and it was a Democratic Senate. And out of the House, not one Republican vote to balance that budget. It led to 20 million new jobs, Mr. MEEK, in the United States, the greatest economic expansion in the history of the country. So we have proof. As you said, we know how to do this stuff, and we are asking for a shot to try to do it again.

Mr. MEEK of Florida. The energy plan, Mr. Speaker, it is ready to go. The bottom line is we offer these plans and amendments, we offer these plans here on the floor.

Mr. RYAN mentioned something, Mr. Speaker, that I want to just make sure that Members are clear on, crystal clear.

Mr. RYAN of Ohio. Clear?

Mr. MEEK of Florida. Crystal clear, Mr. RYAN, that we don't just come to the floor, Mr. Speaker, to talk about Republicans, what they are not doing or what they are doing to the American people versus for the American people. We actually fight in the Rules Committee that is on the third floor of this Capitol to beg the committee, I think it is really heavily weighted, I think it is like 14 Republicans on that committee, or 14 or 12 Republicans, versus 7 Democrats. So that means that two or three Republicans can have a cold and they still prevail and are making sure they keep control of this House and what comes to this floor. So much for bipartisanship. The Rules Committee sets the rules, Members, on what comes to the floor and what doesn't come to the floor.

This is what we were able to muster up. Ranking Member JOHN SPRATT from South Carolina offered a substitute amendment to pay-as-you-go. Now, this means pay-as-you-go. That means that if you are going to spend, you have to identify where you are going to get the money from. Can I have that chart again.

I am not talking about any of this business of borrowing from Japan, from China, from OPEC nations or any of these countries that are out there. I don't blame these countries, don't get me wrong. I don't blame them for getting a piece of the American apple pie. I just wish more Americans could get a piece of the American apple pie.

JOHN SPRATT put forth an amendment on House Concurrent Resolution 95, the 2006 budget resolution. It failed with 165 voting for it, 264 voting against it. All Republicans voted against it. 228 Republicans voted against it. All Democrats voted for it. Again, that is Rollcall No. 87, and that happened on March 17, 2005.

The same Member, ranking member JOHN SPRATT from South Carolina, a Democrat, a good Member of this House, substitute amendment to House Concurrent Resolution 393, 2005 budget resolution. Republicans voted against this, not one Republican voted for pay-as-you-go, which was the responsible way to get us out of the pockets of these foreign nations. The vote was 224–0 from Republicans. Mr. RYAN, Mr. Speaker, not one Republican.

Mr. RYAN, I will yield to you in a minute. I want to get this chart again. I think it is important. I can't bring this chart up enough, Mr. Speaker. We are trying to make this so.

If a Member can e-mail us or bump into us in the hall or a staffer or someone from the majority budget office or the minority office can come to us and explain to us how we can break this down further. 224 years, $1.01 trillion from foreign nations. Four years, 4 years, Mr. RYAN, $1.05 trillion since President Bush has been President and the Republican Congress has been working with the President, 4 years from 2001 to 2005.

These are not my numbers, Mr. Speaker, this is the U.S. Department of Treasury numbers. These are not my numbers. So this means that the Republican Congress knows this. You know how I know they know it? Because we tell them night after night. You know how I know they know it? Because we were here last night with the same chart. They voted against this PAYGO resolution twice. I can even go further back to show committee votes on partisan lines of voting against it.

So this means only one thing, Mr. Speaker and Mr. RYAN, that the Republican Congress is wearing this stamp with pride, that they are willing to rubber stamp anything that the President of the United States sends into this Chamber. I am saying the Republican Congress on that side of the aisle, because the history and the facts are there. This is fact and not fiction, Mr. RYAN.

I am hoping. Some days I wake up and I say, you know, I wish the situation this country is in, and when I see my children, my 9-year-old and my 11-year-old and look at their burden, they are going to look back, Mr. Speaker, and say there are some people on this floor that fought for their future and the future of America.

White, black, Hispanic, Anglo, American Indian, whatever the situation may be, we are giving them a fixed debt. And if you are a Republican, you have to have a problem with this. If you are a Democrat, you have got to have a problem with this. If you are an independent, you have to have a problem with this. If you are an American, you must have a problem with this, because it is weakening the financial standing of this country.

Meanwhile, back at the ranch here in Congress, we have got folks telling the oil companies, don't worry about it. We have your back. As long as we have the K Street Project going on, as long as you keep what we need to stay in control, we have your back.

Mr. RYAN, I just want to say this, when I give it to you, sir, I want to make sure you have the last word before we close out, but I want to make sure your constituents, that you share with the Members of this House what happened in Ohio.

Mr. Speaker, I want to say it here on the floor, because I want to make sure my Republican colleagues when they come down to vote on a PAYGO amendment again, that they think about this.

There was a race in Ohio, Mr. RYAN, and I want you to talk about it, and I want you to tell the Members of the House what happened, what happened with the write-in candidate that got more votes and the number of candidates on the ballot.

So, Mr. RYAN, with that, I want to yield to you, sir, so you can close this out.

Mr. RYAN of Ohio. I appreciate that. I think you made a lot of points. I

think one of the things that you mentioned is that we come down here every night. I have got to tell you, you know, you mentioned the race in which our Democratic write in candidate got more write-in votes than all of the Republicans combined, and the Democrat was in the three-way primary. It is unbelievable, because of the energy with which I think a lot of people in this country are willing to go to the polls and make some kind of changes.

But I am tired of coming down here and talking about this. I will be honest with you, Mr. Speaker. I want this fixed. I want an opportunity for us to put the PAYGO rules in place, to make the tough decisions. We get paid to make these tough decisions. Let's make them.

I mean, come on. You know what frustrates me? And it hit me as you pulled out the PAYGO chart. Zero Republicans voted for the PAYGO rules to be put in place. Of the millions of times we have actually tried to put them through, amendments and on the floor and motions to recommit and everything else, all of these different times that we have tried to do this, zero Republicans. But now they are having trouble passing the budget.

Well, maybe if they would have put these procedures in place, these constraints in place, we wouldn't have the problems. We don't even have a budget yet. It is May. It is the middle of May. The law says you are supposed to have it by April 15. So all of this is happening.

I think, Mr. MEEK, as we begin to wrap up here, that everything is happening in secrecy, under the dome, on Pennsylvania Avenue, with K Street. When you look at these K Street fairy tales that you just can't believe, it is the environmental meeting, everything is done in secret. A lot of the consumer groups and conservation groups are saying you are meeting with the oil companies and the oil companies are going to write this. They say no, no, no, no, and oil executives come before the Senate. Coincidentally, the Republican Senate does not swear them in to a hearing. Unbelievable.

They all say, ''We weren't there. We don't know anything about it.'' Then we find out a few weeks ago they were all there. The White House memo comes out that they were there, all done in secrecy. Look at the energy policy we have. It is atrocious. Come on. Everyone knows it doesn't work. Go to the gas pump. We don't have to explain it.

Look at the war, all done in secrecy. Nobody is allowed in, not a lot of debate. The information, intelligence, everything is in secret, cherry-picking intelligence and all of this other stuff, all done in secret. Look at the end result. $9 billion lost, no exit strategy. We are not greeted as liberators. We are not able to use the oil money for reconstruction. All the promises made haven't happened. Terrible.

Look at the Medicare bill. Same thing. All done in secret. The numbers were wrong that they gave to the Congress about how much it was going to cost.

Then we find out today, Mr. MEEK, and I hate to end on this because we don't have a lot of time to talk about it, we find out now that the National Security Agency is secretly monitoring phone calls of the American people. This is the largest database ever assembled in the world, monitoring the phone calls of American citizens.

Now, give me a break. Enough of the secrecy, enough of the mismanagement, enough of the incompetence. Let's get the Democrats back in so we can implement some of these ideas that we have.

Thank you, Mr. Speaker, for allowing us to be here. I would also like to thank the staff who is here who stays late with us many nights.

Mr. MEEK of Florida. Just very quickly, Mr. Speaker, I know we have a minute left, I just want to say this, that it is important that we thank the Democratic leader and the Democratic leadership for allowing us to be here tonight.

Mr. RYAN, the web site that you gave out, www.housedemocrats.gov/30Something, all of the charts you have seen here tonight and throughout the week, the Members can pull that down off of the website, Mr. Speaker.

## TIME RUNNING OUT TO SIGN UP FOR MEDICARE PART D

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). Under a previous order of the House, the gentlewoman from Florida (Ms. CORRINE BROWN) is recognized for 5 minutes.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I want to commend the 30-Something Group for their leadership.

□ 2130

I come to the floor to remind all of the seniors that Monday, May 15, is the drop-dead date for signing up for Medicare part D. I am very concerned that over 15 million Americans have not signed up.

Congressman MEEK, may I ask you a question? Do you know why Monday, May 15, is the drop-dead date to sign up?

Mr. MEEK of Florida. Well, it is set by the legislation passed by the Republican majority. And after that, Americans will be penalized.

Ms. CORRINE BROWN of Florida. Mr. Speaker, Americans are going to be penalized. I have been elected for 25 years. And this is the first time I have ever heard of being penalized until the day you die. I mean, it is ludicrous that we, the House of Representatives passed a bill that was so complicated and confusing, and gave you a time period of less than 5 months to sign up. And then if you do not sign up, you are going to be penalized until death.

I know in Florida we have 41 different plans. And it is very confusing. Seniors should have an opportunity to take their time and to select a plan that best meets their needs.

Now, Mr. MEEK, do you know why in the law the Secretary does not have the authority to negotiate the price of drugs? Do you know why Americans pay 50 percent more than people in Canada?

Mr. MEEK of Florida. Well, that was set forth by the Republican Congress. Many Democrats on this side, the super majority, voted against that measure.

Furthermore, this Government agency has found that even during this 5-month period that seniors were given the wrong information from the White House, the recommendation to go on those websites and call these numbers, the wrong information was given on the plan.

But better yet, they are still held responsible to this date. That is going to happen on Monday. And they will be penalized from this point on.

Ms. CORRINE BROWN of Florida. Mr. Speaker, you know in Florida, we have over 1 million people who have not signed up. And nationwide it is over 15 million people.

Now, I do not understand why the President with an executive order cannot be Presidential and extend the date or do away with the penalties.

People should not be held accountable for a program that is complicated and confusing. I have a cousin that is a Ph.D. graduate from the University of Miami, a principal for 30 years, and had to go to Social Security to get someone to help and assist to make the right decision because it is very, very complicated.

Mr. Speaker, I am asking seniors, please sign up—but there is no reason why this program, a program that is so needed, I voted against it because it was bloated, can you imagine, supposedly fiscally responsible Republicans coming up with a program that is billions of dollars, costing more than it needs to, and the money is going to the pharmaceutical companies.

The money is going to the industry, and not to the people that we need to be serving. It is a shame that in this people's House that we are not doing the work of the people.

Mr. Speaker, I am calling on the Members of this body and I am calling on the President so we can make it retroactive. Let us not punish seniors for our incompetency.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KENNEDY of Rhode Island (at the request of Ms. PELOSI) for the week of May 8.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. FRANK of Massachusetts, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

Mr. INSLEE, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

Mr. UDALL of New Mexico, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. GINGREY, for 5 minutes, today.

Ms. GINNY BROWN-WAITE of Florida, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, May 16, 17, 18, and 19.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. CORRINE BROWN of Florida, for 5 minutes, today.

## BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on May 11, 2006, she presented to the President of the United States, for his approval, the following bill.

H.J. Res 83. To memorialize and honor the contribution of Chief Justice William H. Rehnquist.

## ADJOURNMENT

Ms. CORRINE BROWN of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 35 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, May 12, 2006, at 2 p.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7435. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communication Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Lancaster, Pickerington, and Westerville, Ohio) [MB Docket No. 03-238; RM-10820] (File No. BPH-20040108ALM) received April 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7436. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Fernandina Beach and Yulee, Florida) [MB Docket No. 05-240; RM-11261] received April 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7437. A letter from the Special Assistant to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Bend and Prineville, Oregon) [MB Docket No. 03-78; RM-10684] received April 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7438. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Cuney, Texas) [MB Docket No. 05-33; RM-10756] received April 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7439. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Port Isabel, Texas) [MB Docket No. 04-274; RM-11016] received April 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7440. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Cuba and Knoxville, Illinois) [MB Docket No. 05-118; RM-11183; RM-11301; RM-11302] received April 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7441. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Tomahawk, WI) [MB Docket No. 04-202; RM-10985]; (Waynoka, OK) [MB Docket No. 04-271; RM-11013]; (Wasco, CA) [MB Docket No. 04-272; RM-11014]; (Richland Springs, TX) [MB Docket No. 04-273; RM-11015]; (Hermitage AR) [MB Docket No. 04-431; RM-11115] received April 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7442. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (New Harmony, Indiana and West Salem, Illinois) [MB Docket No. 04-341; RM-10779; RM-11110] received April 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7443. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Otter Creek, Florida) [MB Docket No. 05-54; RM-11151] received April 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7444. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (Matagorda, Texas) [MB Docket No. 04-215; RM-10993] received April 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7445. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Okeene, Oklahoma) [MB Docket No. 05-296; RM-11289] received April 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7446. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Grand Portage, Minnesota) [MB Docket No. 04-432; RM-11121] received April 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7447. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Harrisburg, LA) [MB Docket No. 04-266; RM-11005]; (Mecca, CA) [MB Docket No. 04-267; RM-11008]; (Taos, NM) [MB Docket No. 04-268; RM-11009]; (San Joaquin, CA) [MB Docket No. 04-269; RM-11010]; (Rosepine, LA) [MB Docket No. 04-270; RM-11012] received April 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7448. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Bairoil and Sinclair, Wyoming) [MB Docket No. 05-117] received April 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7449. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act (''Appliance Labeling Rule'')—received March 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7450. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule — New Animal Drugs; Adamantane and Neuraminidase Inhibitor Anti-influenza Drugs; Extralabel Animal Drug Use; Order of Prohibition [Docket No. 2006N-0106] received April 4, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7451. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule — Medical Devices; Immunology and Microbiology Devices; Classification of Reagents for Detection of Specific Novel Influenza A Viruses [Docket No. 2006N-0100] received May 1, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7452. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Scott City Municipal Airport, KS [Docket No. FAA-2006-23896; Airspace Docket No. 06-ACE-2] received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7453. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Gothenburg, Quinn Field, NE [Docket No. 23545; Airspace Docket No. 06-ACE-1] received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7454. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Enroute Domestic Airspace Area, Vandenberg AFB, CA. [Docket No. FAA-2005-23271; Airspace Docket No. 05-AWP-15] (RIN: 2120-AA66) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7455. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of the St. Louis Class B Airspace Area; MO [Docket No. FAA-2005-22509; Airspace Docket No. 03-AWA-2] (RIN: 2120-AA64) received April 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7456. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Beatrice, NE [Docket No. FAA-2005-23375; Airspace Docket No. 05-ACE-35] received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7457. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E5 Airspace; David City, NE [Docket No. FAA-2005-23374; Airspace Docket No. 05-ACE-34] received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7458. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of the St. Louis Class B Airspace Area; MO [Docket No. FAA-2005-22509; Airspace Docket No. 03-AWA-2] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7459. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Sand Point, AK [Docket No. FAA-2005-23026; Airspace Docket No. 05-AAL-39] received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7460. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of the Norton Sound Law, Woody Island Law and 1234L Offshore Airspace Areas, AK [Docket No. FAA-2005-22024; Airspace Docket No. 05-AAL-38] (RIN: 2120-AA66) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7461. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Scott City Municipal Airport, KS [Docket No. FAA-2006-23896; Airspace Docket No. 06-ACE-2] received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7462. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendments to Colored Federal Airways; AK [Docket No. FAA-2005-23081; Airspace Docket No. 05-AAl-31] (RIN: 2120-AA66) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7463. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Nicholasville, KY [Docket No. FAA-2005-23075; Airspace Docket No. 05-ASO-12] received April 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7464. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Enroute Domestic Airspace Area, Vandeberg AFB, CA [Docket No. FAA-2005-23271; Airspace Docket No. 05-AWP-15] (RIN: 2120-AA66) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7465. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-8-33, DC-8-51, DC-8-53, DC-8-55, DC-8F-54, DC-8F-55, DC-8-63, DC-8-62F, DC-8-63F, DC-8-71, DC-8-73, DC-8-71F, DC-8-72F, and DC-8-73F Airplanes [Docket No. FAA-2005-22425; Directorate Identifier 2005-NM-066-AD; Amendment 39-14468; AD 2006-03-04] (RIN: 2120-AA64) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7466. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 Airplanes and Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP Airplanes [Docket No. 2003-NM-271-AD; Amendment 39-14470; AD 2006-03-06] (RIN: 2120-AA64) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7467. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-200 and -300 Series Airplanes, A340-200 and -300 Series Airplanes, and A340-541 and -642 Airplanes [Docket No. FAA-2005-21702; Directorate Identifier 2005-NM-024-AD; Amendment 39-14473; AD 2006-03-09] (RIN: 2120-AA64) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7468. A letter from the Program Analsyt, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Short Brothers Model SD3-60 SHERPA, SD3-SHERPA, and SD3-60 Airplanes [Docket No. FAA-2005-22875; Directorate Identifier 2005-NM-179-AD; Amendment 39-14469; AD 2006-03-05] (RIN: 2120-AA64) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7469. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aero Advantage ADV200 Series (Part Numbers ADV211CC and ADV212CW) Vacuum Pumps [Docket No. FAA-2005-20440; Directorate Identifier 2005-CE-05-AD; Amendment 39-14472; AD 2006-03-08] (RIN: 2120-AA64) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7470. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hamburger Flagzeugbau GmbH Model HFB 320 HANSA Airplanes [Docket No. FAA-2005-22401; Directorate Identifier 2004-NM-93-AD; Amendment 39-14480; AD 2006-03-16] (RIN: 2120-AA64) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7471. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Model F.28 Mark 0070 and 0100 Airplanes [Docket No. FAA-2005-22748; Directorate Identifier 2005-NM-127-AD; Amendment 39-14471; AD 2006-03-07] (RIN: 2120-AA64) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7472. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A318-100 and A319-100 Series Airplanes; A320-111 Airplanes; A320-200 Series Airplanes; and A321-100 and A321-200 Series Airplanes [Docket No. FAA-2005-22528; Directorate Identifier 2005-NM-125-AD; Amendment 39-14474; AD 2006-03-10] (RIN: 2120-AA64) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7473. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, DC-10-30F, (KC-10A and KDC-10), DC-10-40, DC-10-40F, MD-10-10F, MD-10-30F, MD-11, and MD-11F Airplanes [Docket No. FAA-2005-22503; Directorate Identifier 2005-NM-062-AD; Amendment 39-14477; AD 2006-03-13] (RIN: 2120-AA64) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7474. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB211 Trent 500 Series Turbofan Engines [Docket No. FAA-2005-23279; Directorate Identifier 2005-NE-44-AD; Amendment 39-14478; AD 2006-03-14] (RIN: 2120-AA64) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7475. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes [Docket No. FAA-2005-20354; Directorate Identifier 2004-NM-166-AD; Amendment 39-14476; AD 2006-03-12] (RIN: 2120-AA64) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7476. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Polskie Zaklady Lotnicze Spolka zo.o. Model PZL M26 01 Airplanes [Docket No. FAA-2006-23733; Directorate Identifier 2006-CE-09-AD; Amendment 39-14481; AD 2006-03-17] (RIN: 2120-AA64) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7477. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Weighted Average Interest Rate Update [Notice 2006-39] received April 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7478. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Taxation of Fringe Benefits (Rev. Rul. 2006-13) received March 29, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7479. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Transition Relief Regarding the Application of Section 409A(b) to Nonqualifed Deferred Compensation Plans [Notice 2006-33] received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7480. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Last-in, First-out Inventories (Rev. Rul. 2006-15) received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7481. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Revocation of Qualified Intermediary Branch Rule [Notice 2006-35] received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7482. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2006-22) received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7483. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Administrative, Procedural, and Miscellaneous (Rev. Rul. 2006-17) received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7484. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — GO Zone Resident Population Estimates [Notice 2006-21] received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HYDE: Committee on International Relations. H.R. 4681. A bill to promote the development of democratic institutions in areas under the administrative control of the Palestinian Authority, and for other purposes; with an amendment (Rept. 109–462 Pt. 1). Ordered to be printed.

## TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 or rule XII the following action was taken by the Speaker:

H.R. 4681. Referral to the Committees on the Judiciary and Financial Services extended for a period ending not later than May 15, 2006.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. REICHERT (for himself, Mr. PASCRELL, Mr. MCCAUL of Texas, Mr. ETHERIDGE, Mr. KING of New York, Mr. THOMPSON of Mississippi, Mr. SHAYS, Ms. LORETTA SANCHEZ of California, Mr. DANIEL E. LUNGREN of California, Ms. HARMAN, Mr. SIMMONS, Mrs. CHRISTENSEN, Mr. ROGERS of Alabama, Mr. LANGEVIN, Mr. PEARCE, Ms. GINNY BROWN-WAITE of Florida, Mr. BUTTERFIELD, Mr. ROGERS of Kentucky, Mr. SWEENEY, Mr. MCHENRY, Miss MCMORRIS, Mr. FORTENBERRY, Mr. SCHWARZ of Michigan, Mr. CARTER, and Mr. MEEK of Florida):

H.R. 5351. A bill to amend the Homeland Security Act of 2002 to establish a Directorate of Emergency Management, to codify certain existing functions of the Department of Homeland Security, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Homeland Security, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MANZULLO:

H.R. 5352. A bill to reauthorize programs to assist small business concerns, and for other purposes; to the Committee on Small Business.

By Mr. FLAKE (for himself, Mr. BASS, and Mrs. MUSGRAVE):

H.R. 5353. A bill to permit United States companies to participate in the exploration for and the extraction of hydrocarbon resources from any portion of a foreign maritime exclusive economic zone that is contiguous to the exclusive economic zone of the United States, and for other purposes; to the Committee on International Relations.

By Mr. BOUSTANY (for himself, Mr. MCKEON, Mr. MARCHANT, Mr. POE, Mr. ALEXANDER, and Mr. SAM JOHNSON of Texas):

H.R. 5354. A bill to authorize the Secretary of Education to extend the period during which a State educational agency or local educational agency may obligate temporary emergency impact aid for elementary and secondary school students displaced by Hurricane Katrina or Hurricane Rita, and for other purposes; to the Committee on Education and the Workforce.

By Ms. HART:

H.R. 5355. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for volunteer firefighters; to the Committee on Ways and Means.

By Mr. MCCAUL of Texas (for himself, Mr. BOEHLERT, Mr. SMITH of Texas, Mr. CALVERT, Mr. EHLERS, Mrs. BIGGERT, Mr. INGLIS of South Carolina, and Mr. SCHWARZ of Michigan):

H.R. 5356. A bill to authorize the National Science Foundation and the Department of Energy Office of Science to provide grants to early career researchers to establish innovative research programs and integrate education and research, and for other purposes; to the Committee on Science.

By Mr. MCCAUL of Texas (for himself, Mr. BOEHLERT, Mr. SMITH of Texas, Mr. CALVERT, Mr. EHLERS, Mrs. BIGGERT, Mr. INGLIS of South Carolina, and Mr. SCHWARZ of Michigan):

H.R. 5357. A bill to authorize the National Science Foundation and the research, development, demonstration, and commercial application programs of the Department of Energy to provide grants to early career researchers to conduct high-risk, high-return research in areas relevant to industry; to the Committee on Science.

By Mr. SCHWARZ of Michigan (for himself, Mr. BOEHLERT, Mr. SMITH of Texas, Mr. CALVERT, Mr. EHLERS, Mrs. BIGGERT, Mr. INGLIS of South Carolina, and Mr. MCCAUL of Texas):

H.R. 5358. A bill to authorize programs relating to science, mathematics, engineering, and technology education at the National Science Foundation and the Department of Energy Office of Science, and for other purposes; to the Committee on Science.

By Mr. BARTON of Texas:

H.R. 5359. A bill to amend the automobile fuel economy provisions of title 49, United States Code, to authorize the Secretary of Transportation to set fuel economy standards for passenger automobiles based on one or more vehicle attributes; to the Committee on Energy and Commerce.

By Mr. BARTON of Texas (by request):

H.R. 5360. A bill to enhance the management and disposal of spent nuclear fuel and high-level radioactive waste, to assure protection of public health and safety, to ensure the territorial integrity and security of the repository at Yucca Mountain, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Resources, Transportation and Infrastructure, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BERMAN (for himself and Mrs. BONO):

H.R. 5361. A bill to harmonize rate setting standards for copyright licenses under sections 112 and 114 of title 17, United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. GEORGE MILLER of California (for himself, Mr. RANGEL, Mr. DINGELL, Mr. ANDREWS, Mr. LEVIN, Mr. STARK, Mr. CARDIN, Mr. BROWN of Ohio, Mr. POMEROY, Mr. STRICKLAND, Mr. MCDERMOTT, and Ms. BEAN):

H.R. 5362. A bill to ensure the equitable provision of pension and medical benefits to Department of Energy contractor employees; to the Committee on Education and the Workforce.

By Mr. LUCAS:

H.R. 5363. A bill to provide assistance to agricultural producers for crop and livestock losses resulting from recent, catastrophic natural disasters, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BALDWIN (for herself, Mr. GEORGE MILLER of California, Mr. WEXLER, Mr. OWENS, Mr. CONYERS, Mr. GRIJALVA, Mr. FRANK of Massachusetts, Ms. JACKSON-LEE of Texas, Mr. HASTINGS of Florida, Mrs. CAPPS, Mr. PAYNE, Mrs. MALONEY, Mrs. CHRISTENSEN, Mr. KUCINICH, Mr. AL GREEN of Texas, Mr. CROWLEY, Mr. SERRANO, Mr. LEWIS of Georgia, Ms. CARSON, Mr. KILDEE, and Ms. SCHAKOWSKY):

H.R. 5364. A bill to amend the Family and Medical Leave Act of 1993 to eliminate an hours of service requirement for benefits under that Act; to the Committee on Education and the Workforce, and in addition to the Committees on Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUCHER (for himself and Mr. DINGELL):

H.R. 5365. A bill to provide for the establishment of a Strategic Refinery Reserve; to the Committee on Energy and Commerce.

By Mr. DAVIS of Illinois (for himself, Mr. WAXMAN, Mr. PORTER, Ms. NORTON, Mr. CUMMINGS, Mr. OWENS, Mr. HOYER, Mr. WYNN, and Mr. VAN HOLLEN):

H.R. 5366. A bill to provide for a demonstration project to enhance the ability of Federal agencies to continue to operate during an extended emergency situation, and for other purposes; to the Committee on Government Reform.

By Mr. EMANUEL (for himself, Mr. MORAN of Virginia, and Mr. JEFFERSON):

H.R. 5367. A bill to amend the Internal Revenue Code of 1986 to require broker reporting of customer's basis in securities transactions, and for other purposes; to the Committee on Ways and Means.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. SIMMONS, and Mr. WELDON of Pennsylvania):

H.R. 5368. A bill to amend the Internal Revenue Code of 1986 to provide for small business tax incentives, to amend the Fair Labor Standards Act of 1938 to increase the minimum wage and to increase the exemption for annual gross volume of sales made or business done by an enterprise, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FERGUSON (for himself, Mr. ENGLISH of Pennsylvania, Mr. RUSH, and Mr. THOMPSON of California):

H.R. 5369. A bill to amend title XVIII of the Social Security Act to improve payments under the Medicare clinical laboratory fee schedule; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FORTENBERRY:

H.R. 5370. A bill to amend the Clean Air Act to require that gasoline contain at least 15 billion gallons of renewable fuel by the year 2012, and for other purposes; to the Committee on Energy and Commerce.

By Ms. HARMAN (for herself, Mr. CONYERS, Mr. HASTINGS of Florida, Mr. BOSWELL, Mr. REYES, Mr. CRAMER, Ms. ESHOO, Mr. RUPPERSBERGER, Mr. BOUCHER, Mr. NADLER, Mr. SCOTT of Virginia, Ms. ZOE LOFGREN of California, Ms. JACKSON-LEE of Texas, Mr. WEXLER, and Ms. HOOLEY):

H.R. 5371. A bill to reiterate that the Foreign Intelligence Surveillance Act of 1978 and title 18, United States Code, are the exclusive means by which domestic electronic surveillance may be conducted, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERSETH (for herself, Mr. ETHERIDGE, Ms. PELOSI, Mr. PETERSON of Minnesota, Mr. DELAHUNT, Ms. KAPTUR, Mr. INSLEE, Mr. POMEROY, Mr. HOLDEN, Mr. FORD, Mr. SALAZAR, Mr. KIND, Ms. DELAURO, and Ms. MCCOLLUM of Minnesota):

H.R. 5372. A bill to promote the increased utilization of domestically produced, renewable, biobased motor vehicle fuel supplies and the increased manufacture of flexible-fuel vehicles in the United States, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Agriculture, Science, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HINOJOSA (for himself and Mr. RAHALL):

H.R. 5373. A bill to promote the development of affordable, quality rental housing in rural areas for low-income households; to the Committee on Financial Services.

By Mr. LINDER:

H.R. 5374. A bill to amend the Federal Election Campaign Act of 1971 to ban soft money, and for other purposes; to the Committee on House Administration.

By Mr. DANIEL E. LUNGREN of California (for himself and Mr. COSTA):

H.R. 5375. A bill to provide incentives to reduce dependence on foreign oil; to the Committee on Ways and Means, and in addition to the Committees on Science, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCKINNEY:

H.R. 5376. A bill to require nationals of the United States that employ individuals in a foreign country to provide full transparency and disclosure in all their operations; to the Committee on International Relations.

By Ms. MCKINNEY:

H.R. 5377. A bill to require nationals of the United States that employ more than 20 persons in a foreign country to implement a Corporate Code of Conduct with respect to the employment of those persons, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Government Reform, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCKINNEY:

H.R. 5378. A bill to amend the Internal Revenue Code of 1986 to reduce by 50 percent certain tax benefits allowable to profitable large corporations which make certain workforce reductions; to the Committee on Ways and Means, and in addition to the Committees on International Relations, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MUSGRAVE:

H.R. 5379. A bill to authorize the Secretary of the Army to acquire land for expansion of Pinon Canyon Maneuver Site, subject to certain conditions; to the Committee on Armed Services.

By Mr. POMEROY (for himself, Mr. OSBORNE, and Ms. HERSETH):

H.R. 5380. A bill to reward the hard work and risk of individuals who choose to live in and help preserve America's small, rural towns, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Agriculture, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAXTON (for himself and Mr. KIND):

H.R. 5381. A bill to establish a volunteer program and promote community partnerships for the benefit of national fish hatcheries and fisheries program offices; to the Committee on Resources.

By Mr. SMITH of New Jersey (for himself, Mr. MCINTYRE, Mr. MCCOTTER, Mr. LANTOS, Mr. PITTS, Mr. BURTON of Indiana, and Mrs. JO ANN DAVIS of Virginia):

H.R. 5382. A bill to promote the development of democratic institutions and full respect for human rights in the countries of Central Asia; to the Committee on International Relations, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of Colorado (for himself, Mr. STUPAK, Mr. RYAN of Ohio, Ms. CARSON, Mr. GRIJALVA, Mrs. CHRISTENSEN, and Mr. CASE):

H.R. 5383. A bill to amend the Consumer Credit Protection Act to ban abusive credit practices, enhance consumer disclosures, protect underage consumers, and for other purposes; to the Committee on Financial Services.

By Mr. BURTON of Indiana (for himself, Mr. CALVERT, Mr. CHABOT, Mr. COBLE, Mr. DAVIS of Florida, Mr. TOM DAVIS of Virginia, Mr. GALLEGLY, Ms. GRANGER, Ms. HARRIS, Mr. ISSA, Mr. KIRK, Mr. MACK, Mr. MICA, Mr. MCCAUL of Texas, Mr. MCCOTTER, Mrs. MYRICK, Mr. PENCE, Mr. ROGERS of Michigan, Mr. ROHRABACHER, Ms. ROS-LEHTINEN, Mr. SMITH of New Jersey, Mr. SOUDER, Mr. WELLER, and Mr. WILSON of South Carolina):

H. Con. Res. 400. Concurrent resolution expressing the sense of Congress that the Government of Venezuela should actively support strategies for ensuring secure airport facilities that meet international certifications to prevent trafficking of controlled substances, narcotics, and laundered money; to the Committee on International Relations.

By Mrs. NAPOLITANO (for herself, Mr. MURPHY, and Mr. KENNEDY of Rhode Island):

H. Con. Res. 401. Concurrent resolution supporting the goals and ideals of Mental Health Month, and for other purposes; to the Committee on Energy and Commerce.

By Ms. WATERS:

H. Res. 813. A resolution honoring Reverend John Deron Johnson, pastor of Phillips Temple Christian Methodist Episcopal Church in Los Angeles, California, for his long history of work, commitment, and love for the Church and the South Los Angeles community, and extending the appreciation of the House of Representatives on the occasion of the Anniversary Celebration held in his honor; to the Committee on Government Reform.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 9: Ms. ZOE LOFGREN of California, Mr. BERMAN, Mr. KENNEDY of Minnesota, Ms. SCHWARTZ of Pennsylvania, Ms. WOOLSEY, Mr. ISSA, Mr. ENGLISH of Pennsylvania, Mrs. WILSON of New Mexico, Mr. GREEN of Wisconsin, Mr. FRANK of Massachusetts, Mr. KILDEE, Mr. BROWN of Ohio, Mr. ALLEN, Mr. BRADY of Pennsylvania, Mr. DELAHUNT, and Mr. GRIJALVA.

H.R. 268: Mr. HAYWORTH.

H.R. 303: Mrs. CUBIN.

H.R. 305: Mr. HAYWORTH.

H.R. 389: Mrs. JOHNSON of Connecticut.

H.R. 408: Mr. YOUNG of Alaska.

H.R. 414: Mr. BOUSTANY, Mr. RAHALL, Mr. NEUGEBAUER, Ms. HART, and Mr. MELANCON.

H.R. 500: Mr. PICKERING.

H.R. 503: Ms. NORTON.

H.R. 552: Mr. MCKEON.

H.R. 559: Mr. PETERSON of Minnesota.

H.R. 699: Mrs. BONO.

H.R. 857: Mr. FOLEY.

H.R. 933: Mr. SALAZAR.

H.R. 998: Mr. INSLEE.

H.R. 1016: Mr. SHIMKUS.

H.R. 1108: Mr. CONYERS and Mr. MCINTYRE.

H.R. 1120: Mr. BILIRAKIS.

H.R. 1177: Mr. BOOZMAN.

H.R. 1249: Mr. OSBORNE and Mr. DAVIS of Tennessee.
H.R. 1275: Mr. RUPPERSBERGER.
H.R. 1366: Mr. ROSS.
H.R. 1370: Mr. PENCE and Mr. FRANKS of Arizona.
H.R. 1425: Mr. GONZALEZ and Mr. BARTLETT of Maryland.
H.R. 1462: Mr. JENKINS.
H.R. 1545: Mr. TIAHRT, Mr. THOMPSON of Mississippi, and Mr. REHBERG.
H.R. 1554: Mr. WOLF and Mr. GOODE.
H.R. 1575: Ms. NORTON.
H.R. 1578: Mr. UPTON.
H.R. 1582: Mr. RAHALL and Mr. UDALL of Colorado.
H.R. 1583: Mr. DICKS.
H.R. 1704: Mrs. SCHMIDT.
H.R. 1748: Mr. SOUDER.
H.R. 1791: Mrs. BONO.
H.R. 1994: Ms. SCHAKOWSKY and Mr. PAYNE.
H.R. 2000: Mr. WEXLER.
H.R. 2014: Mr. PORTER.
H.R. 2089: Mr. KING of New York.
H.R. 2178: Mr. MCGOVERN and Mr. MCINTYRE.
H.R. 2357: Mr. YOUNG of Alaska.
H.R. 2386: Mr. NORWOOD.
H.R. 2421: Mr. FORD and Mrs. EMERSON.
H.R. 2561: Mr. SOUDER.
H.R. 2694: Mr. DAVIS of Illinois.
H.R. 2828, Ms. WOOLSEY.
H.R. 2861: Mr. MCCAUL of Texas.
H.R. 3006: Mr. SHAYS, Mrs. MALONEY, Mr. DAVIS of Illinois, Mr. UDALL of Colorado, and Mr. BISHOP of New York.
H.R. 3080: Mr. FRANKS of Arizona.
H.R. 3098: Ms. BERKLEY.
H.R. 3138: Mr. VAN HOLLEN.
H.R. 3198: Mr. BECERRA.
H.R. 3385: Mr. HALL.
H.R. 3427: Mrs. LOWEY and Mr. NADLER.
H.R. 3471: Mr. FRANK of Massachusetts.
H.R. 3555: Ms. MATSUI, Mr. MOORE of Kansas, Ms. WASSERMAN Schultz, Mr. GEORGE MILLER of California, Mr. SANDERS, and Mrs. MALONEY.
H.R. 3584: Mr. SMITH of Washington.
H.R. 3616: Mr. BISHOP of Georgia.
H.R. 3628: Mr. WAMP.
H.R. 3644: Mr. FALEOMAVAEGA.
H.R. 3753: Mr. STEARNS.
H.R. 3883: Mr. NEUGEBAUER.
H.R. 3957: Ms. WATERS.
H.R. 4021: Mr. CARDIN.
H.R. 4033: Mr. LARSON of Connecticut.
H.R. 4050: Mr. SABO.
H.R. 4188: Mr. MORAN of Virginia.
H.R. 4228: Mr. MICHAUD.
H.R. 4291: Mr. ACKERMAN.
H.R. 4318: Mr. GARY G. MILLER of California.
H.R. 4411: Mr. SOUDER.
H.R. 4550: Mr. TOWNS.
H.R. 4551: Mr. SOUDER.
H.R. 4574: Mr. WOLF, Mr. FALEOMAVAEGA, Mr. SMITH of Washington, Mr. EVANS, Mr. STRICKLAND, Mr. BISHOP of Georgia, Mr. REYES, Mr. SCHIFF, Mrs. NAPOLITANO, and Mrs. CAPPS.
H.R. 4580: Mr. CALVERT.
H.R. 4597: Mr. PAUL.
H.R. 4673: Mr. DELAHUNT.
H.R. 4703: Ms. SCHWARTZ of Pennsylvania and Mr. KLINE.
H.R. 4712: Mr. BRADY of Pennsylvania and Mr. BROWN of Ohio.
H.R. 4720: Mr. LANTOS, Mr. NUNES, Ms. LINDA T. SÁNCHEZ OF CALIFORNIA, MR. DANIEL E. LUNGREN of California, and Mr. HERGER.
H.R. 4726: Mr. PORTER.
H.R. 4739: Mr. HOLDEN.
H.R. 4755: Ms. ROS-LEHTINEN.
H.R. 4857: Mr. RENZI and Mr. HERGER.
H.R. 4859: Mr. MCCAUL of Texas and Mr. MCHENRY.
H.R. 4894: Mr. PLATTS and Mr. WOLF.
H.R. 4901: Mr. WEXLER.
H.R. 4974: Mr. MARCHANT, Mr. SAM JOHNSON of Texas, Mr. HALL, and Mr. CONAWAY.
H.R. 4980: Mr. ROTHMAN.
H.R. 5005: Mr. KLINE and Mr. FEENEY.
H.R. 5015: Mr. SHAYS.
H.R. 5018: Mr. JINDAL.
H.R. 5035: Mr. NADLER and Mr. CROWLEY.
H.R. 5063: Ms. SCHAKOWSKY.
H.R. 5072: Mr. CANNON.
H.R. 5087: Mr. CONYERS and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 5099: Mr. THOMPSON of Mississippi.
H.R. 5113: Mr. SCOTT of Virginia, Mr. VAN HOLLEN, Mr. HIGGINS, Ms. KILPATRICK of Michigan, and Mr. MICHAUD.
H.R. 5120: Mr. HYDE.
H.R. 5121: Mr. MARCHANT, Mr. CLAY, Mrs. DRAKE, Mr. MILLER of North Carolina, Mr. LINCOLN DIAZ-BALART of Florida, Mr. ENGLISH of Pennsylvania, Mr. MARIO DIAZ-BALART of Florida, Mr. MCKEON, Mr. DREIER, Mr. CALVERT, Mr. RADANOVICH, Mr. CAMPBELL of California, and Mr. ROHRABACHER.
H.R. 5150: Mr. FRANK of Massachusetts.
H.R. 5159: Ms. GINNY BROWN-WAITE of Florida, Ms. SCHWARTZ of Pennsylvania, Mrs. TAUSCHER, Mr. SMITH of Washington, Mr. BRADY of Pennsylvania, Mr. STUPAK, Mr. CAPUANO, Mr. SCHIFF, Mr. LANGEVIN, Mr. ORTIZ, Mr. SCOTT of Georgia, Mr. RUPPERSBERGER, Mr. HOLDEN, Mr. KANJORSKI, and Mr. SABO.
H.R. 5160: Mr. MCHUGH.
H.R. 5170: Mr. DANIEL E. LUNGREN of California and Mr. DEAL of Georgia.
H.R. 5201: Mr. SANDERS, Ms. HOOLEY, Mr. BUTTERFIELD, Mr. NEAL of Massachusetts, Mr. BOUCHER, Mr. HINOJOSA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ORTIZ, Mr. REYES, Mr. EDWARDS, Mrs. JONES of Ohio, Mr. FOLEY, Mr. BISHOP of Utah, Mr. SHERWOOD, and Mr. MCINTYRE.
H.R. 5203: Mr. SOUDER.
H.R. 5206: Ms. BERKLEY, Mr. MCHUGH, Ms. HART, Mr. ISSA, Ms. ZOE LOFGREN of California, Mr. BISHOP of New York, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 5225: Mr. OLVER.
H.R. 5230: Mr. BARRETT of South Carolina, Mr. BARTLETT of Maryland, and Mr. SOUDER.
H.R. 5231: Mrs. DRAKE.
H.R. 5234: Mr. STARK.
H.R. 5236: Mr. MICHAUD and Mr. CONYERS.
H.R. 5252: Mr. SPRATT, Mr. EVERETT, Mr. BROWN of South Carolina, Mr. HASTINGS of Florida, Mr. FOLEY, Mr. MEEK of Florida, Mr. MILLER of Florida, Mr. WEXLER, Mr. WICKER, Mr. MARIO DIAZ-BALART of Florida, Mr. FEENEY, and Mr. ROGERS of Alabama.
H.R. 5264: Mr. MORAN of Virginia and Mr. KENNEDY of Minnesota.
H.R. 5273: Mr. DOYLE, Ms. SCHAKOWSKY, Mr. GEORGE MILLER of California, Mr. BROWN of Ohio, Mr. SANDERS, Mr. FRANK of Massachusetts, and Ms. LEE.
H.R. 5289: Mr. LAHOOD.
H.R. 5291: Mr. WOLF, Mr. FOSSELLA, and Mr. PLATTS.
H.R. 5293: Mr. GEORGE MILLER of California and Mr. SOUDER.
H.R. 5315: Mr. FORD and Mr. PETERSON of Minnesota.
H.R. 5316: Mr. BONILLA.
H.R. 5319: Mrs. BIGGERT, Mr. MCCAUL of Texas, Mr. PLATTS, Mr. WELLER, Mr. SESSIONS, Mr. PORTER, and Mr. SHIMKUS.
H.R. 5333: Mr. WEXLER, Mrs. MCCARTHY, and Mr. SIMMONS.
H.R. 5336: Mr. SCHWARZ of Michigan, Mr. GOODE, and Mr. MCCAUL of Texas.
H. Con. Res. 336: Mr. LEACH.
H. Con. Res. 346: Mr. MARCHANT.
H. Con. Res. 348: Mr. FILNER, Mr. MCNULTY, and Mr. KUCINICH.
H. Con. Res. 391: Mr. FILNER and Mr. MCNULTY.
H. Res. 316: Ms. HERSETH.
H. Res. 723: Ms. WOOLSEY.
H. Res. 760: Mr. BISHOP of New York, Mr. DAVIS of Florida, Mr. HOLT, and Ms. SCHAKOWSKY.
H. Res. 773: Mr. HALL, Mr. SOUDER, and Ms. SCHWARTZ of Pennsylvania.
H. Res. 784: Mr. CONYERS.
H. Res. 785: Mr. HINOJOSA, Mr. MCNULTY, Mrs. BONO, Mr. ALEXANDER, Mr. PALLONE, Mr. BILIRAKIS, Mr. CASTLE, Mr. HOLT, and Mr. HINCHEY.
H. Res. 786: Mrs. KELLY and Mr. ENGLISH of Pennsylvania.
H. Res. 788: Mr. HOYER.
H. Res. 793: Mr. ROGERS of Alabama, Mr. GARY G. MILLER of California, Mr. AKIN, Mr. GOODE, and Mr. SODREL.
H. Res. 799: Mr. ROYCE, Ms. WATSON, Mr. MCCOTTER, and Mr. BERMAN.