

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

ANSWERED "PRESENT"—1

Lipinski

NOT VOTING—27

Buyer	Feeney	Istook
Cardoza	Ford	Jefferson
Davis (IL)	Fortenberry	Kennedy (RI)
DeLay	Hinchee	Knollenberg
Evans	Hyde	Mack

Moran (VA)	Saxton	Weldon (FL)
Oxley	Simpson	Whitfield
Pombo	Smith (TX)	Woolsey
Sanchez, Loretta	Souder	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 roll-call No. 138 I was unavoidably detained. Had I been present, I would have voted "no."

Mr. FORTENBERRY. Mr. Speaker, on roll-call 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 decisions? 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 commit-

tee'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.

□ 1200

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 Serv-

ices 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.

□ 1215

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 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 gentleman 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).

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	Boehner	Campbell (CA)
Akin	Bonilla	Cantor
Alexander	Bonner	Capito
Bachus	Bono	Castle
Baker	Boozman	Chabot
Barrett (SC)	Boustany	Choccola
Bartlett (MD)	Bradley (NH)	Coble
Barton (TX)	Brady (TX)	Cole (OK)
Bass	Brown (SC)	Conaway
Beauprez	Brown-Waite,	Crenshaw
Biggart	Ginny	Cubin
Bilirakis	Burgess	Culberson
Bishop (UT)	Burton (IN)	Davis (KY)
Blackburn	Buyer	Davis, Jo Ann
Blunt	Calvert	Davis, Tom
Boehlert	Camp (MI)	Deal (GA)

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

NAYS—192

Ackerman	Crowley	Honda
Allen	Cuellar	Hooley
Andrews	Cummings	Hoyer
Baca	Davis (AL)	Inslee
Baird	Davis (CA)	Israel
Baldwin	Davis (FL)	Jackson (IL)
Barrow	Davis (IL)	Jackson-Lee
Bean	Davis (TN)	(TX)
Becerra	DeFazio	Johnson, E. B.
Berkley	DeGette	Jones (OH)
Berman	Delahunt	Kanjorski
Berry	DeLauro	Kaptur
Bishop (GA)	Dicks	Kildee
Bishop (NY)	Dingell	Kilpatrick (MI)
Blumenauer	Doggett	Kind
Boren	Doyle	Kucinich
Boswell	Edwards	Langevin
Boucher	Emanuel	Lantos
Boyd	Engel	Larsen (WA)
Brady (PA)	Eshoo	Larson (CT)
Brown (OH)	Etheridge	Lee
Brown, Corrine	Farr	Levin
Butterfield	Filner	Lewis (GA)
Capps	Frank (MA)	Lipinski
Capuano	Gonzalez	Lofgren, Zoe
Cardin	Gordon	Lowe
Carnahan	Green, Al	Lynch
Carson	Green, Gene	Maloney
Case	Grijalva	Markey
Chandler	Gutierrez	Marshall
Clay	Harman	Matheson
Cleaver	Hastings (FL)	Matsui
Clyburn	Herseth	McCarthy
Conyers	Higgins	McCollum (MN)
Cooper	Hinches	McDermott
Costa	Hinojosa	McGovern
Costello	Holden	McIntyre
Cramer	Holt	McKinney

McNulty	Pomeroy	Solis	Gingrey	Lucas	Rogers (KY)	Pallone	Sanchez, Loretta	Thompson (CA)
Meehan	Price (NC)	Spratt	Gohmert	Lungren, Daniel E.	Rogers (MI)	Pascrell	Sanders	Thompson (MS)
Meek (FL)	Rahall	Stark	Goode	Mack	Rohrabacher	Pastor	Schakowsky	Tierney
Meeks (NY)	Rangel	Strickland	Goodlatte	Manzullo	Ros-Lehtinen	Payne	Schiff	Towns
Melancon	Reyes	Stupak	Granger	Marchant	Royce	Pelosi	Schwartz (PA)	Udall (CO)
Michaud	Ross	Tanner	Graves	McCaul (TX)	Ryan (WI)	Peterson (MN)	Scott (GA)	Udall (NM)
Millender-McDonald	Rothman	Taylor (MS)	Green (WI)	McCotter	Ryun (KS)	Pomeroy	Scott (VA)	Van Hollen
Miller (NC)	Roybal-Allard	Thompson (CA)	Gutknecht	McCotter	Saxton	Price (NC)	Serrano	Velázquez
Miller, George	Ruppersberger	Thompson (MS)	Hall	McCrery	Schmidt	Rahall	Sherman	Visclosky
Mollohan	Rush	Tierney	Harris	McHenry	Schwarz (MI)	Rangel	Skelton	Wasserman
Moore (KS)	Ryan (OH)	Towns	Hart	McHugh	Sensenbrenner	Reyes	Slaughter	Schultz
Moran (VA)	Sabo	Udall (CO)	Hastings (WA)	McKeon	Sessions	Ross	Smith (WA)	Waters
Murtha	Salazar	Udall (NM)	Hayes	McMorris	Shadegg	Rothman	Snyder	Watson
Nadler	Sánchez, Linda T.	Van Hollen	Hayworth	Mica	Shaw	Roybal-Allard	Solis	Watt
Napolitano	Sanchez, Loretta T.	Velázquez	Hefley	Miller (FL)	Shays	Ruppersberger	Spratt	Waxman
Neal (MA)	Sanders	Visclosky	Hensarling	Miller (MI)	Sherwood	Rush	Stark	Weiner
Oberstar	Schakowsky	Wasserman	Herger	Miller, Gary	Shimkus	Ryan (OH)	Strickland	Wexler
Obey	Schiff	Schultz	Hobson	Moran (KS)	Shuster	Sabo	Stupak	Woolsey
Olver	Schwartz (PA)	Waters	Hoekstra	Murphy	Simmons	Salazar	Tanner	Wynn
Ortiz	Scott (GA)	Watson	Hostettler	Musgrave	Simpson	Sánchez, Linda T.	Tauscher	
Owens	Scott (VA)	Watt	Hulshof	Myrick	Smith (NJ)		Taylor (MS)	
Pallone	Serrano	Waxman	Hunter	Neugebauer	Sodrel			
Pascrell	Sherman	Weiner	Hyde	Ney	Souder			
Pastor	Skelton	Wexler	Inglis (SC)	Norhup	Stearns			
Payne	Slaughter	Woolsey	Issa	Norwood	Sullivan			
Pelosi	Smith (WA)	Wynn	Istook	Nunes	Sweeney			
Peterson (MN)	Snyder		Jenkins	Nussle	Tancredo			
			Jindal	Osborne	Taylor (NC)			
			Otter	Oxley	Terry			
			Johnson (CT)	Pearce	Thomas			
			Johnson (IL)	Pence	Thornberry			
			Johnson, Sam	Petri	Tiahrt			
			Jones (NC)	Pickering	Tiberi			
			Keller	Pitts	Turner			
			Kelly	Platts	Upton			
			Kennedy (MN)	Poe	Walden (OR)			
			King (IA)	Pombo	Walsh			
			King (NY)	Porter	Wamp			
			Kingston	Price (GA)	Weldon (FL)			
			Kirk	Pryce (OH)	Weldon (PA)			
			Kline	Putnam	Weller			
			Knollenberg	Radanovich	Westmoreland			
			Kolbe	Ramstad	Whitfield			
			Kuhl (NY)	Regula	Wicker			
			LaHood	Rehberg	Wilson (NM)			
			Latham	Reichert	Wilson (SC)			
			LaTourette	Renzi	Wolf			
			Leach	Reynolds	Young (AK)			
			Lewis (CA)	Rogers (AL)	Young (FL)			
			Lewis (KY)					
			Linder					
			LoBiondo					

NOT VOTING—17

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

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

NOES—195

Ackerman	DeFazio	Kucinich
Allen	DeGette	Langevin
Andrews	Delahunt	Lantos
Baca	DeLauro	Larsen (WA)
Baird	Dicks	Larson (CT)
Baldwin	Dingell	Lee
Barrow	Doggett	Levin
Bean	Doyle	Lewis (GA)
Becerra	Edwards	Lipinski
Berkley	Emanuel	Lofgren, Zoe
Berman	Engel	Lowey
Berry	Eshoo	Lynch
Bishop (GA)	Etheridge	Maloney
Bishop (NY)	Farr	Markey
Blumenauer	Fattah	Marshall
Boren	Filner	Matheson
Boswell	Frank (MA)	Matsui
Boucher	Gonzalez	McCarthy
Boyd	Gordon	McCollum (MN)
Brady (PA)	Green, Al	McDermott
Brown (OH)	Green, Gene	McGovern
Brown, Corrine	Grijalva	McIntyre
Butterfield	Gutierrez	McKinney
Capps	Harman	McNulty
Capuano	Hastings (FL)	Meehan
Cardin	Herseth	Meek (FL)
Carmahan	Higgins	Meeks (NY)
Carson	Hinche	Melancon
Case	Hinojosa	Michaud
Chandler	Holden	Millender-McDonald
Clay	Holt	Miller (NC)
Cleaver	Honda	Miller, George
Clyburn	Hooley	Mollohan
Conyers	Hoyer	Moore (KS)
Cooper	Inslee	Moore (WI)
Costa	Israel	Moran (VA)
Costello	Jackson (IL)	Murtha
Cramer	Jackson-Lee	Nadler
Crowley	(TX)	Napolitano
Cuellar	Johnson, E. B.	Neal (MA)
Cummings	Jones (OH)	Oberstar
Davis (AL)	Kanjorski	Obey
Davis (CA)	Kaptur	Olver
Davis (FL)	Kildee	Ortiz
Davis (IL)	Kilpatrick (MI)	Owens
Davis (TN)	Kind	

NOT VOTING—11

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

□ 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. KUHLMAN 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;